



Planning Department

Powell County Planning Department • 409 Missouri Ave., Suite 101 • Deer Lodge, Montana 59722
406.846.9729 | bbender@co.powell.mt.us

CONDITIONAL USE PERMIT APPLICATION

Property Owner

Agent

Name: _____ Name: _____

Address: _____ Address: _____

Phone: _____ Phone: _____

E-mail: _____ E-mail: _____

Property Location: _____

County Generated E9-1-1 Address (GIS Section 406.846.9711): _____

Legal Description: _____ 1/4 of S _____ T _____ N, R _____ W

Assessor Code: _____ Geocode: _____

Existing Use of Property: _____

Describe the Request (include any supporting documentation): _____

Submitted Site Plan - The plan must show parcel boundaries, existing and proposed structures, access from a public road, waterways & drainage structures, and other significant natural features. An applicant may obtain a base map from Powell County's GIS at the Planning Office.

Septic & Water Facilities Necessary: _____ Yes _____ No If yes, applicant must check with the County Sanitarian.

Signature acknowledges that all information on this application and any supporting materials is true and correct; that the permitted activity will be conducted in full compliance with all regulations of Powell County, and the activity will be in full compliance with any and all conditions attached to this Permit. Note, attached conditions are binding. Conditional Use Permits are valid for one year from the approval date. Permit extensions may be given on an individual basis, upon request made to the Planning Department.

Property Owner / Authorized Agent Signature: _____

(Landowner or agent must attend Public Hearing)

Date: _____



Planning Department

Powell County Planning Department • 409 Missouri Ave., Suite 101 • Deer Lodge, Montana 59722
406.846.9729 | bbender@co.powell.mt.us

CONDITIONAL USE PERMIT APPLICATION

Do Not Complete This Section

Application Complete: ___ Yes ___ No Fees Paid: _____ Docket #: _____

Zoning District: _____ Floodplain Zone: _____ Panel #: _____

Floodplain & Stream Setback Overlay District: ___ Yes ___ No If Yes, Required Setback: _____

Clark Fork River Overlay District: ___ Yes ___ No If Yes, DEQ Contacted? _____

Legal Access Via: _____

Approach Permit Required: ___ Yes ___ No If Yes, Date Issued: _____

Fire District: _____ Elementary School District: _____

Hearing Date: _____ Adjacent Owners Notified: _____

Planning Board Action: Approved: _____ Approved with Conditions: _____ Denied: _____

Conditions - Listed on the Permit

Section IV-D-2 of Powell County’s Zoning & Development Regulations assert conditional uses must comply with the requirements found in the Regulations and any additional conditions prescribed by the Planning Board. The Board should use the following standards as a reference when evaluating the need to attach conditions to their decision to reduce the impacts of the activity on adjacent properties and public services.

Petitioners must provide responses to the Approval Criteria - (please explain the use of a “Not Applicable” response).

Applications must also be accompanied by either: (1) a showing that there is minimum danger from wildfire; or (2) a written fire prevention plan to prevent any wildfires from endangering the structure(s). A fire prevention plan should address fire retardant construction materials, cutting or cropping of grass, thinning or removing timber in an adequate area around the structures, or other methods for protecting the structures from wildfires. Upon advice the local fire department or Fire Warden, the Planning Department may require additional or more restrictive provisions are included.



Planning Department

Powell County Planning Department • 409 Missouri Ave., Suite 101 • Deer Lodge, Montana 59722
406.846.9729 | bbender@co.powell.mt.us

CONDITIONAL USE PERMIT APPLICATION

1. Adequate legal and physical access to the property and proposed structures with particular concern for automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergency.
2. Adequacy of existing roads, streets, driveways, bridges, cattle guards and other infrastructure and possible impacts of additional traffic and other uses on existing access for neighboring and area properties.
3. Adequate off-street parking and loading areas, where required, with particular attention to access, traffic flow, vehicular and pedestrian safety, and avoidance of adverse effects on neighboring properties and uses.
4. Significant odor or air, water or noise pollution.
5. Location of garbage containers and garbage pickup to avoid adverse effects on neighboring properties and uses.
6. Availability, capacity and quality of utilities and community services.
7. Adequate landscaping and adequate screening and buffering, where required (see Chapter VIII).
8. A fire protection plan to protect structures (see III-C).
9. General compatibility with the Powell County Growth Policy.

1. Developments May Not Interfere With Agricultural Operations

- a. Developments should not impede or diminish the quantity of, add sediments or other contaminants to, or otherwise adversely affect ground or surface water sources used for human consumption, livestock watering or irrigation.
- b. Developments may not obstruct or impair canals, ditches or other irrigation waterways; or interfere with the operation or function of head gates, culverts or other irrigation facilities.
- c. Developments and subsequent uses may not impede or cause conflict with the normal conduct of agricultural operations or uses.

2. Developments Must Be On Suitable Lands – Unless special measures approved by the Planning Board and appropriate under these regulations are taken to overcome the associated problems, developments are prohibited on slopes greater than 25-percent. Further:

- a. All new roads constructed between a public road and the property boundary for land use change purposes must have legal access.
- b. County Road Standards for residential driveways off the county right of way are advisory.
- c. Grading and drainage facilities shall be designed to remove storm run-off waters and prevent accumulation of standing water.
- d. An approach permit for all new approaches on the county roads must be obtained. All applications for approaches onto county roads will be reviewed and approved in writing within 30 working days by a County Commissioner or designee prior to construction.
- e. In addition, some land use changes may need to comply with state or federal rules. Where such is the case, compliance is the responsibility of the applicant, and proof of such compliance may be required by the Planning Board.

3. New Developments Must Be Compatible With the County's Agricultural and Rural Character

- a. Developments shall be designed and constructed to avoid blocking or altering natural drainages.
- b. Developments shall be designed and constructed to minimize the disturbance of stream banks and lakeshores, and riparian areas abutting such water bodies.
- c. Telephone and power transmission lines shall be located with respect to natural terrain and vegetation to minimize visual impact, and to minimize disturbance of soil and vegetation.
- d. All soil disturbances associated with land use changes will be treated for noxious weeds and re-vegetated within the earliest growing season. This responsibility rests with the certificate or permit holder.
- e. New developments may be restricted or may not be allowed in designated fish and wildlife habitat areas (see Chapter VI-C).

4. New Developments Must Be Compatible With the County's Existing Residential Developments and Other Developments in the Area

- a. Developments must not substantially diminish the light, air and open space, or cause unsightly conditions, for existing residential developments. Housing generally similar to existing housing shall not of itself be considered to have negative impacts to open space.
- b. Non-residential developments proposed in or near residential areas must not adversely affect the light, air and open space of the area by creating unacceptable noise, odors, visuality, traffic or other conditions.