



**Work Session Meeting Agenda
2 Park Drive South, Great Falls, MT
Gibson Room, Civic Center
August 06, 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. 2023-2024 Development Review Audit - GeoTech Requirements & Development - PCD Staff.

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 - Tuesday August 20, 2024 5:30 p.m.

City Commission Meeting - Tuesday August 20, 2024 7:00 p.m.



City Commission

23 -24 Development Review Audit:

GeoTech Requirements & Development

August 6, 2024

Planning & Community Development Department

Development Review Audit Items of Concern

Building Requirements & Permitting

- Online Permit Submittals
- **Poor City Soils & Geotechnical (GeoTech) Requirements**

The Zoning Application & Entitlement Process

- Speed of Entitlement Process
- Improving the quality of meetings between City Staff and Applicants
- Providing financial reimbursement information to applicants

Subdivision Process

- Speed of Platting Process
- Extension of City Services
- Stormwater Requirements
- Infill and High Density/Mixed Use Incentives
- EMS Response Times and Requirements

Today's Discussion



Special Topic Team:

GeoTech Requirements & Development




Bruce Haman,
Building Official




Joelle Marko,
Deputy Building Official




Thad Goetz,
Plans Examiner



Amber Johannek,
Plans Examiner




Sara Sexe,
Staff Attorney



Matthew Hoffman,
Terracon



Craig Nadeau,
TD&H Engineering



Jon Hepfner,
Big Sky Subsurface

The “dirt” on Great Falls:

- Local Geotechnical Engineers project that 80-90% of the buildable areas in Great Falls are likely to have expansive soils based on Building Code criteria.
- The absence of a formal adopted policy for residential Geotech reports and requirements is a pressing issue that needs to be addressed.
- Geotechnical Engineers no longer create reports for individual homes due to liability issues and lack of follow-up inspections.
- Due to ongoing legal concerns, few engineers are willing to conduct geotechnical reports. This has resulted in significantly extended lead times, sometimes exceeding a year, and numerous individuals are having difficulties securing a callback.



Not to “pile more dirt on,” but:

- The Great Falls Development Authority’s recent 2024 Housing Demand Assessment indicates:
 - Nearly 11% annual home appreciation since 2021.
 - A demand for 2,670 new single-family homes over ten years (267 per year).

SINGLE FAMILY HOME BUILDING PERMITS ISSUED				
2019	2020	2021	2022	2023
42	33	49	52	39

- On average over the last five years only forty-five **(45)** single-family home building permits were issued (**16.8% of the 267 to meet annual demand**).
- Complications, including expandable soils, stormwater issues, and rising site improvement costs (roads, water, sewer) continue to stifle single-family subdivision development.



Options Moving Forward:

Option #1 – Mandatory Full GeoTech & Inspections

A registered design professional must prepare a GeoTech report containing recommendations for foundation design or soil mitigation. The report and construction documents must be approved to ensure compliance with the GeoTech Report. The designated geotechnical engineer will conduct third-party inspections. The new requirement is that construction can only continue once the engineer confirms that the recommended measures have been completed.

Pros: Protects Engineers and the City in regard to legal liability.

Cons: Is economically prohibitive to new development, in particular singular, infill, or smaller scale development. This option would benefit the engineers, but not necessarily the home builders.

**Billings utilizes a similar policy.*

***Option previously provided by PCD & Legal*



Option #2 – Only Require a Signed Affidavit from an Engineer

A signed inspection affidavit and certification by a registered geotechnical engineer confirms soil mitigation for code compliance instead of full GeoTech. The owner then assumes full responsibility and liability.

Pros: Most efficient process. Some cost savings?

Cons: Getting a registered geotechnical engineer to sign off on an affidavit without conducting a geo and necessary inspections is difficult. None of the engineers we engaged with would be willing to do this.

****Option previously provided by PCD & Legal**



Option #3 – No GeoTech Requirements

Applicants are responsible for any hazards on their proposed site when developing property in the city. The Director of Planning & Community Development will specify the liability to be assumed on the permit application, permits, certificates of occupancy, and other related development documents.

Pros: Would be favorable with home builders and would keep development costs down.

Cons: It would not be consistent with the City's public duty as it does not deal with the difficult soils and could put present or subsequent homeowners at risk. The probability of continued home problems and lawsuits is high. Liability to the city still exists; staff believes there is an increased liability with larger-scale developments and subdivisions.

****Option previously provided by PCD & Legal**



NEW Option #4 – Building Code & Infill Incentive

When evaluating the soil, we initially use a standard soil test on each lot or proposed subdivision instead of a full GeoTech report, which saves money. The soil test decides what rules we follow in the International Residential Code (IRC). If the soil doesn't meet the IRC rules, we design a standard foundation based on the IRC. If the soil exceeds the IRC rules, we follow the International Building Code (IBC) rules instead. The sole exemption to this would be that infill lots can be developed without requiring a GeoTech report or soil analysis. (Not addressed by Engineers).

Pros: Allows consistency with existing building codes, except for infill, singular, smaller-scale development, which will benefit from not having the financial burden of providing a GeoTech.

Cons: Projected only 10-20% of residential lots will have satisfactory soils where lower cost of IRC compliance would be applicable (why infill exemption is important.) However, infill exemption doesn't address difficult soils, potentially putting homeowners at risk of problems and lawsuits.

**Helena, Missoula, and Kalispell have similar policies.*

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Option #4 – Building Code & Infill Incentive Next Steps:

- Contact Helena, Missoula, and Kalispell to discuss the administration of their respective GeoTech policies.
- Finalize components and scope of proposed “Soils Analysis.”
- Draft a precise definition for “Infill Lot/Property.”
- Draft and have the City Commission adopt necessary ordinances/resolutions.

