

proposed building, structure, alteration, or use is permitted at the proposed location, and whether the proposal will comply with the requirements of the applicable district and these regulations.

2. Should the Zoning Administrator find that the proposal is permitted in the applicable district and will conform to all requirements, he shall issue the applicant a Zoning Permit.
3. Should the Zoning Administrator find that the proposal either is not permitted in the applicable district or will not conform to all requirements of this Ordinance, he shall deny the application and state in writing that the application is denied and explain the reasons for denial. The statement accompanied by one copy of the application shall be sent to the applicant.
4. Construction, installation, alteration, placement or use must comply with the plans approved by the Zoning Administrator. •
5. A Zoning Permit shall be in effect for one year from the date of approval.

SECTION 11. CONDITIONAL USE PERMITS

A. Purpose

The purpose of conditional use permits is to provide for specific uses, other than those specifically permitted in each district, which may be appropriate in the district under certain safeguards or conditions. The conditional use permitting process is intended to provide a detailed and comprehensive review of proposed developments that potentially could significantly impact the community.

B. Conditional Uses: Requirements

1. No structure or land may be used for any purpose in any district where the use is not permitted, unless the use is listed as a conditional use within that district and the approval for the use is obtained through these procedures.
2. Conditional uses and the required conditions are listed as part of each of the district requirements.
3. Conditional uses also must comply with any additional conditions prescribed by the Zoning Commission relating to the following:
 - * Adequate ingress and egress to 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.
 - * Adequate off-street parking and loading areas, where required, with particular attention to access, traffic flow and vehicular and pedestrian safety.
 - * Location of garbage containers and garbage pickup with respect to traffic flow and access, odor, and vehicular and pedestrian safety.
 - * Availability and compatibility of utilities in suitable locations.
 - * Adequate screening and buffering, with attention to type, dimensions and aracte •

- * Signs, with attention to preventing glare and promoting traffic safety, economic effect, and harmony with adjacent properties.
- * Required yards and open space.
- * General compatibility with adjacent and other properties.

C. Procedures for a Conditional Use Permit

The following procedures must be followed before the Zoning Commission may grant a Conditional Use Permit:

1. The applicant must submit an accurate and complete written application for a conditional use to the Zoning Commission through the Zoning Administrator. All applications for conditional use permits must be accompanied by plans drawn to approximate scale, showing the approximate dimensions and shape of the lot to be built upon; the approximate sizes and locations on the lot of buildings already **existing**, if any; the location and dimensions of the proposed buildings or alterations; and information which clearly states how the conditions for the use will be met.
2. The application must include any other information as may be required by the Zoning Administrator, including descriptions of proposed buildings and alterations; existing or proposed uses of land and buildings; the number of families, dwelling units, or rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of this ordinance.
3. Notice shall be published at least 7 days in advance of a public hearing before the Zoning Commission. The owner of the property for which a conditional use is sought or his agent shall be notified of the hearing by mail.
4. At the public hearing any party may appear in person, or through an agent or attorney.
5. Before granting a conditional use permit, the zoning Commission shall make a written finding that the proposed use will comply with the specific conditions governing the use and the other requirements of this Ordinance, and that the conditional use will not adversely affect the character of the district.
6. Where the proposed conditional use is subject to review as a subdivision under the Montana Subdivision and Platting Act (76-3-101 *et seq.*, MCA), the Zoning Commission and Planning Board shall hold joint and concurrent review, including a joint public hearing(s). Notice of each hearing shall be given in the manner prescribed by this Ordinance and the municipality's subdivision regulations.

SECTION 12. BOARD OF ADJUSTMENT

A. Board of Adjustment Established

A Board of Adjustment (herein after referred as "the Board") is hereby established in accordance with Sections 76-2-321 through 76-2-328, MCA. The town council shall