



Work Session Meeting Agenda
2 Park Drive South, Great Falls, MT
Gibson Room, Civic Center
October 15, 2024
5:30 PM

The agenda packet material is available on the City's website: <https://greatfallsmt.net/meetings>. The Public may view and listen to the meeting on government access channel City-190, cable channel 190; or online at <https://greatfallsmt.net/livestream>.

Public participation is welcome in the following ways:

- Attend in person.
- Provide public comments in writing by 12:00 PM the day of the meeting: Mail to City Clerk, PO Box 5021, Great Falls, MT 59403, or via email to: commission@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name of the commenter and either an address or whether the commenter is a city resident. Written communication received by that time will be shared with the City Commission and appropriate City staff for consideration during the agenda item, and, will be so noted in the official record of the meeting.

CALL TO ORDER

PUBLIC COMMENT

(Public comment on agenda items or any matter that is within the jurisdiction of the City Commission. Please keep your remarks to a maximum of five (5) minutes. Speak into the microphone, and state your name and either your address or whether you are a city resident for the record.)

WORK SESSION ITEMS

1. International Economic Development Council Conference Update from GFDA. (estimated 30 minutes)
2. Update on State of Montana Zoning Reforms - Brock Cherry. (estimated 30 minutes)

DISCUSSION POTENTIAL UPCOMING WORK SESSION TOPICS

ADJOURNMENT

City Commission Work Sessions are televised on cable channel 190 and streamed live at <https://greatfallsmt.net>. Work Session meetings are re-aired on cable channel 190 the following Thursday morning at 10 a.m. and the following Tuesday evening at 5:30 p.m.

Wi-Fi is available during the meetings for viewing of the online meeting documents.

UPCOMING MEETING SCHEDULE

City Commission Work Session - Wednesday November 6, 2024 5:30 p.m.

City Commission Meeting - Wednesday November 6, 2024 7:00 p.m.



Montana Code Annotated 2023: Accessory Dwelling Unit (ADU) Rules A Simple Explanation

Below are important rules from the Montana Code Annotated 2023 regarding Accessory Dwelling Units (ADUs). These are typically smaller independent dwellings that can be built on the same property as a main house. Here's what you need to know:

- **ADUs Are Allowed By Right:** In Montana, every city must allow people to build at least one ADU on a property that already has a house. This is called allowing the ADU "by right." (76-2-345. (1)(a))
- **ADU Size:** ADUs can be attached to the main house, separate from it, or even inside it. But they can't be bigger than 75% of the main house or more than 1,000 square feet, whichever is smaller. (76-2-345 (1)(b-c))
- **Limits on City Rules:** Cities are limited in creating extra rules for ADUs. They can't:
 - Ask for more parking spaces or charge extra fees. (76-2-345 (2)(a))
 - Make ADUs look just like the main house. (76-2-345 (2)(b))
 - Decide who can live there based on who owns the house or if the people are related or work nearby. (76-2-345 (2)(c-d))
 - Charge for impact fees to build the ADU. (76-2-345 (2)(e))
 - Make people fix up the street more than needed because of the ADU. (76-2-345 (2)(f))
 - Set stricter building rules for ADUs than for regular houses. (76-2-345 (2)(g-h))
 - Make rules that prevent ADUs in neighborhoods with only single-family houses. (76-2-345 (2)(i))
- **Rules Regarding Private Agreements & Neighborhood/Subdivision Covenants:**
 - Private agreements between homeowners, like restrictive covenants, are still allowed, even though cities can't make them. (76-2-345 (2)(i))
- **Other Considerations**
 - Cities can create rules for short-term rentals. (76-2-345 (3))
 - A one-time zoning fee for ADU applications is permissible but can't be more than \$250. (76-2-345 (4))
 - Cities can ask for approval letters from water and sewer systems before an ADU is built. (76-2-345 (7))

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PRESS RELEASE

FOR IMMEDIATE RELEASE

DATE: October ##, 2024

CONTACT: Brock Cherry, City of Great Falls Planning & Community Development Director – 406-455-8530

CITY OF GREAT FALLS COMPLIANCE WITH STATE OF MONTANA ZONING REFORMS

GREAT FALLS, Montana – The City of Great Falls acknowledges the decision by the Montana Supreme Court regarding the case of Montanans Against Irresponsible Densification, LLC (MAID) v. State of Montana. The court has overturned the district court’s preliminary injunction that prevented the implementation of SB 323 (76-2-345, MCA) and SB 528 (76-2-304 & 76-2-309, MCA).

This decision has two immediate impacts on the City of Great Falls:

1. Accessory Dwelling Units (ADUs) on most lots containing a single-family dwelling are now hereby permitted by right. (See 76-2-345, MCA).
2. Duplexes are permitted in any zoning district where a single-family dwelling is permitted. (See 76-2-304 & 76-2-309, MCA).

The City of Great Falls acknowledges that the case will be returned to the District Court to consider the merits of the Plaintiff’s complaint, which is still in active litigation. As the case results are pending, the City will not formally amend its code to reflect the requirement at this time. However, in the interim, the City will recognize and adhere to MCA regulations and requirements as codified in the State Code and administer permitting for accessory dwelling units and duplexes as described. Further note that this does not exempt such dwellings from meeting building, engineering, or other development requirements.

For more information, contact the Planning & Community Development Department at (406) 455-8430.

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(end)



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