

FLATHEAD COUNTY PLANNING AND ZONING OFFICE
CONDITIONAL USE PERMIT REPORT #FCU-10-11
SONJU
AUGUST 24, 2010

This is a report to the Flathead County Board of Adjustment regarding a request by Richard and Mary Sonju for a conditional use permit to allow for the expansion of an existing non-conforming use on the subject property within the Highway 93 North Zoning District.

The Flathead County Board of Adjustment will hold a public hearing on the proposed conditional use on September 7, 2010 beginning at 6:00 P.M. in the 2nd floor conference room of the Earl Bennett Building, 1035 First Avenue West, Kalispell. Documents pertaining to this file are available for public inspection in the Flathead County Planning and Zoning Office, also located on the second floor of the Earl Bennett Building.

I. APPLICATION REVIEW UPDATES

A. Land Use Advisory Committee/Council

The proposed amendment is not within the jurisdiction of any local land use advisory committee or local land use council.

B. Board of Adjustment

The Flathead County Board of Adjustment will hold a public hearing regarding the proposed land use on September 7, 2010 at 6:00 P.M. in the 2nd floor conference room of the Earl Bennett Building.

II. GENERAL INFORMATION

A. Application Personnel

i. Applicant

Richard and Mary Sonju
245 South Complex Drive
Kalispell, MT 59901
(406) 253-8880

ii. Landowner(s)

Richard and Mary Sonju
245 South Complex Drive
Kalispell, MT 59901
(406) 253-8880

iii. Technical Assistance

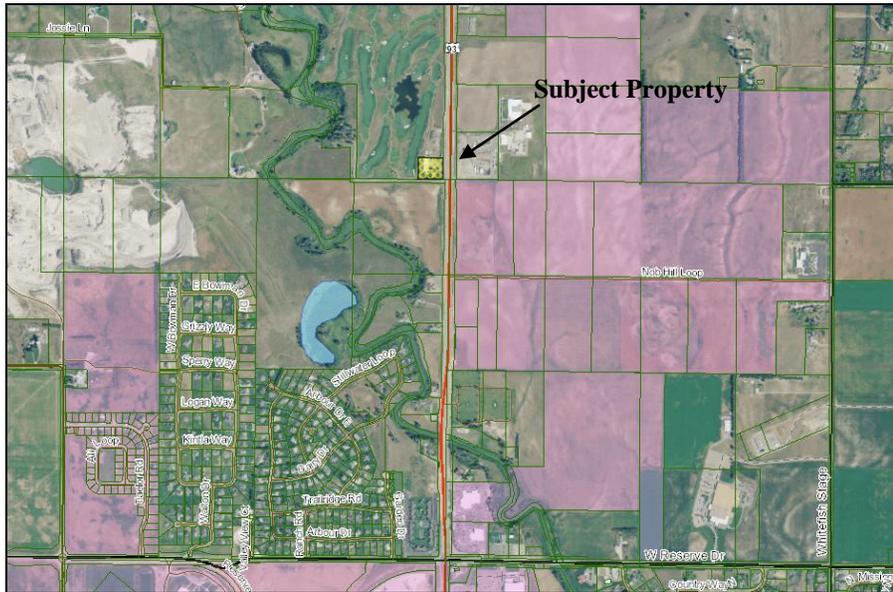
Terry Kramer - Kramer Enterprises
102 Cooperative Way, Suite 100
Kalispell, MT 59901
(406) 257-0966

B. Property Location and Size

The 2.27 acre subject property is located along the west side of U.S. Highway 93 approximately 1 mile north of West Reserve Drive (see Figure 1 below). The property

can be legally described as Assessor Tract 3 in Section 24, Township 29 North, Range 22 West, P.M.M. in Flathead County Montana.

Figure 1: Subject property highlighted in yellow.



C. Existing Land Use(s) and Zoning

Located within the Highway 93 North Zoning District, the property is zoned ‘SAG-10’, a district described as “*a district to provide and preserve agricultural functions and to provide a buffer between urban and unlimited agricultural uses, encouraging separation of such uses in areas where potential conflict of uses will be minimized, and to provide areas of estate-type residential development.*”

The subject property is currently developed with a firearms/aerospace manufacturing facility and a single family residence. The current manufacturing facility has apparently evolved from an auto-body repair and coatings facility which was in operation prior to adoption of the applicable Highway 93 North Zoning District in 1991. ‘Manufacturing’ is not a permitted or conditional use within SAG-10 zoning and as operation of the manufacturing facility pre-dates the adoption of the zoning district, the facility has the status of ‘non-conforming use’ per Section 2.07 of the Flathead County Zoning Regulations (FCZR).

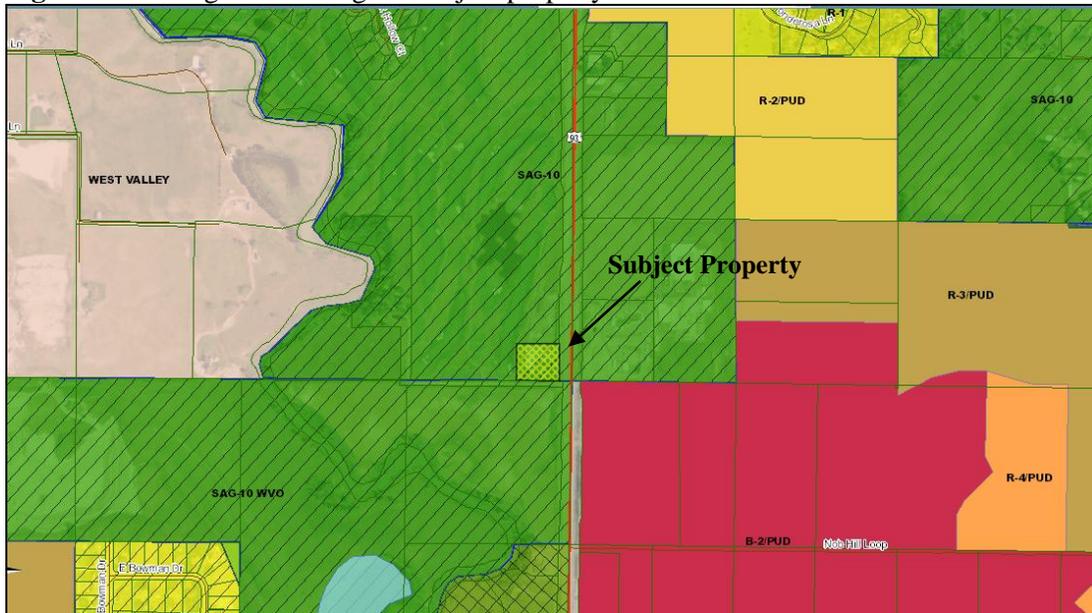
Figure 2: Existing use on the subject property highlighted in yellow.



D. Adjacent Land Use(s) and Zoning

Adjacent properties and the general area surrounding the subject property are sparsely developed for residential, recreational, and commercial purposes. Adjacent to the subject property are a golf course to the west and north, U.S. Highway 93 and a Montana Department of Transportation (MDT) facility to the east, and undeveloped lands to the south, southeast, and northeast. Properties adjacent to the north, east, and west are zoned as ‘SAG-10’, properties adjacent to the south and southwest are zoned as ‘SAG-10 WVO’, and properties adjacent to the southeast are zoned as B-2 PUD under the annexed jurisdiction of the City of Kalispell (see Figure 3 below).

Figure 3: Zoning surrounding the subject property.



E. Summary of Request

The applicant has requested a conditional use permit for the expansion of the existing non-conforming use on the subject property which is currently developed with a firearms/aerospace manufacturing facility and a residence. The owners want to expand the existing facility structure to enable installation of additional machinery, increase processing capability, and to include retail sales and a practice rifle range. An additional goal of the project is to upgrade the property to obtain an attractive 'curb appeal' for the public and clients of Sonju Industries.

The existing facility structure is intended to be expanded and the existing residence is intended to be removed to accommodate the proposed parking. The existing on-site well is intended to provide water, and the existing on-site septic drainfield system is intended to be upgraded to serve the facility. Access to the site will continue to use the current approach onto U.S. Highway 93. The application includes a site plan (3 sheets) indicating the location of existing and proposed infrastructure, new facility layout, proposed parking and existing and proposed landscaping.

F. Compliance With Public Notice Requirements

Notification was mailed to property owners within 150 feet of the subject property on August 11, 2010, pursuant to Section 2.06.040 (3) of the Zoning Regulations. Legal notice of the public hearing on this application will be published in the August 22, 2010 edition of the Daily Interlake.

G. Agency Referrals

Referrals were sent to the following agencies on August 11, 2010:

- Flathead County Public Works/Road and Bridge Department
 - Reason: The proposal includes access, traffic circulation, and parking elements which would be used by general public.
- Flathead County Solid Waste
 - Reason: The proposal has the potential to impact County facilities.
- Flathead City-County Health Department
 - Reason: The facility would utilize an existing septic drainfield and well, and the Department would be responsible for review of the proposed upgrade to the septic system.
- Montana Department of Transportation
 - Reason: The property is accessed by an existing approach onto the controlled access highway administered by the Department.
- City of Kalispell Planning Department
 - Reason: The property is adjacent to area annexed by the city.
- West Valley Fire District
 - Reason: The property is located within the West Valley Fire District boundaries, and the District may have an interest in the facility and site layout relative to their ability to adequately access the site to perform their duties.

III. COMMENTS RECEIVED

A. Public Comments

No written public comments have been received to date regarding the proposal. Any written comments received following the completion of this report will be provided to the Board and summarized during the public hearing, and any individual wishing to provide public comment may also do so during the public hearing scheduled for September 7, 2010.

B. Agency Comments

The following is a summarized list of agency comment received as of the date of the completion of this staff report:

- David Prunty, Flathead County Road and Bridge Department
 - No concerns regarding the proposal.
- James Chilton, Flathead County Solid Waste District
 - No concerns regarding the proposal.

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

i. Adequate usable space

The subject property is approximately 2.27 acres in size (98,881 ft²) and the existing facility structure is approximately 6300 ft². The proposed expanded facility would integrate the existing building with new structural elements, and the new expanded building would encompass approximately 34,000 ft² of ground area. The submitted site plan indicates the locations of the proposed expanded building, necessary parking areas and areas along the western portion of the property to be used for drainfield and stormwater management purposes. Additionally, the site plan indicates development of the proposed expanded use could leave open buffer area between the facility structure and the property boundaries which would presumably allow emergency and maintenance access to all sides of the building.

Finding #1 – The subject property is suitable for the proposed expanded manufacturing use because there is adequate useable space to accommodate the proposed structure, parking areas, and necessary drainage and sanitation infrastructure.

ii. Adequate access

The subject property is accessed from U.S. Highway 93, a controlled access highway which has double-lane vehicular travel in each direction separated by a median turn lane directly in front of the approach to the subject property. The proposed expanded facility would continue to use the existing 26-foot wide paved approach onto the highway. Submitted material suggests vehicle trips associated with the expanded facility are anticipated to increase by

approximately 60 vehicle trips per day, including employees and customers. Documents on file with the Flathead County Clerk and Recorder indicate an agreement for access to the subject property from U.S. Highway 93 has been established between the owners/applicants and MDT, and a condition of the agreement is a requirement for an approach permit to be obtained. It is not apparent whether an approach permit has been obtained, and it should be required as condition of approval because the expanded facility would result in an increase of ingress and egress on the established approach.

Finding #2 - The site is suitable for the expanded non-conforming manufacturing facility use because the property has direct access onto U.S. Highway 93 via an existing 26-foot wide paved approach which appears able to accommodate the vehicle traffic created as a result of the proposed expansion.

iii. Absence of environmental constraints

The subject property may generally be described as a flat and open parcel with mature landscaping vegetation and large conifers situated as indicated on the submitted site plan. There are no steep or unstable slopes, streams, lakes, areas of apparent shallow groundwater, wetlands, or other water bodies on site of the proposal that would inhibit the proposed use.

Finding #3- The site appears suitable for the proposal because there are no environmental constraints such as streams, lakes, areas of apparent shallow groundwater, or wetlands on site or directly adjacent that would be adversely impacted or which would inhibit the proposed use.

B. Appropriateness of design

i. Parking scheme

The Flathead County Zoning Regulations provide specific guidance on parking requirements for manufacturing (FCZR 6.10.010) and office uses (FCZR 6.08.020), and a minimum of 30 parking spaces would be required to accommodate those proposed uses, based on 20 employees at maximum shift for manufacturing and 8,000 ft² of office space. Additionally two off-street loading spaces would be required pursuant to Section 6.15 FCZR because the facility would be expanded to increase floor area by 50% by adding between 20,000 - 39,999 ft² of aggregate gross floor area to the facility.

The applicant has proposed 42 standard vehicle parking spaces (including 1 parking space per lane for the 7 lanes in the proposed rifle range) and 2 off-street loading spaces for the proposed expanded manufacturing facility. The parking areas would be located on the south side of the facility as indicated on the submitted site plan. There appears to be ample parking to accommodate the proposed facility. The parking area is required to be paved according to Section 6.15 FCZR.

Finding #4 – The proposed parking location and design is appropriate because adequate space is available for employee and customer parking, and the number of parking and loading spaces shown on the site plan complies with the applicable parking and loading requirements of the zoning regulations.

ii. Traffic circulation

Vehicle traffic would enter the site and circulate through the parking areas via a single two-way approach onto U.S. Highway 93. The approach, parking areas, and the internal traffic aisles are proposed to be paved, and comply with the applicable width requirements as the minimum proposed aisle widths of 28 feet exceed the 20 foot minimum for two-way traffic required by FCZR 6.16.020. Comment from Flathead County Road and Bridge Department indicated no concern with existing conditions or the proposal in regard to parking and traffic circulation.

Finding #5 – The proposal for traffic circulation appears appropriate in design because the internal access would efficiently serve a multitude of facility functions while meeting or exceeding applicable dimensional requirements set forth in the Flathead County Zoning Regulations.

iii. Open space

The 2.27 acre subject property is small relative to the 10 acre minimum lot size required for new parcels under the applicable SAG-10 zoning, and the proposed facility expansion would occupy a substantial portion of the property while retaining areas of open space. The site layout indicates open landscaped areas would be maintained on portions of the front, side, and rear perimeters of the subject property, providing open buffers between the facility building, parking/access areas, and adjacent properties and roads. Proposed open space relative to the size of the structure appears adequate to accommodate stormwater runoff on-site.

Finding #6 – The proposal appears acceptable in its design because the design allows for adequate open space which may serve as a buffer between neighboring uses and may be used to accommodate stormwater management infrastructure.

iv. Fencing/screening

The subject property is surrounded by open land on adjacent properties not developed for residential purposes. While no fencing is proposed, the application and site plan indicate trees and shrubbery will provide limited screening of the facility from adjacent property and roads.

Finding #7 – The proposal appears acceptable in regard to fencing/screening because the site would have limited screening in the form of trees and shrubbery and the property is not adjacent to uses which would be visually impacted by the expanded facility structure and its regular operations.

v. Landscaping

A stated intent of the proposal is to upgrade the property to obtain an attractive ‘curb appeal’ for the public and clients of Sonju Industries, and the application states all open areas will be landscaped with grass, trees, and shrubbery. The site plan indicates existing trees proposed for retention and removal, and the

application indicates the setback area along the highway will be landscaped and landscaping on the west side of the facility will be improved.

Finding #8 – The proposed landscaping appears appropriate in design and will limit visual impacts resulting from the proposed facility because it would partially shield the facility from adjacent properties and create a modest buffer between adjacent uses.

vi. Signage

The application indicates minimal signage is necessary for the facility and will be designed to complement the site and landscaping. Proposed signage will be required to meet applicable standards and guidelines pursuant to FCZR Section 5.11.

Finding #9 – There will be limited visual impacts resulting from signage on the proposed facility because the proposed signage will be compliant with applicable requirements set forth in the Flathead County Zoning Regulations.

vii. Lighting

The application indicates the intent to apply ‘dark skies’ principles for outdoor lighting. Exterior lighting shall comply with performance standards set forth in FCZR Section 5.12.

Finding #10 – There will be limited visual impacts resulting from lighting of the proposed facility because the lighting will be compliant with applicable requirements set forth in the Flathead County Zoning Regulations, and the applicant proposes to voluntarily use ‘dark sky’ standards, whereby on-premises lighting is configured to minimize off-site illumination and minimize the facility’s contribution to night-time light pollution.

C. Availability of Public Services and Facilities

i. Sewer

According to data available on the county GIS system, there are no public sewer services available within 500 feet of the subject property, which is currently served by an existing permitted septic system. The application indicates a connection to existing public sewer service is available on the opposite side of U.S. Highway 93, but the cost of connection would be prohibitive and is more than three times the cost of using the current permitted system on-site. It is anticipated the existing on-site septic/drainfield system will be either upgraded or replaced, and the site plan indicates the location of the drainfield system along the western portion of the subject property. For any changes to the system, the applicant will be required to obtain approval from Environmental Health Services of the Flathead City-County Health Department (FCCHD) and Montana Department of Environmental Quality (MDEQ), as applicable.

Finding #11 – The proposed use will have minimal impact on public services and facilities because the facility would be served by an on-site septic/drainfield system proposed for upgrading or replacement, as applicable,

which would require review and approval from the Flathead City-County Health Department and Montana Department of Environmental Quality.

ii. Water

The subject property is currently served by an existing 246 foot deep individual well yielding 20 gallons of water per minute, and the expanded facility is proposed to continue use of the well for its water needs. The application includes a copy of the water right for the well (Notice of Completion of Groundwater Appropriation By Means of a Well) issued by the Montana Department of Natural Resources (DNRC).

Finding #12 – The proposed use will have minimal impact on public services and facilities because the facility would be served by an existing on-site individual well for which a water right has been issued by the Montana Department of Natural Resources.

iii. Storm Water Drainage

The proposal would introduce additional impervious surface area to the subject property due to the expanded facility structure and the proposed parking and access improvements. Stormwater runoff from impervious surfaces is proposed to be managed by absorption into vegetated surfaces and a swale located along the western portion of the subject property as indicated on the site plan. The facility expansion will cause more than 1 acre of land to be “disturbed”, and the applicant would be required to obtain permit coverage under the *General Permit for Storm Water Discharges Associated with Construction Activity*, issued by the Montana Department of Environmental Quality (A.R.M. 17.30.1102(28)).

Finding #13 –Stormwater drainage appears adequately addressed because runoff resulting from the expanded facility and associated impervious surfaces would be retained onsite in compliance with applicable regulations, and a *Stormwater Pollution Prevention Plan (SWPPP)* associated with the *General Permit for Storm Water Discharges Associated with Construction Activity* would be required to be obtained by the Montana Department of Environmental Quality prior to construction activity.

iv. Fire Protection

The subject property is located within the West Valley Fire District, with a district fire station located approximately 5 miles distant on Farm-to-Market Road. Additionally, a City of Kalispell fire station is located approximately 1.5 miles south of the subject property at the corner of Reserve Loop and U.S. Highway 93.

v. Police Protection

The subject property is served by the Flathead County Sheriff’s Department. Relatively quick response times would be anticipated given the property’s proximity to a major highway the urbanized area of Kalispell.

vi. Streets

The subject property has direct access onto U.S. Highway 93, a four-lane paved highway with a median turn lane located directly in front of the existing paved approach to the subject property. Regular operation of the expanded facility is not anticipated to impact U.S. Highway 93, as the additional vehicle trips associated with the use would be minimal relative to the current vehicle trips accommodated by the recently upgraded highway.

Finding #14 - Public services and facilities are adequate to serve the proposed expanded use because the subject property is in an area of the county served by the West Valley Fire District and the Flathead County Sheriff, and has direct access onto U.S. Highway 93, a paved highway adequate to serve the traffic generated by the proposed expanded use.

D. Immediate Neighborhood Impact

i. Excessive traffic generation

The application states the proposed expanded facility will generate an additional 40 vehicle trips per day by employees and an additional 20 vehicle trips per day by customers of the retail and rifle range elements of the facility. The application cites a Montana Department of Transportation (MDT) 2008 traffic count for U.S. Highway 93 of approximately 14,000 vehicle trips per day, suggesting impacts from the addition of 60 vehicle trips per day associated with the expanded use would be negligible.

Finding #15 – Additional vehicle traffic associated with the expanded use is not anticipated to generate excessive traffic which would adversely impact the immediate neighborhood because traffic generated by the expanded facility would utilize U.S. Highway 93 which has been designed to accommodate relatively high traffic volumes, and additional vehicle trips resulting from the expanded use would likely represent an increase of only .0043% relative to approximate current vehicle trips accommodated by the highway.

ii. Noise or vibration

Certain elements of the existing and proposed expanded facility (machinery and rifle range) have the potential to generate noise and vibration, but excessive noise or vibration that would impact the immediate neighborhood is not anticipated because those noise generating elements would be located within the internal confines of the facility. Machining components are designed to mitigate noise by being self-contained and enclosed, and the proposed rifle range would be partially underground, fully enclosed by concrete walls and roof, and would be designed to meet applicable federal standards for noise and safety.

Finding #16 – The proposed expanded use is not anticipated to generate noise or vibration which would adversely impact the immediate neighborhood because all facility elements which generate noise and vibration are designed to be self-contained and fully enclosed, must meet applicable federal standards for noise and safety, and would be contained completely within the insulated facility interior.

iii. Dust, glare or heat

The expanded facility is not anticipated to produce excessive amounts of dust, glare or heat, and is anticipated to reduce dust and glare due to paving of the parking areas and upgrading of roofing material and landscaping. The application indicates no manufacturing equipment used at the facility generate additional substantial heat that would not be able to be reasonably mitigated through means of ventilation.

Finding #17 – The proposed expanded use is not anticipated to generate dust, glare, or heat which would adversely impact the immediate neighborhood because existing gravel parking surfaces would be paved, proposed structural materials won't create abnormal glare, and manufacturing equipment used at the facility does not generate substantial heat.

iv. Smoke, fumes, gas, or odors

The application indicates the manufacturing portion of the facility is a 'clean' industry that doesn't produce smoke, fumes, gas or odors. As use of the proposed rifle range would produce smoke, fumes, and odors the rifle range is proposed to be serviced by special air management system that includes HEPA filters, and the range must meet applicable federal standards for mitigation.

Finding #18 – Adverse neighborhood impacts due to smoke, fumes, gas or odors are not anticipated as a result of the proposed use because the manufacturing portion of the facility doesn't produce smoke, fumes, gas or odors and the rifle range would be serviced by an air filtration system ensuring air released from the range would meet applicable Federal Clean Air standards.

v. Inappropriate hours of operation

As indicated in submitted application materials, business hours for the facility are proposed to be from 7:00 am. to 6:00 pm. The facility is not adjacent to established residential uses, and no impacts to the immediate neighborhood from inappropriate hours of operation are anticipated.

Finding #19 - The proposed hours of operation would be acceptable and have minimal impact on the surrounding neighborhood because the operation hours are typical of daytime business operating hours and there are no residential uses established adjacent to the subject property.

V. SUMMARY OF FINDINGS

1. The subject property is suitable for the proposed expanded manufacturing use because there is adequate useable space to accommodate the proposed structure, parking areas, and necessary drainage and sanitation infrastructure.
2. The site is suitable for the expanded non-conforming manufacturing facility use because the property has direct access onto U.S. Highway 93 via an existing 26-foot wide paved approach which appears able to accommodate the vehicle traffic created as a result of the proposed expansion.

3. The site appears suitable for the proposal because there are no environmental constraints such as streams, lakes, areas of apparent shallow groundwater, or wetlands on site or directly adjacent that would be adversely impacted or which would inhibit the proposed use.
4. The proposed parking location and design is appropriate because adequate space is available for employee and customer parking, and the number of parking and loading spaces shown on the site plan complies with the applicable parking and loading requirements of the zoning regulations.
5. The proposal for traffic circulation appears appropriate in design because the internal access would efficiently serve a multitude of facility functions while meeting or exceeding applicable dimensional requirements set forth in the Flathead County Zoning Regulations.
6. The proposal appears acceptable in its design because the design allows for adequate open space which may serve as a buffer between neighboring uses and may be used to accommodate stormwater management infrastructure.
7. The proposal appears acceptable in regard to fencing/screening because the site would have limited screening in the form of trees and shrubbery and the property is not adjacent to uses which would be visually impacted by the expanded facility structure and its regular operations.
8. The proposed landscaping appears appropriate in design and will limit visual impacts resulting from the proposed facility because it would partially shield the facility from adjacent properties and create a modest buffer between adjacent uses.
9. There will be limited visual impacts resulting from signage on the proposed facility because the proposed signage will be compliant with applicable requirements set forth in the Flathead County Zoning Regulations.
10. There will be limited visual impacts resulting from lighting of the proposed facility because the lighting will be compliant with applicable requirements set forth in the Flathead County Zoning Regulations, and the applicant proposes to voluntarily use 'dark sky' standards, whereby on-premises lighting is configured to minimize off-site illumination and minimize the facility's contribution to night-time light pollution.
11. The proposed use will have minimal impact on public services and facilities because the facility would be served by an on-site septic/drainfield system proposed for upgrading or replacement, as applicable, which would require review and approval from the Flathead City-County Health Department and Montana Department of Environmental Quality.
12. The proposed use will have minimal impact on public services and facilities because the facility would be served by an existing on-site individual well for which a water right has been issued by the Montana Department of Natural Resources.
13. Stormwater drainage appears adequately addressed because runoff resulting from the expanded facility and associated impervious surfaces would be retained onsite in compliance with applicable regulations, and a *Stormwater Pollution Prevention Plan (SWPPP)* associated with the *General Permit for Storm Water Discharges Associated*

with Construction Activity would be required to be obtained by the Montana Department of Environmental Quality prior to construction activity.

14. Public services and facilities are adequate to serve the proposed expanded use because the subject property is in an area of the county served by the West Valley Fire District and the Flathead County Sheriff, and has direct access onto U.S. Highway 93, a paved highway adequate to serve the traffic generated by the proposed expanded use.
15. Additional vehicle traffic associated with the expanded use is not anticipated to generate excessive traffic which would adversely impact the immediate neighborhood because traffic generated by the expanded facility would utilize U.S. Highway 93 which has been designed to accommodate relatively high traffic volumes, and additional vehicle trips resulting from the expanded use would likely represent an increase of only .0043% relative to approximate current vehicle trips accommodated by the highway.
16. The proposed expanded use is not anticipated to generate noise or vibration which would adversely impact the immediate neighborhood because all facility elements which generate noise and vibration are designed to be self-contained and fully enclosed, must meet applicable federal standards for noise and safety, and would be contained completely within the insulated facility interior.
17. The proposed expanded use is not anticipated to generate dust, glare, or heat which would adversely impact the immediate neighborhood because existing gravel parking surfaces would be paved, proposed structural materials won't create abnormal glare, and manufacturing equipment used at the facility does not generate substantial heat.
18. Adverse neighborhood impacts due to smoke, fumes, gas or odors are not anticipated as a result of the proposed use because the manufacturing portion of the facility doesn't produce smoke, fumes, gas or odors and the rifle range would be serviced by an air filtration system ensuring air released from the range would meet applicable Federal Clean Air standards.
19. The proposed hours of operation would be acceptable and have minimal impact on the surrounding neighborhood because the operation hours are typical of daytime business operating hours and there are no residential uses established adjacent to the subject property.

VI. RECOMMENDATION

Upon review and evaluation of this application, the request for an expanded non-conforming use (manufacturing facility with limited retail and rifle range) on the subject property is supported by the review criteria and 19 Findings of Fact listed above. Staff therefore recommends that the Flathead County Board of Adjustment adopt staff report FCU-10-11 as findings of fact and approve the conditional use permit, subject to the following 13 conditions:

VII. CONDITIONS

1. The operation of the expanded use on the subject property shall be in substantial conformance with the original application and site plan submitted and approved by the Board of Adjustment.
2. Changes or modifications to the approved use(s) or the site plan shall not be affected unless specifically approved in writing by the Flathead County Board of Adjustment.
3. A minimum of 39 standard vehicle parking spaces shall be clearly established on the subject or adjacent property to accommodate employee and visitor traffic generated by the facility, in accordance with applicable zoning regulations [FCZR Sections 6.08.020, 6.10.010, 6.15].
4. All signage on the subject property shall comply with all applicable standards and guidelines set forth under Section 3.40.040 of the Flathead County Zoning Regulations.
5. All lighting on the subject property shall adhere to the performance standards set forth in Section 5.12 of the Flathead County Zoning Regulations.
6. The applicant shall adhere to all applicable Montana State commercial building requirements as required by the Montana Bureau of Labor and Industry.
7. An encroachment permit shall be obtained from the Montana Department of Transportation for the approach onto US Highway 93 prior to operation of the expanded facility/use.
8. Upgrading and/or replacement of the septic/drainfield system shall be reviewed and permitted, as applicable, by the Flathead County Environmental Health Department and the Montana Department of Environmental Quality.
9. The stormwater management plan shall be approved and permitted as applicable by the Flathead County Environmental Health Department and the Montana Department of Environmental Quality.
10. Prior to the commencement of construction activities, the applicant shall obtain stormwater discharge permit coverage under the General Permit for Storm Water Discharges Associated with Construction Activity, issued by the Montana Department of Environmental Quality (A.R.M. 17.30.1102(28)).
11. The proposed vegetation landscaping plan shall be implemented to screen the facility from adjacent properties and roads, aid in absorption of stormwater, and reduce glare from the site.
12. Hours of operation for the facility shall be permitted from 7:00 AM to 6:00 PM seven days a week year round.
13. The operation of the expanded non-conforming use shall commence within one year from the date of issuance of the conditional use permit per FCZR 2.06.060.