



Sanders County Land Service Department/Subdivision Administration

PO Box 519 Thompson Falls, MT 59873-0519

kmaudrone@co.sanders.mt.us 406-827-6965

PLANNER: Katherine Maudrone

DATE OF SUFFICIENCY: October 17, 2023

PUBLIC HEARING/MEETINGS: December 6, 2023

SUBDIVIDERS; Doyle Reader
256 Mountain View Dr.
Sandpoint, ID 83864

REPRESENTATIVE: Rick Hagedorn PLS
Mountain Plains, LLC.
108 Pearl St./PO Box 324
Thompson Falls, MT 59873

LOCATION OF REQUEST: Heron

LEGAL DESCRIPTION: Section 33, Township 27 N., Range 34 W.

APPLICATION INFORMATION: This subdivision was received January 3, 2023, deemed sufficient for review on October 17, 2023 under Sanders County Subdivision Regulations (SCSR) amended June 10, 2020.

VARIANCES REQUESTED: None

LEGAL NOTIFICATION: Sanders County Ledger November 16 & 30, 2023 / adjacent landowners certified letters November 3, 2026

DESCRIPTION OF PROPERTY: Total acres: 20.37

SURROUNDING AREA: North: Clark Fork Rd./rural residential
South: agricultural/rural subdivision
East: Railroad Ave./undeveloped rural residential
West: Wilson Rd./agricultural land

UTILITIES AND SERVICES: Water: individual exempt wells
Wastewater: individual septic systems
Solid Waste: Heron Transfer Site (Sanders County Solid Waste)
Electricity: Northern Lights
Telephone: Blackfoot Telephone Coop.
Fire District: Heron Rural Fire
Police: Sanders County Sheriff's Department

Ambulance: Community Ambulance
Medical: Bull River Clinic, Bonner General Hospital

AGENCY COMMENT RECEIVED: Lee Anderson Region 1 Supervisor/Montana Fish Wildlife & Parks
Community Ambulance-Adequate ingress/egress to each dwelling, year-round access
Northern Lights-requesting Developer Application
Heron Rural Fire-access, utility shutoff, fee/lot mitigation

PUBLIC COMMENT RECEIVED: general inquires to date, no comments

PARKLAND REQUIREMENT: cash in lieu of the current market value of 1.02 acres

INTRODUCTION:

This is an 8-lot major subdivision of a 20.37-acre parcel which has historically been managed for timber production. Access will be provided by a private road built off Wilson Rd. which will meet cul-de-sac road standards. The property has recently been logged to prepare for residential development. Individual wells and septic systems are being proposed. As no parkland is proposed a payment in lieu of parkland will be required.

STAFF RECOMMENDED MOTION: Staff recommends conditional approval adopting the following findings, conclusions, citing's and conditions.

1. Will the proposed plat impose any adverse effects on agriculture, agricultural water users' facilities, local services, historic or natural environment, wildlife, wildlife habitat or public health, safety and welfare?

Agriculture: Area identified as 891B are classified as prime farmland as defined by the Natural Resource Conservation Service. It occupies 14.7 acres in the southwest half of the parcel.

Conclusion: There will be loss of prime farmland though it will be minimal impact to agriculture as only 14.7 acres of the 20.39 acres. Developing the subdivision will remove the 20 acres from timber production. New lot owners may be impacted by agricultural practices on adjacent properties. The value of adjacent properties should not be impacted by the subdivision.

Agricultural Water Users Facilities: There are no facilities or irrigated lands adjacent to or on site.

Conclusion: The plat, as proposed, will have no adverse effects as there are no irrigated lands on site or adjacent to this site that have facilities.

Local Services: This subdivision is proposed as 8 residential lots. They will be served by the Noxon School System. According to PublicSchoolReview.com, School enrollment seems to fluctuate each year. As there is a current enrollment of 73 students K-12, new students would not be a problem and could be accommodated with the current personnel and facilities. Also, this area is served by the school buses. Children will catch the bus at Clark Fork Rd. There was no comment received from Noxon School.

This location is not serviced by public water or sewer. Sewer will be provided by individual, on-site systems, reviewed by MDEQ and permitted by Sanders County Environmental Health Department. Water will be provided via individual exempt wells. Lot owners are responsible for installation and maintenance of both septic and well.

Medical services are available nearby at Bull River Clinic or in Sandpoint Idaho and this location is served by the Community Ambulance Service. As the ambulance service is staffed and operated with volunteers, this service may not have the same availability and response time as a paid urban service. Comment was received by the Community Ambulance Service requesting year-round access and adequate access to each dwelling.

This property is part of the Heron Rural Fire District. There may be limited structure fire protection available for any dwelling units constructed in this area, as this is also a volunteer agency and response time varies greatly. To date comment has been received from the Fire Chief expressing the need to have year-round access and per lot mitigation in lieu of providing water for initial structural fire suppression.

The cumulative impact of these projects to volunteer services is the most critical aspect. The demand on these services is increasing with no adequate technique in Sanders County to provide direct expansion or funding. There currently is no established means to mitigate the personnel impacts to volunteer agencies. Funding relies on annual tax assessments once the lot is developed and having sufficient personnel relies on volunteers.

The Sheriff's office is currently staffed at the level supported by the tax base of the existing population of the county. To date no comment has been received from the department.

Wildland fire protection is provided by Forest Service and Montana Department of Natural Resources depending upon the respective jurisdiction.

No extension of public roads will be needed. There is minimal impact expected to county roads or infrastructure once the lots are built out. Clark Fork Rd. and Railroad Rd. are both county-maintained asphalt surfaced roads. Wilson Rd. is a gravel county-maintained road. The new private road, built to Sanders County Subdivision Road Standards, will support response time for all emergency services accessing these lots. The required maintenance agreement will address providing year-round access.

Solid waste disposal service is provided by private contractors or the landowner can transport waste to the Heron Roll-Off site. The solid waste service is paid for by the collection of a fee for each individual residential and commercial unit with the annual taxes. However, as with all public services, there is a concern for the cumulative impacts, the amount of land required and additional equipment needs to continue to meet increased demands. Currently, Sanders County transports all garbage to the regional landfill, located in Missoula County, which does have a limited lifespan.

Conclusion: As no comment was received from Noxon High School Superintendent it can be assumed they can accommodate new students. The school will receive additional tax dollars as lots are developed and also additional funding as new students are enrolled. There is already an established bus route to serve this area.

Though additional tax dollars will be generated for fire and ambulance services as the lots are developed for residential use, it does not address the need for volunteers. This is an issue throughout Sanders County as all ambulance and fire are staffed with volunteers. Roads built to Sanders County Subdivision Standards and having a maintenance plan in place will provide year-round access to emergency service vehicles.

The developer will comply with the subdivision regulations in regard to providing adequate water supplies for initial structural fire suppression. Policy dated 07-11-2006 gives developers the option of providing a water source or

\$500/lot per Sanders County Subdivision Regulations VII-P Fire Protection. Each rural fire district has an account for this specific money which can only be used for this purpose. All requested withdrawals by the fire district from this account must be approved by the Commissioners.

Sheriff's office staffing is determined by taxes generated by all county landowners.

The existing county roads serving this area are adequate for the proposed increase in traffic but additional tax dollars will not support upkeep and maintenance. Currently county funding is insufficient for dust control on county-maintained roads and maintenance is based on available funds, not need. Additional tax revenue will not address this need. Presently the county is working with local landowners, offering a cost share opportunity to address dust on county-maintained gravel roads.

Waste water systems and well locations are approved by MT DEQ for lots under 20 acres, therefore, all proposed lots will have DEQ approval before final plat. The lot owner will be responsible for permitting with the county and the cost of installation/maintenance of both.

Natural Environment: There are no known or possible historic, paleontological archaeological or cultural sites, structures or objects on site per Montana Historical Society. No geologic hazards such as slumping, land slide, rockfall, shallow bedrock etc. Northwestern Montana is subject to seismic activity. No special building requirements are required by the county and no mitigation for residential development is required.

No streambanks, shorelines are on this property, no surface water.

No adverse direct impact on air quality is anticipated with this number of lots. The county does not have county wide standards for clean burning woodstoves. This project is not located in an air quality non-attainment area. The mountain valleys of Western Montana are prone to winter time inversions, a natural feature of living in this area.

There are no special climatic hazards other than those normally identified with rural residential life in Western Montana, including but not limited to high winds, heavy precipitation, both rainfall & snowfall and drought.

All proposed septic systems will meet MT Department of Environmental Quality standards for approval which are in place to protect surface and groundwater. MT Department of Natural Resource & Conservation will evaluate the proposed subdivision for water availability.

A stormwater management plan is required and reviewed by the MT Department of Environmental Quality as all stormwater must be contained within the boundary of the subdivision. The Sanders County Subdivision Regulations also require the management of stormwater run-off.

Conclusion: All of western Montana has possibility of seismic activity. Sanders County has no adopted building codes and refers to the State of Montana for standards. Currently the state provides standards for wind and snow load.

Stormwater management and waste water treatment plans will be reviewed by MT Department of Environmental Quality, requiring impact to be contained within the proposed subdivision and assuring separation from groundwater. Road drainage ditches will be included to control runoff water from all constructed roads and driveways. Gradual grassy dams will be located where needed to contain runoff from

each house. These plans are required through the Montana Pollutant Discharge Elimination System Program. A permit and plan are required for construction activity which results in the disturbance of equal to or greater than one acre of total land area

A Noxious Weed and Revegetation Plan will be developed and implemented to reduce the impact of noxious weeds on the disturbed sites. The project will file a Noxious Weed and Revegetation Plan to educate landowners on how to eliminate and prevent the spread of noxious weeds, as required by state statutes and Weed District regulations.

Wildlife: Whitetail Deer, elk, black bear and turkey are common. Endangered and threatened species, Grizzly Bear and Canada Lynx could be in the area though not likely. Canada Lynx prefer higher elevations. The Cabinet-Yack recovery zone is located on the other side of Hwy 200 and the Clark Fork River. Species of concern, wolverine, fisher and Townsend's Big-eared Bat have not been reported see on the property.

Conclusion: All development has an impact on wildlife. Educating new landowners is important. Preventing attractants to wildlife is necessary to reduce the possibility of conflict. Electric fencing can be effective for keeping bear out of chicken coops, orchards, vineyards, apiaries. Garbage must be stored in secure buildings. Reducing attractants directly influences the possibility of conflict between wildlife and humans.

Wildlife Habitat:

MT Fish Wildlife & Parks identified this property as elk habitat, inclusive of summer and winter range, calving areas and migration areas.

Conclusion: While it is FWP's directive to cluster homes and roads together near the road in order to leave open space where animals can freely migrate and find cover that is not something that Sanders County can require through their subdivision regulations. Game will continue to migrate around development.

All areas disturbed in road building will be reseeded to stabilize the soils and to control the invasion of noxious weeds, which, uncontrolled, will dominate the natural vegetation.

Public Health and Safety: There are no known natural hazards such as snow slides or rockslides, or manmade hazards such as high-pressure gas lines industrial/mining or traffic volumes exceeding the current capacities of the roads. The property was thickly timbered at the time of pre-application and it was advised prior to subdivision submittal to thin the trees and understory to present a property ready for residential development. DNRC standards for spacing and removal of ladder fuels were recommended.

The internal private road is required to be built to full subdivision road standards with a driving surface of 24 feet, overhead clearance and cul-de-sac that accommodates emergency service vehicles.

Wildfire is a threat throughout the county and the majority of private land in Sanders County is considered located in the Wildland Urban Interface. The Fire Risk Rating and Sanders County Community Wildfire Prevention Plan both determined development area to be low risk. Therefore, Sanders County Subdivision Regulations do not require a secondary ingress/egress and other requirements identified in VII-Q Sanders County Subdivision Regulations.

Adjacent properties are used for agricultural purposes that may create particulate matter and noise at time.

Conclusion: Minimal natural hazards are found in this area. Northwest Montana is at risk for seismic activity. To date Sanders County has not experienced earth quakes that have impacted structures or infrastructure.

Wildland fire is a threat throughout the county. The existing timber has been treated to the standard the landowner requested in preparation for subdivision. Educating new lot owners is important and the DNRC "Homeowners Code of Responsibility for Property Owners in the Wildland Urban Interface" or similar document for vegetation management will be incorporated into the covenants or filed as a separate document with the subdivision. Mitigation to the local rural fire district for providing water source for responding to structural fires is required.

Roads approved by the fire chief will allow for access to the development by firefighting and emergency vehicles and a maintenance plan will provide for year-round access.

2. Was an environmental assessment required? If yes, what, if any, significant adverse impacts were identified?

Yes, an Environmental Assessment was required. No significant adverse impacts were identified.

No surface water is found on the 20.39-acre parcel. The Cabinet Gorge Reservoir is located approximately 0.20 miles northeast of the proposed subdivision. It is not located within the regulatory floodplain.

Well depths for this section average 176 feet, ranging from 84 – 364. Static water level averages 127 feet, ranging from 22-326. Prior to final plat approval the developer will need to obtain from Montana Department of Natural Resources and Conservation a predetermination review letter stating that the proposed subdivision meets current rules and laws pertaining to the filing of a water right show the proposed drainfields will not degrade state waters and must meet all the requirements of ARM 17.3, Chapter 7.

The topography of the site is rolling, decreasing in elevation from the southwest to the northeast, with three varieties of soil types. Dewberry ashy silt loam (2-8 percent slopes), Stargulch ashy very fine sandy loam (4-15 percent slopes) and Stargulch ashy very fine sandy loam (0-4 percent slopes) are identified by USDA Natural Resources Conservation Service soils report. There are no shallow bedrock or unstable soils. There are no known hazards that could result in property damage or injury due to falls, slides or slumps from soil, rock mud or snow; rock outcroppings; seismic activity, or high-water table therefore no mitigation is necessary.

The mixed coniferous trees have been logged leaving a few including some aspen. Initial site visit did not find an infestation of noxious weeds as the ground had had little disturbance in the past. It is required that all disturbed areas, especially the road rights-of-way be sprayed with an approved herbicide mix prior to final plat approval. Subdivision CC&Rs require reseeding all areas disturbed during construction.

While this area is within elk migration and winter range it is not seen as critical habitat. Only 18% of Sanders County is privately owned with a majority, 56%, being a combination of federal, state, MDT, FWP, Fish & Wildlife and Local Government. In addition to elk, whitetail deer, black bear, moose, mountain lions, wolves, turkey, grouse, songbirds and raptors can be expected to pass through this area. It is possible that grizzly bear will expand out of the Cabinet-Yaak ecosystem and travel south of the Clark Fork River.

There are no wetlands or riparian areas on this property so it is unlikely critical habitat for wildlife.

3. Does the proposed plat conform to the Montana Subdivision and Platting Act, surveying requirements and to the local Subdivision Regulations?

Yes, it appears the preliminary plat does. The Examining Surveyor will conduct a technical review prior to the drafting of the final documents.

4. Does the proposed plat conform to all sanitary requirements?

Yes, all subdivisions must undergo review by the Department of Environmental Quality, subdivision section for compliance with the Montana Subdivision and Sanitation Act. Department of Environmental Quality approval for onsite sewer disposal is required by statute (MCA 76-4-122) prior to filing of the Final Plat for all lots under 20 acres in size. The on-site wastewater treatment must comply with DEQ Circular 4, 2018 Edition, which is hereby included by reference. Well isolation zones, drainfield mixing zones and surface water are all contained within the exterior boundary of the subdivision.

There is no public water system within 500 feet of the proposed subdivision. New wells are proposed for the new lots. Per ARM 17.36.332.1.a, "an individual water system must provide a sustained yield of at least ten gallons per minute over a one-hour period". Well logs from nearby wells that draw from the same aquifer average a yield of 27.85 GPM for a minimum of 1.43 hours of pumping.

Records in the Montana Bureau of Mines and Geology; Ground Water Information Center data show that in Section 33, Township 27N - Range 34W the average depth of wells is 177 feet, static water level 127 feet, yield 26 gpm. These statistics do not take any geographic, topographic, or geologic factors into consideration. Available data does not indicate any problem with wells in this area. A DNRC water Right Review determination letter, found in application, states there is 10.00 AF/year available to appropriate on the proposed lots under the water right permit exceptions of 85-2-306(3)(a)(iii) MCA. This is just a determination it does not serve as a pre-approval of a water right.

Water sample collected from an adjacent well was analyzed for the presence of nitrates, arsenic and specific conductivity. No arsenic was detected. Nitrate and nitrite were within DEQ parameters.

Wastewater treatment will be provided with individual gravity fed drainfields on each lot. USDA Natural Resources Conservation Service soils survey for this site show primarily Dewberry ashy silt loam, Stargulch ashy very fine sandy loam. Generally, soils are well draining with a limiting layer greater than 80 inches. Test pits were dug and no evidence of ground water or bedrock was found. Loamy sand was found to a consistent depth of 10 feet and are soils adequate for drainfields. Based on data gathered by Sara Edinberg, Research Hydrologist with Montana Ground Water Information the water table is relatively flat and ground water flow seems to be influenced by the level of the reservoir.

Terrain and soils support that there is minimal off-site runoff draining on to the property. Storm water analysis resulted in stormwater retention capacity was sized to store the initial ½ inches of rainfall during the 2-year, 24-hour storm event and post-development runoff, per DEQ 8, storm drainage designs. Retention pond placement is to be downhill of the proposed structures and driveways to capture runoff before leaving the property.

Solid waste may be transported to the Heron transfer site.

Conclusion:

Within MCA 85-2-101, Declaration of policy and purpose, (1) Pursuant to Article IX of the Montana constitution, the legislature declares that any use of water is a public use and that the waters within the state are the property of the state for the use of its people and are subject to appropriation for beneficial uses as provided in this chapter. This subdivision is not located within a closed basin.

All currently available data indicate that there is adequate groundwater for this project. The Montana Department of Environmental Quality requires evidence of adequate water supplies prior to issuing a final plat approval. New Rule IV (ARM 17.36.332) The site evaluation conducted by PCI states, "There were no indications found that the addition of 8 wells would not meet the water quality and quality standards set forth by ARM 17.36".

Based on site evaluations conducted by PCI, Inc. soils found on site support proper treatment of effluent from wastewater systems. Placement of building sites and proposed drainfields support gravity fed systems. Before construction, a permit from the Environmental Health Department is required and once installed the system will be inspected by the county to verify it was done in compliance with the permit. Any variation from the approved DEQ approval/lot layout will require re-review.

Stormwater will be contained within the proposed subdivision as road standards require ditches to collect and contain runoff and retention ponds are incorporated into the lot layout. They are placed to contain runoff from impervious surfaces.

Solid waste will be transported to the Heron Transfer site by landowners or by a contracted service.

5. Does the proposed plat provide easements for the location and installation of planned utilities?

Yes. All easements will be provided as required by the Sanders County Subdivision Regulations and as requested by the utility companies. It is standard that utilities be placed underground. Underground placement supports wildlife, safety and impact to the natural environment. The plat as submitted shows the utility easements within the private road easement and the final plat will be required to provide those easements as request by utility companies and as required by the subdivision regulations. Confirmation has been received from Northern Lights, Inc that all lots can be provided electrical facilities consistent with NLI's line extension policies. NLI has requested the county condition approval of the subdivision requiring the developer applies for a "Developer Application".

6. Does the proposed plat provide for legal and physical access to each parcel within the subdivision and the required notation of that access on the applicable plat and any instrument of transfer concerning the plat?

Yes.

7. Other relevant findings?

Sanders County does not at this time have a Planning Board or an adopted County Growth Policy. Without a Growth Policy or any other adopted planning management tools it is difficult to establish limits of allowable impacts that are acceptable to the entire community. The only regulatory tool for managing growth in the

county at this time is the Sanders County Subdivision Regulations which are designed primarily to manage land division, not land uses or densities.

STAFF RECOMMENDED CONDITIONS:

1. That prior to beginning construction, a permit for private road construction be obtained from Sanders County and all subdivision road standards be met, including required inspections by the Road Foreman.
**This will ensure that adequate physical and legal access is provided for all new lots... Authorized by MCA 76-3-501(4) Local Subdivision Regulations & MCA 76-3-608(3)(d) Criteria for local government review/legal access; Sanders County Subdivision Regulations Governing Body Decision and Documentation Private improvements completed IV-A-6(a)(iii), Streets and Roads Improvements VII-G (Table 1 (1)) & Inspection and Certification VII-G(c)(i).*
2. That the private road name be approved by Sanders County Rural Addressing and a nonflammable street signs be installed at the location approved by the Road Foreman prior to final plat approval.
** This will meet required standards and provide for efficient locating by emergency services. ..Authorized by MCA 76-3-608(4), Mitigation of Potential Adverse Impacts. Sanders County Subdivision Regulations Governing Body Decision and Documentation Prerequisites to Approval-Assuring private improvements be installed before final plat IV-A-6(a)(iii).*
3. That a road maintenance agreement for the roads, including winter conditions and dust mitigation, be filed with the final plat.
**This will ensure adequate physical access is provided for all new lots...Authorized by MCA 76-3-501(1) Local Subdivision Regulations; Sanders County Subdivision Regulations Streets and Roads/ Improvement Standards VII-G(b)(xii).*
4. That the Heron Post Master be contacted to determine the placement of mail delivery boxes and the need for a collector box.
**This will allow for efficient mail delivery reducing the impact of private development on local services...Authorized by MCA 76-3-608(3) Mitigation of Potential Adverse Impacts to Local Services; Sanders County Subdivision Regulations Impact on Local Services IV-A-6(b)(iii)(C).*
5. That all road cut and fill areas and other sites disturbed by road construction are seeded, including adequate erosion control measures established prior to final plat approval.
** This will limit the establishment of weeds in disturbed areas and reduce erosion of newly disturbed areas...Authorized by MCA 76-3-608(4), Mitigation of Potential Adverse Impacts. Sanders County Subdivision Regulations Review and Approval Procedures for Major Subdivisions Governing Body Decision and Documentation/ Consideration of Impact to Natural Environment IV-A-6(b)(iii)(D), Noxious Weeds VII-R.*
6. That the subdivider contact the Sanders County Land Services Department for A Noxious Weed and Revegetation Plan and complete initial treatment prior to final plat approval. As this entire subdivision has been disturbed by logging activity the entire parcel will require treatment, including the roadways.
**This condition ensures that the project complies with state and local regulations regarding noxious weed management...Authorized by MCA 76-3-608(4), Mitigation of Potential Adverse Impacts; Sanders County Subdivision Regulations Noxious Weeds VII-R.*

7. That “Homeowners Code of Responsibility” or comparable Firewise standards be incorporated into covenants or if no covenants are being filed, be filed with the final plat and required by new lot owners.
**This condition will educate new landowners so that they understand the risk and responsibility of living in the wildland urban interface, (WUI)...Authorized by MCA 76-3-608(4) Mitigation of Potential Adverse Impacts; Sanders County Subdivision Regulations Fire Protection VII-P(e).*
 8. That the subdivision complies with the Sanders County Subdivision Regulations for Fire Protection prior to final plat approval. Mitigation of \$500/lot is requested by the Heron Rural Fire Department.
**This will assist the local rural fire districts for the provision of water sources for fire suppression... Authorized by MCA 76-3-501(9;) Local Subdivision Regulations; Sanders County Subdivision Regulations Fire Protection VII-P.*
 9. That landowners be given FWP information on ways to reduce human/wildlife conflicts and list FWP guidelines on the face of the final plat and be incorporated into covenants.
**This condition assures that mitigation for wildlife impact will occur... Authorized by MCA 76-3-608(3)(a), Mitigation of Potential Adverse Impacts; Sanders County Subdivision Regulations Governing Body Decision and Documentation/ Consideration of Impact on wildlife IV-A-6(b)(iii)(E). FWP Brochures, FWP letter dated August 10, 2022.*
 10. That the developer meets the requirement for parkland dedication or cash-in-lieu in the amount of 5% of 20.37 acres, the land to be subdivided into parcels larger than 1 acre and not larger than 3.
**This condition will meet the require for parkland or cash-in-lieu...Authorized by MCA 76-3-505; Local Subdivision Regulations; MCA 76-3-621 Parkland Dedication Requirement; Sanders County Subdivision Regulations Parkland Dedication VII-O.*
 11. That all lots less than 20 acres receive DEQ approval, complying with the design standards adopted by the Montanan Department of Environmental Quality and Sanders County Wastewater Regulations for water, wastewater and stormwater.
**This will ensure that all sanitary regulations are complied with...Authorized by MCA 76-4-125(d)(i) Land divisions excluded from review; Sanders County Subdivision Regulations, Water Supply Systems, Sewage Treatment Systems VII-I & VII-J.*
 12. That the final subdivision shall comply with all requirements of the Sanders County Subdivision Regulations, Sanders County Wastewater Regulations, and the laws and administrative rules of the State of Montana.
**This condition is self-explanatory, and is intended to note that all requirements of the subdivision regulations and state statues apply as well as the items specifically noted in the report.*
- ***The authority for preliminary approval, denial, or conditional approval rest with the Sanders County Commissioners. This report and the conditions noted above are a recommendation to the Sanders County Commissioners. The conditions are subject to modification or deletion by the Commission or additional conditions can be required by the Commission.***
 - ***The applicant may attend the Commission meeting when this item is scheduled for preliminary decision.***

- ***The governing body decision may be appealed by following the process provided in the state statute, MCA 76-3-625, Violations—actions against governing body.***
- ***Preliminary approval is valid for 3 years from the date it is granted and may request a 1-year extension.***

Respectfully submitted,

Katherine F Maudrone

Katherine F Maudrone

County Planner