

**FLATHEAD COUNTY PLANNING AND ZONING OFFICE**  
**CONDITIONAL USE PERMIT REPORT (#FCU-15-16)**  
**KARROW PROPERTIES, LLC**  
**JANUARY 15, 2016**

This is a report to the Flathead County Board of Adjustment regarding a request from Karrow Ave Properties, LLC for a conditional use permit to allow for a *'camp and retreat center'*. The subject property is located within the Interim Rural Whitefish Zoning District and is zoned *'SAG-10 Suburban Agricultural'*.

The Flathead County Board of Adjustment will hold a public hearing on the proposed conditional use on February 2, 2016 beginning at 6:00 P.M. in the 2<sup>nd</sup> 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 land use is not located within the advisory jurisdiction of a Land Use Advisory Committee.

**B. Board of Adjustment**

This space will contain an update regarding the February 2, 2016 Flathead County Board of Adjustment review of the proposal.

**II. GENERAL INFORMATION**

**A. Application Personnel**

**i. Applicant**

Jake Christiansen and Yvonne May  
PO Box 4147  
Whitefish, MT 59937

**ii. Landowner**

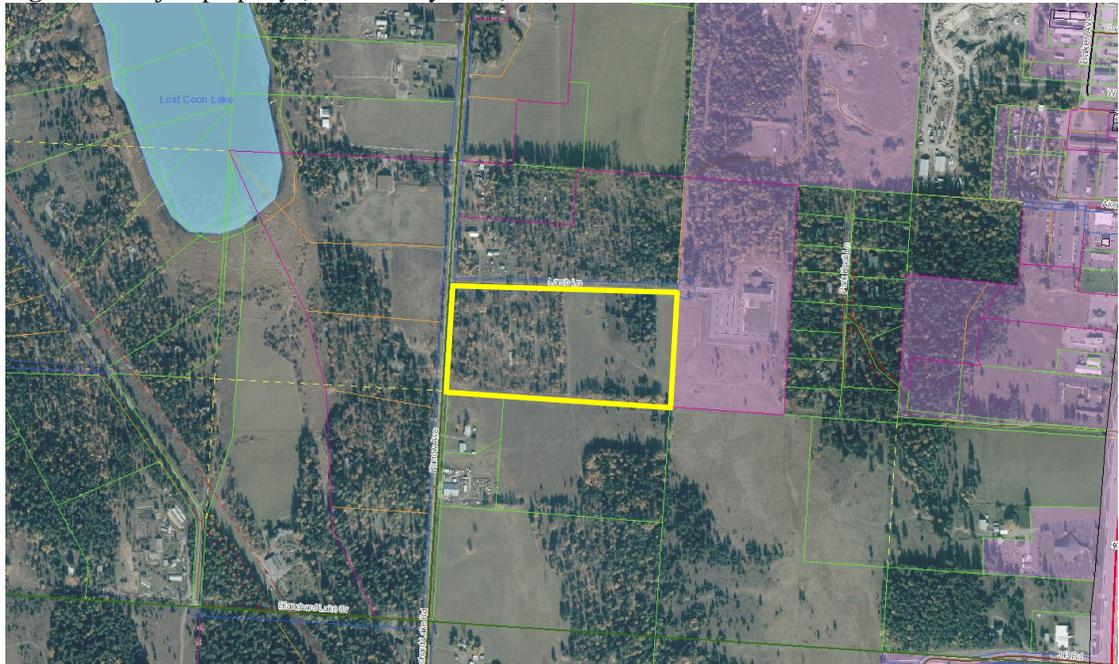
Karrow Properties, LLC  
PO Box 4147  
Whitefish, MT 59937

**B. Property Location and Size**

The property is located at 1545 and 1555 Karrow Ave south of Whitefish (see Figure 1 below). The property is approximately 34.33 acres and can be legally described as Lot 2 of Assembly of God Subdivision in Section 01, Township 30 North, Range 22 West, P.M.M., Flathead County, Montana.

Currently the subject property has an approved preliminary plat that would divide the lot into two lots by Lamb Lane. The proposed camp and retreat center would be located on the southern 19.068 acre lot, Lot 1 of the Assembly of God 2 Subdivision. This Conditional Use Permit staff report will address the impacts of camp and retreat center on this southern lot.

**Figure 1:** Subject property (outlined in yellow)



**C. Existing Land Use(s) and Zoning**

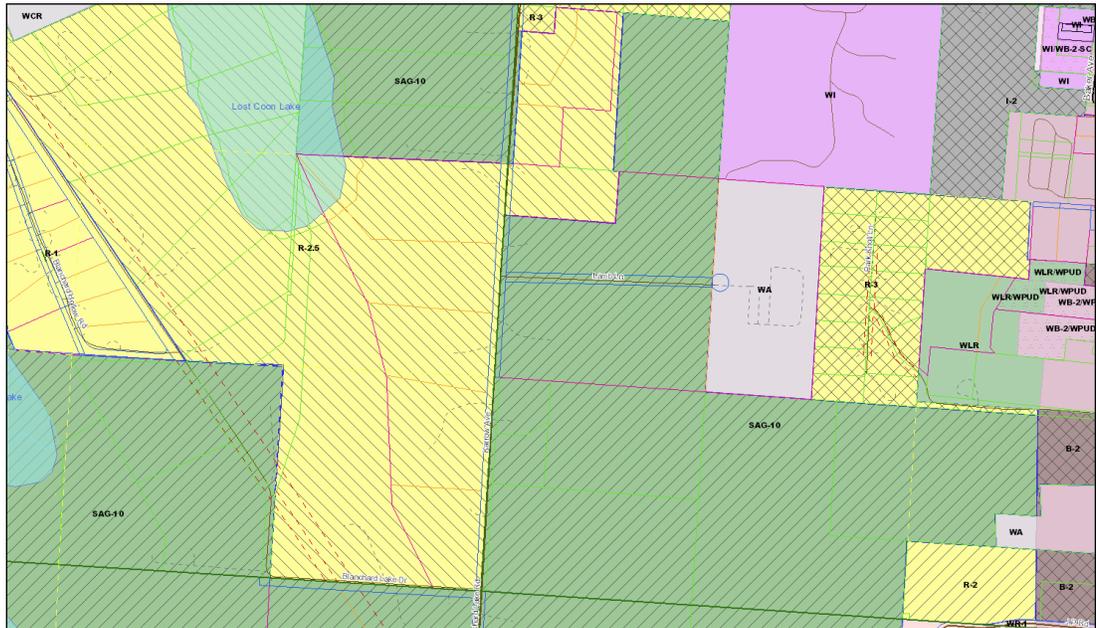
The property is located within the Interim Rural Whitefish Zoning District and is zoned ‘SAG-10 Suburban Agricultural’. The SAG-10 zone is defined as, “A district to provide and preserve agricultural functions and to provide a buffer between urban and unlimited agricultural uses, encouraging separation of such uses in areas where potential conflict of uses will be minimized, and to provide areas of estate-type residential development.”

The property is currently undeveloped and relatively forested on the western side of the lot. The property to the north (Lot 2 of Assembly of God 2 Subdivision) contains a single family dwelling with accessory structures and the property to the east, although zoned WA, is the location of the Assembly of God church.

#### D. Adjacent Land Use(s) and Zoning

Property in the surrounding vicinity includes ‘SAG-10 Suburban Agricultural’, ‘R-2.5 Rural Residential’, and Whitefish zoning “WA Agricultural” (see Figure 2 below). The primary uses in the area are generally low density residential, agricultural/silvicultural production, and open space, however a church and auto repair shop are located within ¼ mile of the subject property.

**Figure 2:** Zoning surrounding the subject property (outlined in red)



#### E. Summary of Request

The applicant is proposing a ‘camp and retreat center’ on the lot south of Lamb Lane which is currently zoned SAG-10 under the Interim Rural Whitefish Zoning District. The retreat center to be established under the name of Eco Retreat of Whitefish, LLC, will consist of 11 “tiny homes”/yurts and common building to accommodate the eco-oriented theme of the retreat center. The applicants intend to utilize the facility to provide “environmental awareness educational retreats” for up to 22 individuals. The camp and retreat center will utilize various “green” building and landscaping elements in addition to proposed education seminars. The applicants have also indicated that the camp and retreat center may be rented out to various other local groups wishing to host retreats/conferences. The camp and retreat center is anticipated to be seasonal with most events occurring between June 1-September 15 and December 15-January 1.

The applicant is requesting a conditional use permit to allow for a camp and retreat center to be placed on the subject property pursuant to Section 7.04.010 and Section 4.03 of the Flathead County Zoning Regulations (FCZR). A camp and retreat center is defined under Section 7.04.010 FCZR as “A land use to provide camping or retreat center activities characterized by a rural setting in a rustic environment. Uses are primarily seasonal, but they shall not be limited to such. The uses permitted may be

*affiliated with the organization running the camp or retreat center, however, the general public is not restricted from such use.”* The placement of a camp and retreat center in a SAG-10 zone requires the issuance of a Conditional Use Permit, the review of which is subject to specific guidelines set forth under Section 2.06.080 FCZR regarding criteria for the issuance of a Conditional Use Permit and conditional use standards for a camp and retreat center found in Section 4.03 FCZR.

The application for a Condition Use Permit for this camp and retreat center was submitted before the Assembly of God 2 subdivision was granted final plat approval because the applicants wished to go through review under the Sanitation in Subdivisions Act once instead of going through re-review after final plat approval. Because the camp and retreat center is proposed to be located on a lot that does not exist at this time, the Conditional Use Permit will be predicated on final plat approval. If final plat approval is not granted before the expiration (or extended expiration) of this permit then the CUP will be void.

#### **F. Compliance With Public Notice Requirements**

Notification was mailed to property owners within 150 feet of the subject property on January 15, 2016, 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 January 17, 2016 edition of the Daily Interlake.

#### **G. Agency Referrals**

Referrals were sent to the following agencies on December 21, 2015:

- Bonneville Power Administration
- Rural Whitefish Fire Department
- Flathead City-County Health Department
- Flathead County Solid Waste (FCSW)
- Flathead County Weeds and Parks Department
- Flathead County Sherriff’s office
- Montana Fish, Wildlife and Parks
- Montana Department of Transportation

### **III. COMMENTS RECEIVED**

#### **A. Public Comments**

No written public comments have been received to date regarding the conditional use permit request. It is anticipated any individual wishing to provide public comment on the proposal will do so during the public hearing scheduled for February 2, 2016. Any written comments received following the completion of this report will be provided to the Board and summarized during the public hearing.

#### **B. Agency Comments**

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

- Flathead County Solid Waste District
  - Comment: “If the conditional use permit is granted any and all solid waste generated at the proposed location will need to be hauled by private licensed hauler. North Valley Refuse is the licensed (PSC) Public Service commission licensed hauler in this area.” Letter

received December 30, 2015.

- Flathead County Road and Bridge Department
  - Comment: “At this point the County Road Department does not have any comments on this request.” Letter dated December 28, 2015
- Flathead County Environmental Health Department
  - Comment: “An application for subdivision review was received August 14, 2014, for this property but was not completed. Due to nonresponse, this application was dead-filed. This proposal is for a different development than the original submittal, therefore; this project is subject to review under the Sanitation in Subdivisions Act (Title 76.4.1). This property lies within the Whitefish Air Pollution Control District and is subject to all regulation listed in Flathead County Air Pollution Control Regulations including pavement of roads and parking lots, clearing of land greater than ¼ acre in size, construction and demolition activity, and material to be used on roads and parking lot standards.” Letter dated January 7, 2016
- Flathead County Weed District
  - Comment: “We have had issues with this property in the past (although it seems to be under new ownership?) and we will need a soil disturbance management plan to be approved for this project. (The previous plan submitted for this project in June was disapproved by the county weed board.) Email dated January 8, 2016
- Bonneville Power Administration
  - Comment: “BPA has no objection to the proposed action.” Email dated December 30, 2015.
- Montana Department of Transportation
  - Comment: “We do not have any comments regarding this proposal.” Email dated December 23, 2015

#### **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**

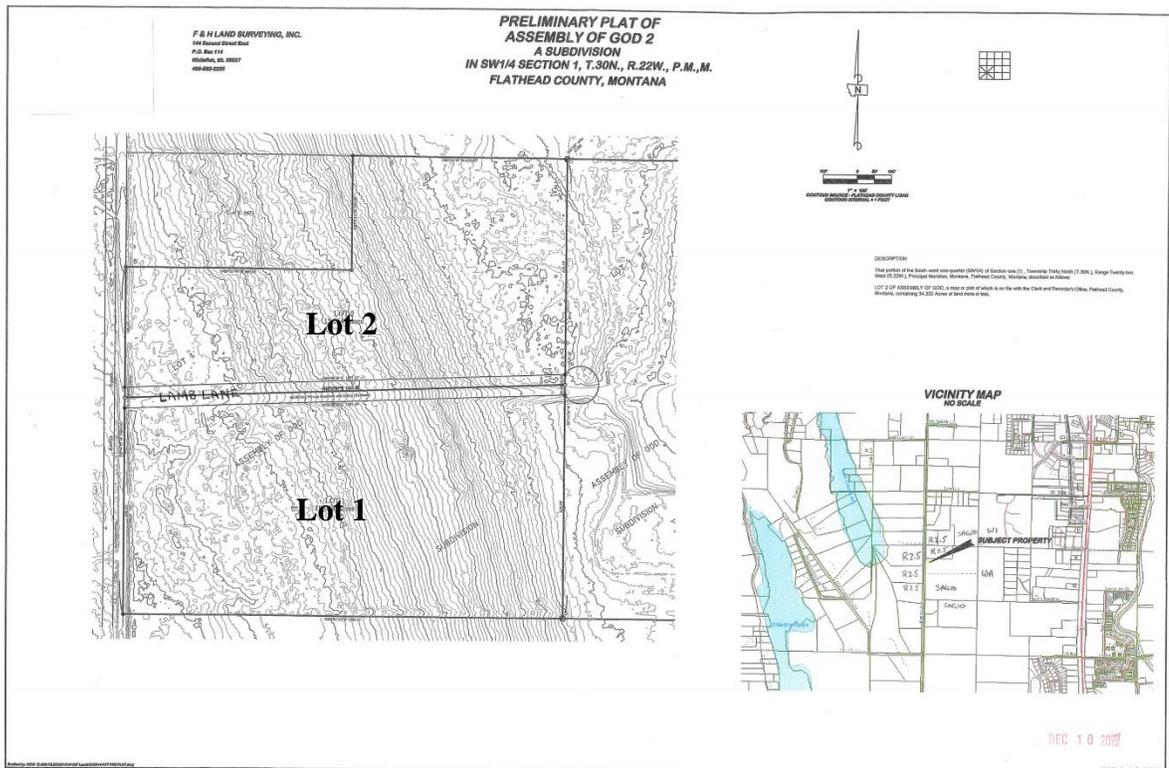
###### **i. Adequate usable space**

The proposed camp and retreat center will be located on the 19.068 acres lot known as Lot 1 of the Assembly of God 2 subdivision preliminarily approved on June 24, 2015 (see Figure 3). The lot is currently undeveloped and is forested and relatively flat on the western half of the property and sloped and cleared of most vegetation on the eastern side. Based on the site plan provided with the preliminary plat, the majority of the retreat will be located on the western side of the lot with the exception of the manager’s quarters. The proposal states that the “tiny home cabins” and yurts will be approximately 320 sq. ft. per unit for a total of 2600 sq. ft. The retreat will also contain a 1512 sq. ft. common building and a 1910 sq. ft. manager’s residence for a total of 6022 sq. ft. The total lot coverage for the proposed camp and retreat center would be less than one

percent of the total lot area which is well below the permitted lot coverage in the SAG-10 zone of 20%.

The minimum yard requirements within the SAG-10 zoning are 20 feet for front, side, rear and side corner yards for the principal structure. The setbacks for accessory structures are 20 feet from front and side corner yards and 5 feet for side and rear yards. An additional 20 foot setback is required from streams, rivers and unprotected lakes but none of these features exist on site. Based on the site plan which notes at least 128' setback, it appears the subject property has adequate useable space to accommodate the camp and retreat center in compliance with the setback and lot coverage requirements of the SAG-10 zone.

**Figure 3:** Assembly of God 2 Subdivision Preliminary Plat



**Finding #1** – There appears to be adequate usable space for the proposed use because the use will only cover 6,022 square feet of the 19.068 acre lot and the proposal will easily meet the applicable setback and lot coverage requirements.

**ii. Adequate access**

The camp and retreat center will be accessed via Lamb Lane, a paved, two-lane local subdivision road within a 60' easement with an existing approach from Karrow Avenue. Karrow Avenue is a 22' wide County road with a 35 mph speed limit. Lamb Lane also provides direct access to the Assembly of God church located directly east of the subject property and appears to be maintained by the church currently. The applicants indicate that a revised Road Users Agreement will be negotiated to accommodate shared maintenance of Lamb Lane.

The proposed access for the camp and retreat center will be located approximately 230 feet west of Karrow Avenue and the applicants have proposed a 20' driveway to the parking lot located next to the common/utility building. The width of the driveway is sufficiently wide to provide two-way access to the parking lot and the 14 12'x20' parking spaces meet the parking requirements outlined in Flathead County Zoning Regulations (FCZR) Section 6.03.030.

**Finding #2** – Access to the property is currently suitable for the proposed use because the camp and retreat center will be access off Lamb Lane, a 20' local road within a 60' road and utility easement, a 20' wide driveway to the parking lot will provide adequate two-way access to the site, and a revised Road Users Agreement shall be filed to ensure appropriate maintenance of Lamb Lane.

**iii. Absence of environmental constraints**

According to FEMA FIRM panels 30029C1090J the subject property is situated in an un-shaded Zone X, which is classified as an area outside the 500-year floodplain. Additionally, there appears to be no wetlands, streams, or creeks located on the subject property.

According to the application and accompanying materials, the subject property contains areas of high ground water that would require additional engineering for the proposed wastewater treatment system. A2Z Engineering has provided an engineered elevated sand system septic field to meet Montana Department of Environmental Quality (MDEQ) and Flathead County Environmental Health Department requirements. The proposed water, wastewater treatment, and storm water drainage systems for the camp and retreat center will be reviewed by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality prior to operation of the facility. The applicants have also indicated that buildings will be constructed without crawl space or basements so as to avoid issues of high ground water with proposed structures.

**Finding #3** – The subject property appears suitable for the camp and retreat center with conditions because the site is not within a Special Flood Hazard Area, does not contain wetlands, streams, or creeks, and issues of high ground water may be mitigated with engineered wastewater treatment system that is reviewed by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality.

**B. Appropriateness of design**

**i. Parking scheme**

FCZR Section 6.03.030 states that for hotels, motels, and cabins there is a requirement of, “1 space per guest room plus 1 space for every 2 employees per maximum shift.” The application indicates that 14 parking spaces will be provided to accommodate 12 guests and 2 staff members. This appears to be more than sufficient to meet the requirements of Section 6.03.030 as 11 units and up to 4 staff members would require only 13 spaces.

The parking lot as illustrated on the site plan indicates 10 perpendicular parking spaces 12'x20' in size along with 4 parallel parking spots. The application alternatively indicates that the 10 perpendicular parking spaces will be 9'x20' which is the minimum size allowed per FCZR Section 6.01.010(2).

The access for the manager's residence on the property is shown as being entirely separate from the access for the proposed camp and retreat center and parking would be accommodated by the garage structure. Based on staff's site visit and the submitted site plan the parking schemes appears to be appropriate and would accommodate the parking required.

**Finding #4** – The proposed parking scheme appears to be appropriately designed because the applicant is proposing a parking area with 14 spaces for the camp and retreat center and a garage for the manager's residence which appears to meet requirements outlined in the FCZR.

**ii. Traffic circulation**

Ingress and egress to the camp and retreat center proposed on the subject property will be via a private driveway off of Lamb Lane. The residence on the property has a separate access from that proposed for the camp and retreat center. The site plan shows the driveway proposed as access for the camp and retreat center will be extended via a 20' wide road through the middle of the subject property and will serve as the only means of ingress and egress for the camping units and common building. FCZR Section 6.16.020(3) requires a minimum road width of 20' for two-way traffic accessing a business which the proposal appears to meet. Additionally, the application indicates the driveway and parking area will be *“sufficiently landscaped and treed as to impede all vehicle access other than the gravel access road.”*

Lamb Lane is a paved, two-lane local subdivision road within a 60' easement. Lamb Lane is approximately 20' wide and appears to be maintained by the Assembly of God church and given the low speeds on the road there appears to be adequate site distances for traffic entering and exiting the property.

**Finding #5** – The proposed traffic circulation appears to be appropriately designed because the existing driveway off of Lamb Lane would support two-way traffic to the parking lot for the proposed camp and retreat center and the manager's residence would have a separate access.

**iii. Open space**

The subject property is 19.068 acres in size and the applicant is proposing to build 11 “tiny home cabins” and yurts. The proposal states that the “tiny home cabins” and yurts will be approximately 320 sq. ft. per unit for a total of 2600 sq. ft. The retreat will also contain a 1512 sq. ft. common building and a 1910 sq. ft. manager's residence for a total of 6022 sq. ft. The total lot coverage for the proposed camp and retreat center would be less than one percent of the total lot area which is well below the permitted lot coverage in the SAG-10 zone of 20%.

**iv. Fencing/screening**

Currently the property has a small white fence located near the intersection of Lamb Lane and Karrow Avenue. Although more decorative than functional, the site plan indicates that this will be removed and no additional fencing will replace this. Because the western side of the lot where the camp and retreat will be located is significantly forested, no additional fence or screening will be added or needed to buffer the use from the surrounding church and residential uses. The zoning designation and a camp and retreat center do not require any fencing or screening.

**v. Landscaping**

The western half of the property where the camp and retreat center is being proposed is forested with open space areas around the proposed manager's residence site. The applicant is proposing additional landscaping around the proposed common building and above the septic mound consisting of native grasses and rocks. The site plan also indicates a few trees will be added to the property around the entrance to the driveway and around the cabins. However, no landscaping is required for the camp and retreat center based on the applicable zoning regulations.

**vi. Signage**

The property currently contains signage for the Assembly of God church located at the corner of Lamb Lane and Karrow Avenue. This sign will be removed and replaced with a 9'x9' timber framed sign to be shared by the church and the camp and retreat center. Each group will have one 3'x4' sign within the timber structure and will be lit by 2 LED lights. The application also indicates that directional signs may be placed on the property for the camp and retreat guests however the specifics of these signs were not disclosed. All signage shall meet the standards outlined in FCZR Section 5.11.

**vii. Lighting**

According to the application, new lighting associated with the camp and retreat center would be limited to hooded wall sconces on the cabins, yurts, and common building. Low voltage LED lighting will also be placed along the pathways to the cabins/yurts to provide a safe walking environment without adding unnecessary light pollution. The applicant has stated that all lighting will be hooded, screened or directed in such a manner that the light source will not be detrimental to the neighboring property owners. The applicant shall be required to conform to the lighting standards set forth in Section 5.12 FCZR and will be conditioned accordingly and inspected after one year.

**Finding #6** – The camp and retreat center appears to be adequately designed because less than 1 percent of the property will be developed, the applicant is proposing some additional landscaping around buildings, adding trees around the camp and retreat center, and maintaining the existing forested nature of the property to buffer noise and light from neighboring properties.

**Finding #7** – The proposed sign appears to be adequately designed because the ground sign appears to meet standards and any future directional signs shall meet requirements outlined in FCZR Section 5.11.

## C. Availability of Public Services and Facilities

### i. Sewer

The proposed camp and retreat center and the manager's residence will be served by a single septic system. Due to the soil composition and areas of high groundwater, an engineered elevated system has been designed by A2Z Engineering to meet Flathead County Environmental Health Department standards. The site plan shows the proposed drainfield to be located adjacent to the common/utility building. Comments from the Flathead County Environmental Health Department state, "An application for subdivision review was received August 14, 2014, for this property but was not completed. Due to nonresponse, this application was dead-filed. This proposal is for a different development than the original submittal, therefore; this project is subject to review under the Sanitation in Subdivisions Act (Title 76.4.1)." The septic system must be approved by the Montana Department of Environmental Quality and the Flathead City-County Environmental Health which will be conditioned and verified after one year.

### ii. Water

The application states that the camp and retreat center as well as the manager's residence will be served by City of Whitefish 1.5" water line which currently runs down the east side of Karrow Avenue. Lot 2 of the Assembly of God subdivision currently has a service meter located at 1545 Karrow Avenue which will be extended to the 1555 Karrow Avenue lot (subject property). While a letter of service agreement was not supplied with the application materials, the applicants have indicated that the Karrow Water Association has given preliminary approval to supply the camp and retreat center. The water system must be approved by the Montana Department of Environmental Quality and the Flathead City-County Environmental Health.

**Finding #8** – The requirements for waste water treatment and water for the camp and retreat center appear to be acceptable because an elevated sand septic system has been designed to mitigate against high ground water issues and meet Montana Department of Environmental Quality and the Flathead City-County Environmental Health standards, a 1.5" water line located along Karrow Avenue could provide water services for the camp and retreat center, and both water and wastewater services would be reviewed under the Sanitation in Subdivision Act.

### iii. Storm Water Drainage

The application materials indicate storm water run-off will be handled through on-site absorption via a catchment detention area that will be 10-12' wide, 1.5-2' deep, and 80-100' long. The proposal will include development of "*non-porous surface that will account for approximately 1150 sq. ft. on the main building and 2600 sq. ft. on the tiny homes and yurts.*" This total accounts for less than 1 percent of the subject property. The applicant also proposed a porous, gravel parking lot to accommodate absorption, however the location of the subject property within the Whitefish Air Pollution Control District means that the parking lot will be required to be paved. The proposed use would

increase the impervious cover on the lot and has the potential to impact the existing storm drainage on the property; however the majority of the site will remain open space allowing for on-site absorption. The proposed use will be required to be reviewed and approved by the Flathead City-County Department of Environmental Health in order to obtain a storm drain permit applicable to the camp and retreat center. This will be conditioned and verified after one year.

**Finding #9** – The camp and retreat center appears to have acceptable impacts on storm water drainage because the storm water will be managed through on-site absorption and the use will be reviewed under the Sanitation in Subdivision Act by the Flathead City-County Environmental Health Department.

**iv. Fire Protection**

The subject property is located in the Wildlife Urban Interface and County Wide Priority Area and contains significant vegetation. However, the request is to allow for a camp and retreat center on the subject property and would only add one additional permanent residence to the WUI in an area that has been substantially cleared. The subject property is currently served by the Whitefish Fire Department, and is located approximately 2.7 miles from the existing fire station. Lamb Lane also contains 2 fire hydrants which could serve the property in the event of a fire. The camp and retreat center would be used on a seasonal basis and is not likely to hinder the availability of fire protection. No comments have been received from the Whitefish Fire Department at this time.

**v. Police Protection**

The property would be served by the Flathead County Sheriff's Department. Due to the proximity of the property to Whitefish long response times are not anticipated. The camp and retreat center would be used on a seasonal basis and is not likely to hinder the availability of police protection.

**vi. Streets**

The camp and retreat center will be accessed via Lamb Lane, a paved, two-lane local subdivision road within a 60' easement with an existing approach from Karrow Avenue. Karrow Avenue is a 22' wide County road with a 35 mph speed limit and sufficiently cleared of vegetation to ensure adequate site distances for traffic entering and exiting Lamb Lane. Lamb Lane also provides direct access to the Assembly of God church located directly east of the subject property and the road appears to be maintained by the church currently. The applicants indicate that a revised Road Users Agreement will be negotiated to accommodate maintenance of the Lamb Lane.

**Finding #10** – The proposed use appears to have acceptable impacts on public services and facilities because the camp and retreat center will be used on a seasonal basis, the Whitefish Fire Department and Flathead County Sheriff provide services to the subject property and the property is accessed off of an adequate roadway for the proposed use.

**D. Immediate Neighborhood Impact**

**i. Excessive traffic generation**

The proposed camp and retreat center is anticipated to increase traffic along Lamb Lane above the level expected of a single family residential use. According to the Institute of Traffic Engineers trip generation rates for motels during the weekday, 10 trips per rental are expected. With an 11 unit camp and retreat center, the use may generate approximately 110 additional trips per day in addition to the 10 trips generated by the proposed manager's residence. Since Lamb Lane is a dead end road that terminates at the Assembly of God church, it would appear that the traffic impacts would most significantly impact the church during the church's main hours of operation. However, the proposed camp and retreat center is seasonal in nature and based on the proximity of the church and the camp and retreat center to Karrow Ave, a collector road, traffic along Lamb Lane should be limited in duration and scope.

The most recent traffic count by the Flathead County Road & Bridge Department for Karrow Avenue conducted in 2012 showed a total average daily traffic (ADT) count of 1,292. An additional 120 trips a day anticipated by the camp and retreat center and manager's residence would increase traffic on Karrow Avenue 9.3%. The Flathead County Road and Bridge department submitted comments stating, "At this point the County Road Department does not have any comments on this request." Given the anticipated increase of only 9.3% in traffic generation for Karrow Avenue, and the Flathead County Road and Bridge Department raising no concerns with the proposal, it does not appear that the proposed camp and retreat center would generate excessive traffic.

**ii. Noise or vibration**

While some noise and vibration will naturally result from retreat activities, these impacts will be limited in duration to those times when retreats are hosted (June 1-September 15 and December 15- January 1) and should not negatively impact the surrounding area due to the forested nature of the property and the relatively large setbacks proposed on the site plan.

**iii. Dust, glare or heat**

The proposed use is not anticipated to generate glare or heat that would adversely impact the neighborhood. According to the application the parking lot was proposed to be a gravel lot to accommodate stormwater runoff. Because the property is located within the Whitefish Air Pollution Control District, the parking lot will be required to be paved thereby reducing impacts of dust. Comments from Environmental Health state, "This property lies within the Whitefish Air Pollution Control District and is subject to all regulation listed in Flathead County Air Pollution Control Regulations including pavement of roads and parking lots, clearing of land greater than ¼ acre in size, construction and demolition activity, and material to be used on roads and parking lot standards." Chapter VIII, Sub-Chapter 7, Rule 704 Pavement of Parking Lots Required, (1) & (2), construction of any new parking area greater than 5000 square feet or parking capacity greater than 15 vehicles or a traffic volume greater than 50 vehicles per day is required to be paved. Based on the applicant's estimates the parking lot size, it will be required to be paved unless a compliance plan is

developed and approved by the Flathead City-County Health Department. Therefore the proposed use is anticipated to generate minimal dust during the construction period.

**iv. Smoke, fumes, gas, or odors**

No fumes or gas are anticipated to be generated by the camp and retreat center. While the camp and retreat may have campfires and barbeque grills which could generate smoke and odors, these activities should be occasional, communal and therefore small scale and buffered by the forested nature of the property.

**v. Inappropriate hours of operation**

The applicant has not proposed hours of operation or specific quiet hours for the camp and retreat center. While quiet hours may reduce impacts of noise on surrounding residential properties, the large scale of the property and the forested buffer around the camp and retreat center would appear to cause minimal impacts on the neighboring properties.

**Finding #11-** The proposal to utilize a 3-4” depth of washed chip rock access and parking lot does not appear to be appropriate as the property is located within the Whitefish Air Pollution Control District and is subject to all regulation listed in Flathead County Air Pollution Control Regulations including pavement of roads and parking lots, clearing of land greater than ¼ acre in size, construction and demolition activity, and material to be used on roads and parking lot standards.

**Finding #12 –** The proposed use is not anticipated to impact the surrounding neighborhood because the traffic generated by the proposal is only anticipated to increase traffic on Karrow Avenue by 9.3%, the use is not anticipated to create noise, vibration, glare, heat, smoke, fumes, gas or odors out of character with the semi-rural setting or produce unacceptable impacts to the neighborhood.

**V. SUMMARY OF FINDINGS**

**Finding #1 –** There appears to be adequate usable space for the proposed use because the use will only cover 6,022 square feet of the 19.068 acre lot and the proposal will easily meet the applicable setback and lot coverage requirements.

**Finding #2 –** Access to the property is currently suitable for the proposed use because the camp and retreat center will be access off Lamb Lane, a 20’ local road within a 60’ road and utility easement, a 20’ wide driveway to the parking lot will provide adequate two-way access to the site, and a revised Road Users Agreement shall be filed to ensure appropriate maintenance of Lamb Lane.

**Finding #3 –** The subject property appears suitable for the camp and retreat center with conditions because the site is not within a Special Flood Hazard Area, does not contain wetlands, streams, or creeks, and issues of high ground water may be mitigated with an engineered wastewater treatment system that is reviewed by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality.

**Finding #4 –** The proposed parking scheme appears to be appropriately designed because the applicant is proposing a parking area with 14 spaces for the camp and retreat center

and a garage for the manager's residence which appears to meet requirements outlined in the FCZR.

**Finding #5** – The proposed traffic circulation appears to be appropriately designed because the existing driveway off of Lamb Lane would support two-way traffic to the parking lot for the proposed camp and retreat center and the manager's residence would have a separate access.

**Finding #6** – The camp and retreat center appears to be adequately designed because less than 1 percent of the property will be developed, the applicant is proposing some additional landscaping around buildings, adding trees around the camp and retreat center, and maintaining the existing forested nature of the property to buffer noise and light from neighboring properties.

**Finding #7** – The proposed sign appears to be adequately designed because the ground sign appears to meet standards and any future directional signs shall meet requirements outlined in FCZR Section 5.11.

**Finding #8** – The requirements for waste water treatment and water for the camp and retreat center appear to be acceptable because an elevated sand septic system has been designed to mitigate against high ground water issues and meet Montana Department of Environmental Quality and the Flathead City-County Environmental Health standards, a 1.5" water line located along Karrow Avenue could provide water services for the camp and retreat center, and both water and wastewater services would be reviewed under the Sanitation in Subdivision Act.

**Finding #9** – The camp and retreat center appears to have acceptable impacts on storm water drainage because the storm water will be managed through on-site absorption and the use will be reviewed under the Sanitation in Subdivision Act by the Flathead City-County Environmental Health Department.

**Finding #10** – The proposed use appears to have acceptable impacts on public services and facilities because the camp and retreat center will be used on a seasonal basis, the Whitefish Fire Department and Flathead County Sheriff provide services to the subject property and the property is accessed off of an adequate roadway for the proposed use.

**Finding #11**- The proposal to utilize a 3-4" depth of washed chip rock access and parking lot does not appear to be appropriate as the property is located within the Whitefish Air Pollution Control District and is subject to all regulation listed in Flathead County Air Pollution Control Regulations including pavement of roads and parking lots, clearing of land greater than ¼ acre in size, construction and demolition activity, and material to be used on roads and parking lot standards.

**Finding #12** – The proposed use is not anticipated to impact the surrounding neighborhood because the traffic generated by the proposal is only anticipated to increase traffic on Karrow Avenue by 9.3%, the use is not anticipated to create noise, vibration, glare, heat, smoke, fumes, gas or odors out of character with the semi-rural setting or produce unacceptable impacts to the neighborhood.

## **VI. CONCLUSION**

Upon review of this application, the request to allow for a camp and retreat center is generally supported by the review criteria and the Findings of Fact listed above. Should the Flathead County Board of Adjustment choose to adopt staff report FCU-15-12 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**

1. The operation of the ‘Camp and Retreat Center’ 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 and final plat approval of the Assembly of God 2 subdivision must be granted for this permit to be valid [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 approved use shall conform to the applicable standards of the SAG-10 Suburban Agricultural zoning district [FCZR Section 3.07].
4. A minimum of 14 standard vehicle parking spaces shall be clearly established and demarcated on the subject property, pinned down curb-stops to accommodate guest and employee parking, in accordance with applicable zoning regulations [FCZR Sections 6.01.010, 6.01.030, Appendix A].
5. All requirements outlined in the Flathead County Air Pollution Control Regulations including pavement of roads and parking lots, clearing of land greater than ¼ acre in size, and construction and demolition activity shall be adhered to, including the pavement of the accesses and parking lot for the camp and retreat center, unless a compliance plan is developed and approved by the Flathead City-County Health Department.
6. The proposed water, wastewater treatment, and storm water drainage systems for the camp and retreat center shall be reviewed as applicable by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality. A copy of the approved permit shall be available upon request by Flathead County Planning and Zoning.
7. All signage on the subject property shall comply with all applicable standards and guidelines set forth under Section 5.11 of the Flathead County Zoning Regulations, and the excess old sign shall be removed.
8. 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.
9. The operation of the camp and retreat center 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: REE