



CONDITIONAL USE PERMIT/AMENDMENT APPLICATION

Community Development Department, Planning Division
316 North Park Avenue, Room 445, Helena, MT 59623
406-447-8490; citycommunitydevelopment@helenamt.gov

Date received: _____

APPLICATION FEE: \$435.00
(PAYABLE TO THE CITY OF HELENA)
ALL FEES ARE NON-REFUNDABLE

PROPERTY OWNER: *Primary Contact?*

Name: _____ Primary Number: _____
Address: _____ Other Phone: _____
Email: _____

APPLICANT (If different from property owner): *Primary Contact?*

Name: _____ Primary Number: _____
Address: _____ Other Phone: _____
Email: _____ Company: _____

AUTHORIZED REPRESENTATIVE: *Primary Contact?*

Name: _____ Primary Number: _____
Address: _____ Other Phone: _____
Email: _____ Company: _____

ADDRESS OF PROPERTY: _____
Address City State Zip Code

Legal Description (Block & Lots, Subdivision, COS #) _____

Current Zoning District _____

Geocode _____

Provide a current deed & plat

Are there other related Land Use Applications being submitted: Yes No

Submit proof of current paid taxes

I HEREBY CERTIFY AND ACKNOWLEDGE THE STATEMENTS IN THIS APPLICATION AND ANY ATTACHED INFORMATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed: _____ Date: _____
 Property Owner

Applicant: _____ Date: _____
 (If different from Owner)

Please provide all the information requested in the Application Instructions. An incomplete application may delay the review of your request.

Are you requesting any variances with this application?	Yes	No
If yes, see Board of Adjustment application.		

Have any variances or CUPs been previously given for this property?	Yes	No
If yes, provide a copy of the variance decision or CUP Resolution.		

Review Process and Criteria per 11-3-3 City Code: The following completeness review is required for applications for conditional use permits:

- A. Within ten (10) working days of receipt of an application and required filing fee, the City shall review the submitted information to determine whether the application contains all the information required by this chapter. The application is complete if all the information required is provided, thereby forming the basis for an informed decision on the application. The City shall give written notice to the applicant of the determination as to whether or not the application is complete.
- B. If the City determines that information is missing from the application, the City will identify those elements in the notification. If the applicant fails to submit the missing information within five (5) working days of the notice of deficiency, the City may deny approval of the application.
- C. If the applicant corrects the deficiencies and resubmits the application within the time provided above, the City has ten (10) working days to notify the applicant whether the resubmitted application contains all the information required by this chapter.
- D. After a complete application has been filed, the City shall investigate the facts bearing on the application to assure that the action on the application is consistent with the intent and purpose of this Title and then give its recommendation to the Zoning and City Commission.

A CONDITIONAL USE PERMIT IS EFFECTIVE UPON APPROVAL BY THE CITY COMMISSION AND AFTER ALL OF THE CONDITIONS FOR APPROVAL HAVE BEEN COMPLETED.

YOUR PROPOSAL MUST COMPLY WITH THE FOLLOWING:

- Building and fire codes including required building and occupancy permits.
- Zoning Ordinance requirements including but not limited to: front, side and rear yard setbacks; maximum lot coverage; building height; landscaping; parking; screening; and signage.
- Sidewalks, curbs, and gutters; if deteriorated, repair or replacement may be required.

APPLICATION INSTRUCTIONS:

Please note: "N/A" is not an acceptable answer alone and requires an explanation if used.

All conditional use permit applications must include the following information per 11-3-2 CC:

- 1. Apply to the City on the appropriate forms and pay any required fees. The application must include the property owner's signature;
- 2. Type and extent of the proposed use (including hours of operation);
- 3. Site plan showing the proposed and current location of:
 - Pedestrian, vehicular, and bicycle ingress and egress to the property;
 - Parking and loading areas;
 - Landscaping and screening;
 - Solid waste collection areas;
 - Utilities;
 - Signs; and
 - Lighting;
- 4. Proposed storm water drainage plan;
- 5. Traffic impact study for any use that will generate more than two hundred (200) vehicle trips a day;
- 6. Vicinity map of the area showing the location of the property in relation to surrounding land and zoning in the immediate area, water and wastewater mains, other utilities, and city streets;
- 7. Planned modifications to the existing structure;
- 8. Preliminary architectural drawings for new construction with elevations that include building heights;
- 9. An evaluation of the impacts on the abutting properties and the neighborhood with respect to the factors identified in section 11-3-4B City Code. The evaluation must address any potential adverse impacts and how any such adverse impacts will be mitigated.
- 10. Expected time when the permitted conditional use will commence; and
- 11. Variances requested.

12. All applications for conditional use permits will be evaluated against the following criteria from 11-3-4 City Code:

- The proposed conditional use, as conditioned, will not adversely impact public health, safety, or general welfare.
- The proposed conditional use, as conditioned, will not adversely impact the peaceful use of existing property or improvements in the vicinity and the zoning district in which the subject property is located.

The following factors must be considered in determining the impacts of the proposed conditional use on the abutting properties and the neighborhood. **Please provide an evaluation of the following using the above criteria on a separate page:**

- Location, character, and natural features of the subject property as it currently exists;
- Type and size of the proposed structure and improvements and their relative location on the subject property;
- Historical uses, established use patterns, and recent changes and trends in the neighborhood;
- Conformity of the proposed use with the neighborhood plan if one has been adopted;
- Current and proposed pedestrian, vehicular, and bicycle traffic including ingress and egress, circulation, and parking;
- Whether the use is consistent with the Helena Climate Change Action Plan;
- Whether the proposal meets the zoning dimensional standards requirements for the zoning District without the need for a variance;
- Hours of operation;
- Noise;
- Glare;
- Odor;

Expressed public opinion related to factors identified above will be used in the evaluation of the proposed CUP. It is recommended that the applicant contact neighbors to inform them of proposal and identify any concerns that the applicant may be able to address.

IT IS THE POLICY OF THE CITY COMMISSION NOT TO ACT ON A PROPOSAL IF THE APPLICANT/ APPLICANT’S REPRESENTATIVE IS NOT PRESENT AT THE COMMISSION MEETING. City Planning Staff represents the City; staff cannot answer questions for the applicant.

Per 1-4-12 City Code, the taxes and assessments on the applicant’s property, which is the subject of the proposed action, must be paid or payment of said taxes and assessments must be made a condition of final approval of said action by the City Commission, with the taxes and assessments to be paid within fourteen (14) days after final passage.