

## ZONING COMPLIANCE

In accordance with Opencut Mining Act sections 82-4-431(2)(a)(iv)(D); 82-4-432(2)(b)(ii) & 82-4-432(14)(a)(v), sand and gravel operations must meet applicable local zoning regulations. As a result, this form is required unless the Operator is proposing to mine **bentonite, clay, scoria, peat, or soil**.

In accordance with section 17.24.223 of the rules implementing the Act, this form is required for a sand or gravel operation to apply for a **permit or an amendment adding acreage, changing the postmining land use or adding an asphalt or concrete plant**.

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**OPERATOR SECTION:** All fields must be completed.

Operator Name: RBC Sand & Gravel Inc.

Site Name: Darby Site

County: Ravalli

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**LOCAL GOVERNING BODY SECTION:** Complete all applicable below items.

In accordance with MCA 82-4-432(2)(b) of the Opencut Mining Act and ARM 17.24.223 of the rules implementing the Act, **the local governing body having jurisdiction over the area to be mined must certify that the proposed mine site and Plan of Operation comply with applicable local zoning regulations** adopted under MCA Title 76, Chapter 2. The certification must be submitted on this DEQ form.

1. The Operator has provided the local governing body with a Site Map and Location Map for a Standard Opencut Mining Permit Application and a Location Map for a Dryland Opencut Mining Permit Application for the proposed sand and gravel operation identified above:

Yes or  No If No, this form is not acceptable.

2. Check **one** box:

a.  Site is **not** zoned.

b.  Site is **zoned** and **does not comply** with local zoning regulations.; therefore, **no Opencut operations can occur**. Site is zoned as: \_\_\_\_\_

c.  Site is **zoned** and local zoning regulations **do not require** a local license or permit for the proposed Opencut operations. Site is zoned as: \_\_\_\_\_

d.  Site is **zoned** and local zoning regulations **require** a local license or permit for the proposed Opencut operations. Site is zoned as: \_\_\_\_\_

Local zoning regulations require the following license or permit: SEE ATTACHED

The application for a Standard Permit cannot be deemed complete until a copy of the local license or permit for the proposed operation is submitted to the Department.

MCA 82-4-432(2)(b)(ii) states *proposed sand and gravel opencut operation complies with applicable local zoning regulations adopted under Title 76, chapter 2, and in effect prior to the filing of a permit application or at the time a written request is received for a preapplication meeting pursuant to this section.*

**CERTIFICATION BY LOCAL GOVERNING BODY:**

Name of Local Governing Body: RAVALLI COUNTY

Official's Name (print legibly): DAN HULLS

Title: Commission Chair

Signature: 

Date: 12/22/2022



Ravalli County Planning Department  
215 S. 4<sup>th</sup> Street, Suite F  
Hamilton, MT 59840  
Phone 406-375-6530  
Fax 406-375-6531  
planning@ravallcounty.mt.gov

OG-22-08-393

8/2/2022

To whom this may concern,

The Ravalli County Planning Department has researched the property listed below to determine its location with respect to the FEMA Regulated Flood Hazard Area (floodplain) \*\*:

**Owner:**

**Parcel Number:** 1150600

**Address (if applicable):** 2905 US Highway 93 S Darby, MT

Based on our review of the property listed above, we find that:

- This property looks to be located outside the floodplain and therefore is not subject to the Ravalli County Floodplain Regulations.
- Portions of the property look to be within the floodplain. Site specific survey information is required before a determination may be made.
- This property looks to be entirely within the floodplain and therefore is subject to the Ravalli County Floodplain Regulations.

I have attached a map showing the location of the property with respect to the floodplain. If you have any questions, please feel free to contact our office at (406) 375-6530.

Sincerely,

*Rob Livesay*

Rob Livesay  
Ravalli County Floodplain Manager

\*\*Section 4.2 of the Ravalli County Floodplain Regulations defines the Planning Department's interpretation of the FEMA Regulated Flood Hazard Area within Ravalli County.



Ravalli County Planning Department  
215 S. 4th Street, Suite F  
Hamilton, MT 59840  
Phone 406-375-6530  
planning@rc.mt.gov

# Parcel 1150600 Floodplain Map



Date: 8/2/2022

Coordinate System: NAD 1983 StatePlane Montana FIPS 2500  
Projection: Lambert Conformal ConicNorth American 1983

- Voluntary Zoning
- 100-YR FLOODWAY
- 100-YR FLOOD FRINGE
- 100-YR FLOOD FRINGE APPROX



**Owner:** CLARKE RODNEY B & BRIAN  
 PO BOX 216  
 VICTOR, MT 59875-0216

**Physical Address:** 2905 US HIGHWAY 93 S  
 DARBY, MT 59829

**Levy Dist:** 9-3 (Darby Rural, including Darby Rural Fire)  
**School:** DARBY  
**Fire:** DARBY

Geocode	T-R-S	Legal Description
1273-35-3-01-04-0000	4-21-35	IN S1-2NW & N1-2SW INDEX 28 CS #5839-R PARCEL 1A 39.27 AC



**Legal Description for Tax-ID: 1150600 »—>**

Information and map may be incomplete, out of date, or inaccurate.  
 You should consult the official record and/or a land surveyor.

0 490 Feet