



Town of West Yellowstone

440 Yellowstone Ave.

West Yellowstone, MT 59758

406.646.7795

info@townofwestyellowstone.com

REQUEST FOR CONDITIONAL USE

CONDITIONAL USE PERMIT APPLICATION REQUIREMENTS *WYMC 17.29.030*

A complete application for a Conditional Use Permit in the Town of West Yellowstone must include all required materials and documentation. These items should be addressed through a written project narrative and a scaled site plan submitted with the town's Conditional Use Permit form.

Required Application Materials:

- A. Narrative generally explaining the project.
- B. A parking plan in compliance with Chapter [17.37](#).
- C. Impacts and mitigation strategies for the following items:
 1. Community services to include:
 - a. Water.
 - b. Wastewater.
 - c. Traffic.
 - d. Police.
 - e. Fire department.
 - f. Emergency services.
 - g. Other services as identified by town staff, the planning board, or town council.
 2. Stormwater drainage.
 3. Snow storage.
 4. Traffic impacts. (Ord. 276 Exh. 1, 2024)

CONDITIONAL USE PERMIT PROCEDURE *WYMC 17.29.030*

- A. All applications for conditional use permits shall be filed in the town office accompanied with the appropriate fee prescribed on the adopted town of West Yellowstone fee schedule.
- B. The town council shall then cause to be made such investigation of facts bearing on the application as will provide necessary information to assure that the action on each such application is consistent with the intent and purpose of this title.
- C. The planning board shall, after legal notice of not less than ten days, hold a public hearing to review the application. At the hearing the planning board shall make a recommendation to the town council and add any relevant conditions to mitigate impacts to the criteria found in Section [17.29.030](#).
- D. The town council shall, after legal notice of not less than ten days, hold a public hearing on the application and take testimony from interested parties. The town council shall then either approve or deny the application. If the application is denied, reasons for denial shall be given. (Ord. 276 Exh. 1, 2024)

CONDITIONAL USE REQUIREMENTS *WYMC 17.29.020*

- A. No structure or land may be used for any purpose in any district where such use is not a permitted use, unless such use is listed as a conditional use and approval for that use is obtained through the proper procedure.
- B. Conditional use permits shall be granted only by the town council when their findings are that:
 1. The use conforms to the objectives of the growth policy and the intent of this title and the district in which the use is placed;
 2. Such use will not adversely affect nearby properties or their occupants;
 3. Such use meets density, coverage, yard, height, and all other regulations of the district in which it is to be located, unless otherwise provided for in this title; and
 4. Public hearings have been held, after the required legal notices have been given and the public has been given a chance to be heard upon the matter. (Ord. 276 Exh. 1, 2024)

CONDITIONAL USE REVIEW AND DESIGN CRITERIA WYMC 17.29.060

The following criteria apply to all zoning districts within the Town of West Yellowstone. These standards are designed to ensure that conditional uses are developed responsibly and that potential impacts are effectively mitigated. Applicants must include a narrative or plans explaining how their proposed use complies with the applicable criteria below. The following criteria apply to all districts. These criteria are specific to the uses outlined below and are created to ensure that any use's impacts are properly mitigated. Uses that are designated as a conditional use shall provide plans or narrative on how their application complies with the following criteria:

**If the applicant believes that the project poses no impacts to one of the listed items they shall provide the town with a statement and reasoning why the project will not impact one of the stated items.*

A. Animal-Drawn Carriages.

1. Operators of an animal-drawn carriage shall obtain a business license pursuant to Chapter 5.04.
2. Provide an excrement collection method to ensure that no animal excrement is placed upon the public right-of-way.
3. All carriages, equipment, transactions with the public, and loading and unloading of passengers shall occur completely on private property.
4. The animals used to pull the carriages shall be kept outside of the West Yellowstone town limits overnight.

B. Combination of Permitted Uses.

1. The application narrative should explain how the two permitted uses will work in harmony on the single parcel.
2. Parking may be provided as a shared lot on the parcel but each use's minimum space requirement shall be met in accordance with Chapter 17.37.

C. Communications Tower.

1. The application narrative shall identify and mitigate any impacts to air travel.
2. Communications towers should be designed so that in the event of structural failure no portion of the structure falls outside of the subject parcel.

D. Home Occupations. *The application narrative shall list the following:*

1. ADA compliance.
2. Air quality impacts to adjacent landowners.
3. Any signage proposed with the home occupation.
4. Employees.
5. Expected water and sewer use.
6. Hours of operation.
7. Lighting impacts to adjacent landowners.
8. Noise increases from normal residential use.

E. Mixed Use Developments.

1. Mixed use developments may be a combination of permitted uses and conditional uses or two conditional uses on one parcel if included within that district.
2. Any commercial use in a mixed use development shall be limited to the ground floor facing the addressed street unless an office use.
3. Residential uses when combined with commercial uses shall have separate entrances from commercial uses.
4. Parking may be provided as a shared lot on the parcel but each use's minimum space requirement shall be met in accordance with Chapter 17.37.

F. Multiple Dwelling Units. Each unit in a multi-unit dwelling shall have a separate entrance from the ground on which the structure is erected unless second story units.

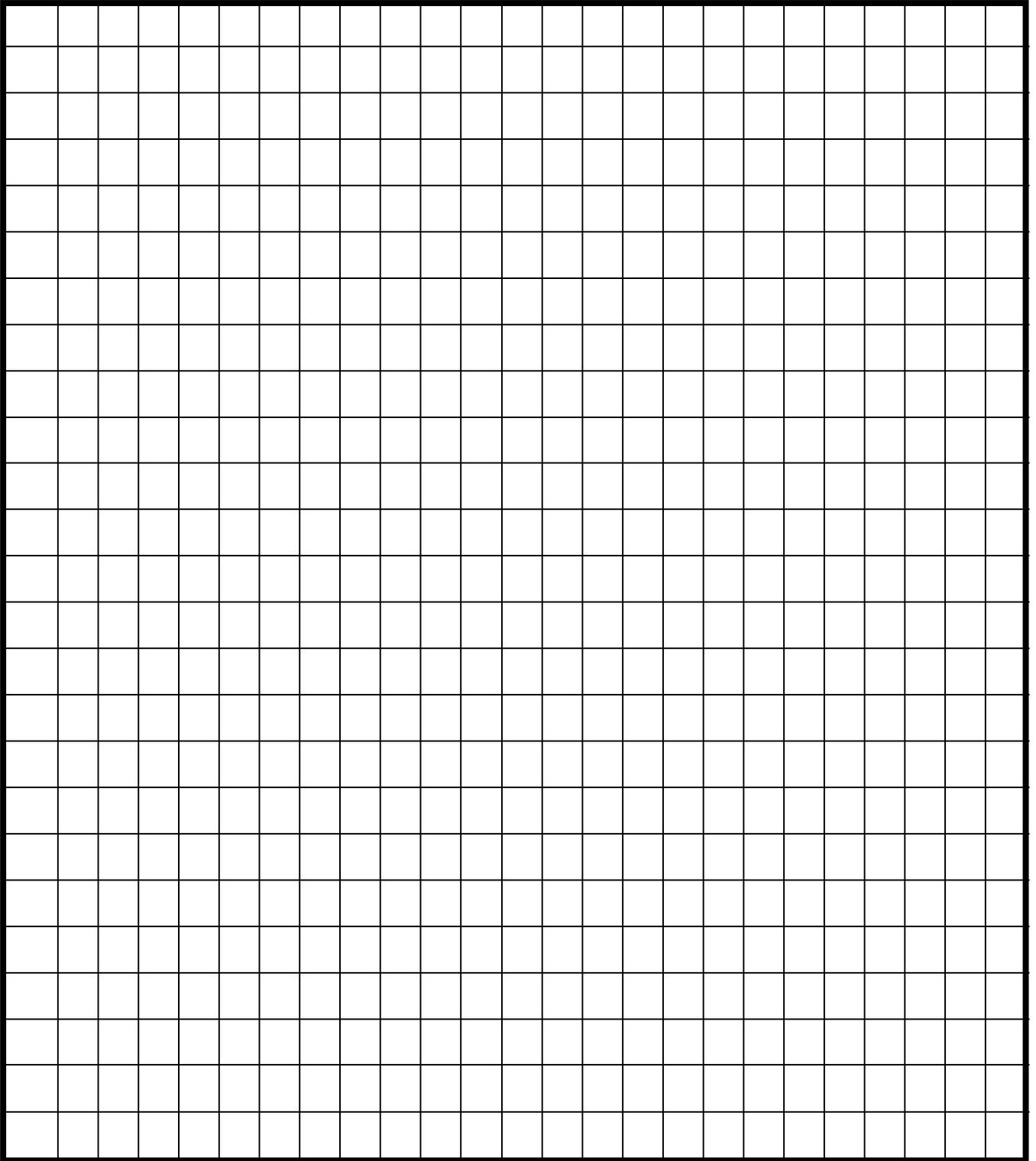
G. Public Water Parks and Public Splash Pads. Water must be used in a closed circuit system to not place burdensome requirements on the town water system.

H. Salvage Yards. The entirety of the storage area shall be screened by acceptable fencing material or planted vegetation to a height of eight feet.

1. If the owner proposes to use vegetation for screening the plants should be planted to a height of five feet with the ability to grow to a height of ten feet and maintained at a height of eight feet.

I. Timeshares. Must provide a copy of their timeshare plan per the definition in Chapter 17.04. (Ord. 276 Exh. 1, 2024)

SITE PLAN



Not all Conditional Use Applications require a site plan

APPLICATION

DATE: _____ APPLICANT: _____

ADDRESS: _____

PHONE NUMBER: _____ EMAIL: _____

INTEREST IN PROPERTY: _____

OWNER OF RECORD'S SIGNATURE: _____

1. LEGAL DESCRIPTION:

SUBDIVISION: _____

BLOCK: _____ LOT: _____

ZONING DISTRICT NUMBER: _____

2. Please state specifically the proposed conditional use including the construction, size, and all relevant details regarding the proposal. A written narrative may be attached. Conditional Uses are listed in *Title 17* of the West Yellowstone Municipal Code.

3. Application Fee: _____ Paid _____ Date _____

Signature of Applicant

Date

FOR OFFICE USE ONLY

DECISION BY TOWN COUNCIL

Approved Denied

Mayor

Date

Town Manager

Date