



**City Commission Meeting Agenda
2 Park Drive South, Great Falls, MT
Commission Chambers, Civic Center
October 04, 2022
7:00 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 before final vote on the matter; and, will be so noted in the official record of the meeting.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL / STAFF INTRODUCTIONS

AGENDA APPROVAL

CONFLICT DISCLOSURE / EX PARTE COMMUNICATIONS

PROCLAMATIONS

Crime Prevention Month

MILITARY UPDATES

1. Miscellaneous Reports and announcements from Montana Air National Guard.

PETITIONS AND COMMUNICATIONS

2. Miscellaneous reports and announcements.

(Public comment on any matter that is not on the agenda of the meeting and that is within the jurisdiction of the City Commission. Please keep your remarks to a maximum of 3 minutes. When at the podium, state your name and either your address or whether you are a city resident for the record.)

NEIGHBORHOOD COUNCILS

3. Miscellaneous reports and announcements from Neighborhood Councils.

BOARDS AND COMMISSIONS

4. Appointment to the Board of Adjustment/Appeals.
5. Miscellaneous reports and announcements from Boards and Commissions.

CITY MANAGER

6. Miscellaneous reports and announcements from City Manager.

CONSENT AGENDA

The Consent Agenda is made up of routine day-to-day items that require Commission action. Items may be pulled from the Consent Agenda for separate discussion/vote by any Commissioner.

7. Minutes, September 20, 2022, City Commission Meeting.
8. Total Expenditures of \$2,951,575 for the period of August 30, 2022 through September 21, 2022, to include claims over \$25,000, in the amount of \$2,521,212.

Action: Approve Consent Agenda as presented or remove items for separate discussion and/or vote by any Commission member.

PUBLIC HEARINGS

9. Ordinance 3250, An amendment to the Planned Unit Development to allow 4-plex multifamily units for West Ridge Addition Phases VII - XI, and Preliminary Plat for a 40-lot major subdivision for West Ridge Addition, Phase X. *Action: Conduct a public hearing and adopt or deny Ord. 3250 and approve or deny the Preliminary Plat and accompanying Findings of Fact. (Presented by Craig Raymond)*

OLD BUSINESS

NEW BUSINESS

10. Wastewater Treatment Plant Clarifier Rehabilitation Project Construction Contract Award. *Action: Award or not award the Base Bid of \$2,367,000 plus Alternate Bid 1A of \$236,200, plus Alternate Bid 2 of \$1,596,000, plus Alternate Bid 2A of \$236,200 for a total amount of \$4,435,400 to Sletten Construction Company and authorize or not authorize the City Manager to execute the contract documents. (Presented by Chuck Anderson)*

ORDINANCES / RESOLUTIONS

11. Ordinance 3251, Amending Title 17 of the Official Code of the City of Great Falls Pertaining to Casinos and their Special Standards for Location and Development. *Action: Accept or not accept Ord. 3251 on first reading and set or not set a public hearing for November 1, 2022. (Presented by Craig Raymond)*

CITY COMMISSION

12. Appointments, Great Falls Citizen's Council.
13. Miscellaneous reports and announcements from the City Commission.
14. Commission Initiatives.

ADJOURNMENT

(Please exit the chambers as quickly as possible. Chamber doors will be closed 5 minutes after adjournment of the meeting.)

Assistive listening devices are available for the hard of hearing, please arrive a few minutes early for set up, or contact the City Clerk's Office in advance at 455-8451. Wi-Fi is available during the meetings for viewing of the online meeting documents.

Commission meetings are televised on cable channel 190 and streamed live at <https://greatfallsmt.net>. City Commission meetings are re-aired on cable channel 190 the following Wednesday morning at 10 am, and the following Tuesday evening at 7 pm.



Commission Meeting Date: October 4, 2022

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Appointment to the Board of Adjustment/Appeals.

From: City Manager's Office

Initiated By: City Commission

Presented By: City Commission

Action Requested: Appoint one member to the Board of Adjustment/Appeals.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (appoint/not appoint) Peter Fontana to a three-year term through September 30, 2025 to the Board of Adjustment/Appeals.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Summary: Krista Smith was appointed to the Board of Adjustment and Appeals in September 2015 and served two full terms. Ms. Smith's term is set to expire on September 30, 2022. Staff began advertising to fill her position on August 18, 2022 through the City's Website and local media. The City received one application from Mr. Peter Fontana.

Board Recommendation: The Board of Adjustment meets on an as needed basis and does not have any pending meeting items for the near future. Staff is providing the application from Mr. Fontana to City Commission for consideration in order to be timely with the appointment. The City Commission could choose to make the appointment without the Board of Adjustment recommendation or wait for the Board to meet. In the case of waiting for a recommendation, Ms. Smith could be asked to remain on the Board until the Board meets again. This could be a few months or longer. In 2021 the Board only met twice and in 2022 met four times with the last meeting being in July.

Background: The Board of Adjustment and Appeals consists of five members appointed by the City Commission. The Board hears and decides appeals regarding zoning, housing, and building codes and ordinances; hears and decides, requests for variances from standards set forth in zoning ordinances; hears and decides all other matters referred to the Board regarding zoning, housing, and building ordinances. This Board is also the body to hear and decide appeals when it is specifically identified to do so by Ordinance or Resolution. Members serve three-year terms and, pursuant to the Official Code of the City of Great Falls, must reside within the City limits.

The International Building Code requires the Board of Adjustment’s membership to be qualified by experience and training to pass on matters pertaining to building construction. The International Mechanical Code requires the Board of Adjustment’s membership to include registered design professionals with structural engineering, electrical engineering, and architectural experience.

Members of this board are:

	Terms
Joe McMillen	10/2/18 – 9/30/24
Antoinette Collins	8/17/21 – 9/30/23
Aspen Northerner	10/2/18 – 9/30/24
Christian Stone	11/17/20 – 9/30/23
Krista Smith	9/15/15 – 9/30/22 (termed)

Citizen interested in serving on the Board:

Peter Fontana

Alternatives:

The Commission could choose to wait for a formal recommendation from the Board before making the appointment or chose not to appoint Mr. Fontana and ask staff to advertise for other citizen interest.

Attachments:

Application from Peter Fontana



**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM**
(PLEASE PRINT OR TYPE)

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For:		Date of Application:
Board of Adjustment and Appeals		09/15/2022
Name:		
Peter Fontana		
Home Address:		Email address:
1120 24th Ave SW Great Falls, MT 59404		pete@fontanainc.net
Home Phone:	Work Phone:	Cell Phone:
406-868-2799	406-868-2799	406-868-2799
Occupation:		Employer:
Real Estate Appraiser		Self - Cornerstone Appraisal Service
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
Related experiences or background: Chair - Cascade County Planning and Zoning Board - 6 years Chair - City County Planning and Zoning Board - 6 years Vice Chair - Cascade County Tax Appeal Board - 6 years Chair - Montana Board of Real Estate Appraisers - 15 years		
Educational Background: BS Finance University of Montana, 1990 graduate		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities: See bio		
Previous and current public experience (elective or appointive): See bio		
Membership in other community organizations: Great Falls Association of Realtors - Board of Directors Montana Regional MLS Governor - Board of Governors		

<p>Have you ever worked for or are you currently working for the City of Great Falls? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, where and when? City Sanitation Division - 1983-1985</p>	
<p>Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, who, which department, and relationship?</p>	
<p>Have you ever served on a City or County board? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, what board and when did you serve? City and County Planning Board</p>	
<p>Are you currently serving on a Board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, which board?</p>	
<p>Please describe your interest in serving on this board/commission? As a stakeholder in the real estate industry, I have a strong interest in community development and planning. My past experience in planning, community development, taxation appeals, and conflict resolution will serve the the board of adjustments well. I am a firm believer in being involved in the commuity and serve on these publically accountable boards.</p>	
<p>Please describe your experience and/or background which you believe qualifies you for service on this board/commission? My tenure and experience of 12 years on both the city and county planning boards and chairing both boards provides me with unique experience and perspective.</p>	
<p>Additional comments:</p>	
<p>Signature <i>Peter Fontana</i></p>	<p>Date: 09/15/2022</p>

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager’s office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager’s office at 455-8450.

Return this form to:

City Manager’s Office
 P.O. Box 5021
 Great Falls, MT 59403

Fax:
 (406) 727-0005

Email:
 kartis@greatfallsmt.net

Bio Peter J Fontana

Peter J Fontana has over thirty years of experience in the Real Estate Appraisal Profession. He has a diverse background with extensive experience in governmental appraisal, mass appraisal, personal property appraisal, single property appraisal, tax appeal and litigation. He has also served as a Subject Matter Expert for the Appraisal Qualifications Board for 10 years as an exam item writer, and serves on the Appraisal Foundations Board of Trustees, in Washington D.C. Peter began his career as the elected county assessor in one of Montana's largest urban counties, then as a statewide appraisal supervisor for the Montana Department of Revenue, specializing in mass appraisal model development, and finally owning and operating a private fee appraisal firm.

Peter also currently serves on a number of other publicly accountable boards;

1. The Appraisal Foundation Board of Trustees
2. Director, Association of Appraiser Regulatory Officials
3. Montana Board of Real Estate Appraisers (Chair)
4. Montana Board of Optometry (Vice Chair) non-industry member
5. Governor, Montana Regional MLS Board of Governors,

Past Board affiliations include, Local Director for the Great Falls Association of Realtors. Chair of the City of Great Falls Planning and Zoning Commission, Chair of the Cascade County Planning Board and Zoning Board of Adjustments, Vice Chair of the Cascade Tax Appeal Board.

Peter is the principal and owner of Cornerstone Appraisal Service, a residential appraisal firm located in Central Montana. Peter holds a Bachelors of Science Degree in Business Administration, majoring in Finance, from the University of Montana.

JOURNAL OF COMMISSION PROCEEDINGS
September 20, 2022

Regular City Commission Meeting

Mayor Kelly presiding
 Commission Chambers Room 206

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS: City Commission members present: Bob Kelly, Susan Wolff, Eric Hinebauch, Joe McKenney and Rick Tryon. Also present were City Manager Greg Doyon, Planning and Community Development Director Craig Raymond, Finance Director Melissa Kinzler, City Attorney Jeff Hindoien and Deputy City Attorney David Dennis, Fire Chief Jeremy Jones, Police Captain Rob Moccasin, and City Clerk Lisa Kunz.

AGENDA APPROVAL: There were no proposed changes to the agenda by the City Manager or City Commission. The agenda was approved as presented.

Mayor Kelly read prepared comments from Selene Thomas, Black Eagle Assiniboine Chapter of the Daughters of the American Revolution, pertaining to the 67th Anniversary of Constitution Week [September 17-23].

CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS: None.

COMMUNITY INITIATIVES

1. COMMUNITY HEALTH UPDATE FROM CITY-COUNTY HEALTH OFFICER – ABIGAIL HILL.

Health Officer Abigail Hill provided the following updates:

- Flu shots begin tomorrow at Montana Expo Park, the walk-in clinic at Montana Expo Park next Wednesday, and Great Falls Public Library and Great Falls Fire Stations in October. Covid vaccines and boosters will also be offered.
- The City-County Health Department will also be performing a public health emergency response exercise tomorrow at Montana Expo Park.
- The City-County Health Department is seeking a Deputy Health Officer.
- Environmental Health sanitarians are fully staffed.
- Nurse Practitioner Coleen Conway started employment in April. She can diagnose and treat patients at the Health Department.
- The community level for Covid is high again based off the number of hospitalizations. Covid numbers are posted on the City-County Health Department website and Facebook page. Covid boosters are available at the Health Department.

In response to Commissioner McKenney's inquiry, Health Officer Hill reported that Covid and flu shots could be given at the same time.

JOURNAL OF COMMISSION PROCEEDINGS
September 20, 2022

On behalf of the community, Mayor Kelly expressed a heartfelt thank you to former Deputy Health Officer Bowen Trystianson and wished him luck in his new employment endeavors.

2. PETITIONS AND COMMUNICATIONS

Ben Forsyth, 3301 9th Street NE, discussed the negative effects of THC on brain development. He relayed information about a young man that he personally knows that once flourished above grade average and today is disruptive and flunking school due to the effects of his mother smoking marijuana. He also noted that during the last school year the High Schools lost 218 kids who were not motivated to be in school and were influenced by the marijuana around them.

NEIGHBORHOOD COUNCILS

3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

BOARDS AND COMMISSIONS

4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

CITY MANAGER

5. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon reported the following:

- A Department engagement retreat will be scheduled with the Commission in December.
- The annual audit began today. Special emphasis audits will also be conducted in areas of cash handling. The auditors will report on the City's financial conditions and accountability.
- Informal on-boarding began with the new Public Works Director Chris Gaub, who will start employment in November.
- Deputy City Manager Chuck Anderson was excused from attending some Commission meetings in consideration of his additional work load serving as Interim Public Works Director.
- Last week he attended a virtual board meeting with the Association of Defense Communities in preparation for the Installation Innovation Forum that he will be attending in Phoenix at the end of October.
- A cost estimate to coordinate and structure public information will be provided if the Commission decides to pursue a public safety levy.
- The Human Resources Department is preparing for a functional workspace renovation. There will be some disruption and relocation during construction.
- Courtroom space within the Civic Center is also being evaluated.

JOURNAL OF COMMISSION PROCEEDINGS
September 20, 2022

- The Animal Shelter partnered with Best Friends Animal Society in September to sponsor a free cat/kitten adoption that included spaying/neutering, vaccinations and microchips. Five dogs and 21 cats were adopted during the events.
- He thanked the Commission for allowing him to participate in Leadership Montana.

CONSENT AGENDA.

6. Minutes, September 6, 2022, City Commission Meeting.
7. Total Expenditures of \$ 2,191,527 for the period of August 23, 2022 through September 7, 2022, to include claims over \$25,000, in the amount of \$1,651,207.
8. Contracts List.
9. Grants List.
10. Approve the 2022-2023 School Resource Officer Agreement between the City of Great Falls and the Great Falls Public School District.
11. Approve the purchase of one new double drum steel roller to Tractor & Equipment Co., of Great Falls through Sourcewell, formerly known as NJPA, for a total of \$193,000.02, including shipping.
12. Approve the award of a Safety and Equipment Grant from the Federal Emergency Management Agency (FEMA) through the Assistance to Firefighters Grant (AFG) for Self-Contained Breathing Apparatus (SCBA) and supplies in the amount of \$99,545.45.

Commissioner Tryon moved, seconded by Commissioner Wolff, that the City Commission approve the Consent Agenda as presented.

Mayor Kelly asked if there were any comments from the public or discussion amongst the Commissioners.

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

PUBLIC HEARINGS

OLD BUSINESS

NEW BUSINESS

13. **AMENDMENT #2 TO THE CITYWIDE 911 EMERGENCY AMBULANCE SERVICES CONTRACT WITH GREAT FALLS EMERGENCY SERVICES.**

Fire Chief Jeremy Jones reported that Great Falls Emergency Services (GFES) has once again approached the City of Great Falls and requested an amendment to the Agreement with Great Falls Emergency Services and the City of Great Falls, Montana for Citywide 911 Emergency

JOURNAL OF COMMISSION PROCEEDINGS
September 20, 2022

Ambulance Services as outlined in Section 11.14. During a meeting with Great Falls Fire Rescue (GFFR), GFES stated that they are once again having staffing issues in regards to retention and recruitment of paramedics. Section 2.2A of the Agreement states, "Provide pre-hospital emergency medical care and transport services at the Advanced Life Support (ALS) for emergency medical call transport within the City twenty-four (24) hours a day, seven (7) days a week, without regard to the patient's financial status."

Similar to Amendment #1 which expired in May 2019, this amendment will allow GFES to provide a minimum of two ALS staffed and equipped ambulances at all times and any additional ambulances above the minimum to be staffed at the Basic Life Support level (BLS). BLS ambulances will be allowed to take non-emergent calls. This Amendment, if approved, will be effective through May 20, 2024.

The Original Agreement does not allow for Basic Life Support (BLS) ambulances to operate within the 911 Emergency Services system. BLS ambulances are staffed with two (2) Emergency Medical Technicians (EMT) but are limited in their scope of practice pertaining to medical procedures they can provide to the patient.

By allowing BLS ambulances in the system, it will allow more transport units to be available to the system in times of need. It also allows the Emergency Medical Dispatch (EMD) system to send the appropriate resource depending on the type of medical call. A percentage of medical calls do not require ALS patient care in route to the hospital from the emergency scene. By utilizing EMD, ambulances can be dispatched for the appropriate level of care needed (BLS versus ALS).

In the event the whole system is busy and only a BLS ambulance is available to the citizens of the community, GFFR will then utilize the medics off the engine companies to make that ambulance an ALS ambulance. He does not anticipate immediate direct load impacts, but will monitor those situations on a monthly basis. GFFR Medic 1 and Medic 4 will be utilized in times of need when an ALS call is warranted.

GFFR has a cost recovery mechanism in place for transports to recoup disposable costs.

Commissioner Wolff moved, seconded by Commissioner Tryon, that the City Commission approve Amendment #2 to an Agreement with Great Falls Emergency Services and the City of Great Falls, Montana for Citywide 911 Emergency Ambulance Services.

Mayor Kelly asked if there were any comments from the public. Hearing none, Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Tryon inquired the difference between ALS and BLS services and why that affects GFES ability to properly staff ambulances.

Justin Grohs, Great Falls Emergency Services, explained that ALS is advanced life support, a paramedic level of care. BLS is basic life support, an EMT level of care. The original contract required a paramedic on every truck. The reality is that many of the 911 calls do not require a paramedic level of care. Those calls can be serviced with a BLS or EMT level of care.

JOURNAL OF COMMISSION PROCEEDINGS
September 20, 2022

EMT training is about a semester of school, and paramedic training is about two years.

Commissioner Hinebauch inquired the number of ALS units.

Mr. Grohs responded the number would vary depending on GFES staffing capabilities. There will be a minimum of two ALS units and at least one BLS unit.

Chief Jones added that the Medic 4 ambulance is cross-staffed with an engine company out of Fire Station 4 and a second ALS ambulance at Fire Station 1 will be available to conduct patient transports if needed. All of GFFR engine companies will have paramedics.

There being no further discussion, Mayor Kelly called for the vote.

Motion carried 5-0.

ORDINANCES/RESOLUTIONS

14. RESOLUTION 10462, TO LEVY AND ASSESS PROPERTIES WITHIN THE BUSINESS IMPROVEMENT DISTRICT.

Finance Director Melissa Kinzler reported that the BID's overall purpose is to utilize assessment dollars through the BID to improve and revitalize the downtown area. On July 19, 2022, the BID presented a proposed Work Plan and Budget and recommended a method of levying an assessment on the properties within the district. Following that public hearing, the City Commission adopted the BID's FY 2023 Work Plan and Budget.

The assessment formula for 2022/2023 will generate \$266,177.92 in assessment revenue for the BID. The assessment revenue is \$18,256.61 more than the previous year. The increase is attributed to the successful completion of the BID expansion in April 2022.

Commissioner Hinebauch moved, seconded by Commissioner McKenney, that the City Commission adopt Resolution 10462.

Mayor Kelly asked if there were any comments from the public.

Kellie Pierce, Executive Director of the BID, expressed appreciation to the Commission for approving the BID's operating budget so the BID could continue its revitalization and beautification efforts downtown.

Rebecca Engum, Executive Director of Great Falls Montana Tourism, commented on their great partnerships with the BID and the Downtown Great Falls Association, and that Montana Tourism supports their efforts in beautifying the city and creating that economic impact downtown.

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Tryon clarified that this is not a tax increase on the citizens of Great Falls. This pertains to certain businesses being assessed in a specific area to improve downtown.

JOURNAL OF COMMISSION PROCEEDINGS
September 20, 2022

Mayor Kelly called for the vote.

Motion carried 5-0.

15. RESOLUTION 10463, TO LEVY AND ASSESS PROPERTIES WITHIN THE TOURISM BUSINESS IMPROVEMENT DISTRICT.

Finance Director Melissa Kinzler reported that the TBID's overall purpose is to promote tourism, conventions, trade shows, and travel to the City of Great Falls through the use of assessment revenue.

At a public hearing held on July 19, 2022, the TBID presented a proposed Work Plan and Budget and recommended a method of levying an assessment on the properties within the district. Following the public hearing, the City Commission adopted the 2022/2023 Work Plan and Budget for the TBID.

The assessment amount requested by the TBID through their Work Plan and Budget was approximately \$772,693. The actual assessment for Fiscal Year 2022/2023 based on the assessment formula will generate \$757,388 in assessment revenue. Last year, the total assessment billed was \$589,004. The increase of \$168,384 over last year's assessment is attributed to an increase in lodging for the assessment period that ended June 30, 2022.

Commissioner Hinebauch moved, seconded by Commissioner Tryon, that the City Commission adopt Resolution 10463.

Mayor Kelly asked if there were any comments from the public.

Rebecca Engum, Executive Director of Great Falls Montana Tourism, 15 Overlook Drive, commented that the final assessment amount collected was \$15,305 less than the TBID budget. The Board of Directors adjusted the budget to account for that reduction in the assessment the Board anticipated.

She clarified that the lodging properties collect the assessments and pay it out on their taxes in November and May. There was a 2% net increase in rooms rented for the past three years. She also explained that temporary workers that stay 30+ days become exempt which reduces the assessment Tourism collects.

Kellie Pierce, Downtown Great Falls Association and BID, 318 Central Avenue, expressed appreciation to the TBID's tourism efforts that makes downtown stand out as a destination in the State of Montana.

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

JOURNAL OF COMMISSION PROCEEDINGS
September 20, 2022

16. RESOLUTION 10454, TO CERTIFY THE ABATEMENT OF A NUISANCE AND STATEMENT OF EXPENSE, ADDRESSED AS 1915 6TH AVENUE NORTH IS COMPLETED.

Planning and Community Development Director Craig Raymond reported that, beginning in June 2020 and continuing through May 2021, the Great Falls Planning and Community Development Department received multiple complaints about the condition of the property owned by Emily Moore located at 1915 6th Avenue North. The Department made all efforts to work with Emily Moore to bring the property into compliance even prior to the fire, but compliance never occurred.

On September 21, 2021, the City Commission declared the property a public nuisance and authorized staff to perform the abatement of the property should Ms. Moore fail to cooperate. Ultimately, staff was forced to conduct the clean up of the property.

City Staff contracted with WVH Enterprises to demolish the residential structure and remove the rubbish and exterior storage on the subject property. The demolition and removal of rubbish was completed on April 12, 2022. The original cost of the project was \$21,550. The cost increased \$1,300 to \$22,850 due to the owner prohibiting the contractor from entering with his equipment from the alley. The contractor used the front of the lot to demo the residence, other structures and remove the rubbish, which damaged the City sidewalk thereby incurring additional cost above the original quote. Again, many efforts have been made, clearly plenty of time has been granted in order to give the owner the opportunity to resolve these issues to no avail.

By adopting Resolution 10454, the Commission will certify that the subject nuisance has been abated and confirms the Statement of Expense and allows staff to collect the debt either directly from the property owner or through a lien against the property that could be collected at a future date.

Mayor Kelly asked if the Commission members had any questions of staff.

Commissioner Tryon received clarification that if the property owner does not pay the \$22,850, that amount could be recouped through a lien against the property.

Mayor Kelly asked if there were any comments from the public in favor of or in opposition to Resolution 10454.

Hearing none, Mayor Kelly asked the will of the Commission.

Commissioner Wolff moved, seconded by Commissioner Hinebauch, that the City Commission adopt Resolution 10454.

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Tryon received clarification that there was proper notice of this agenda item.

Mayor Kelly called for the vote.

JOURNAL OF COMMISSION PROCEEDINGS
September 20, 2022

Motion carried 5-0.

CITY COMMISSION

17. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Kelly thanked Commissioner Wolff for standing in as Mayor Pro Tempore as he attended telephonically from Utah during the last Commission meeting.

The Commission and City Manager Doyon expressed appreciation to City Attorney Jeff Hindoien for his service and wished him the best in his new employment endeavors as Chief Legal Counsel for Alluvion.

City Attorney Hindoien thanked the Commission and City Manager for allowing him the opportunity to come back to work in his hometown and be a part of city government again. This organization has a quality team of people that he has had the privilege of working with.

18. COMMISSION INITIATIVES.

Commissioner Wolff proposed that the City Manager sponsor the Montana Economic Development Association (MEDA) Conference in the amount of \$1,000. To her, it is important that the entrepreneurs and citizens see that this city takes workforce development and economic development seriously because that is what will move the community forward.

Commissioner Tryon commented that citizens would want to know what the \$1,000 is for, whom it will be paid to, and the fund it will be paid out of.

Manager Doyon clarified that basically it is a sponsorship for an event that is occurring in the community. The \$1,000 sponsorship provides prominent exposure on the conference website and marketing materials, and one complimentary conference registration. The \$1,000 sponsorship would come out of the City Commission budget.

Commissioner McKenney suggested the Manager Doyon think about an event the City could sponsor that fits the needs of Great Falls or what the City wants the citizens of Great Falls to hear about at the MEDA conference.

Mayor Kelly commented that additional information about the conference would be provided and the discussion brought up again.

JOURNAL OF COMMISSION PROCEEDINGS
September 20, 2022

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Tryon moved, seconded by Mayor Kelly, to adjourn the regular meeting of September 20, 2022, at 8:01 pm.**

Motion carried 5-0.

Mayor Bob Kelly

City Clerk Lisa Kunz

Minutes Approved: October 4, 2022

DRAFT



Commission Meeting Date: Oct 4,2022

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

ITEM: \$25,000 Report
Invoices and Claims in Excess of \$25,000

PRESENTED BY: Finance Director

ACTION REQUESTED: Approval with Consent Agenda

LISTING OF ALL ACCOUNTS PAYABLE CHECKS ISSUED AVAILABLE ONLINE AT
<http://greatfallsmt.net/finance/checkregister>

**TOTAL CHECKS ISSUED AND WIRE TRANSFERS MADE ARE NOTED BELOW WITH AN
ITEMIZED LISTING OF ALL TRANSACTIONS GREATER THAN \$25,000:**

ACCOUNTS PAYABLE CHECK RUNS FROM NEW WORLD	SEPT 8,2022-SEPT 21,2022	635,861.94
ACCOUNTS PAYABLE CHECK RUNS FROM MUNIS	SEPT 8,2022-SEPT 21,2022	2,214,142.92
MUNICIPAL COURT ACCOUNT CHECK RUN FOR	SEPT 1,2022-SEPT 15,2022	9,097.50
MISC WIRES	AUG 30,2022 - SEPT 7,2022	92,472.27
TOTAL: \$		<u><u>2,951,574.63</u></u>

SPECIAL REVENUE FUND

GAS TAX BARSAA

UNITED MATERIALS OF GREAT FALLS INC.	OF1432.2 SW SIDE STREET RECONSTRUCTION/ PMT 1	62,423.52
---	--	-----------

STREET DISTRICT

ERGON ASPHALT & EMULSIONS INC	CRS 2P LIQUID ASPHALT	113,645.81
GREAT FALLS SAND & GRAVEL	TYPE B & C ASPHALTIC CONCRETE	35,294.94

FEDERAL BLOCK GRANTS

GREAT FALLS HOUSING AUTHORITY	AUSTIN HALL ELEVATOR REPAIR	51,698.70
-------------------------------	-----------------------------	-----------

CAPITAL PROJECTS

DOWNTOWN TID

TALISMAN CONSTRUCTION SERVICES	CIVIC CENTER FAÇADE	117,978.20
--------------------------------	---------------------	------------

ENTERPRISE FUNDS

WATER

LB 1106	800 DRY TONS ALUM	54,145.01
GERANIOS ENTERPRISES INC	OF 1432.4 SW SIDE WMR PHASE III/PMNT 1	135,450.77
UNITED MATERIALS OF GREAT FALLS INC.	OF 1648.1 SOUTHSIDE WMR PHASE II PMNT 4	330,477.47

SEWER

VEOLIA WATER NORTH AMERICA	MONTHLY CONTRACTED CAPITAL IMPROVEMENTS	285,489.11
TD&H ENGINEERING	OF 1758.1 LIFT STATION #1 REPAIRS & SUP FORM/PMT7	35,806.15

INTERNAL SERVICES FUND

HEALTH AND BENEFITS

HEALTH CARE SERVICE CORPORATION	BCBS HEALTHCARE	382,611.91
SUN LIFE FINANCIAL	SUNLIFE DENTAL & VISION AUG 2022	43,789.90

CENTRAL GARAGE

MOUNTAIN VIEW CO OP	GASOLINE/DIESEL FUEL	65,231.87
---------------------	----------------------	-----------

TRUST AND AGENCY

PAYROLL CLEARING

STATE TREASURER	MONTANA TAXES	52,486.00
FIREFIGHTER RETIREMENT	FIREFIGHTER RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	58,413.67
STATEWIDE POLICE RESERVE FUND	POLICE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	70,094.39
PUBLIC EMPLOYEE RETIREMENT	PUBLIC EMPLOYEE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	148,841.01
US BANK	FEDERAL TAXES, FICA & MEDICARE	235,801.61
NATIONWIDE RETIREMENT SOLUTIONS	EMPLOYEE CONTRIBUTIONS	53,838.98

UTILITY BILLS

HIGHPLAINS LANDFILL	SANITATION CHARGES FOR THE MONTH OF AUG 2022	100,645.46
ENERGY KEEPERS	ELECTRICITY CHARGES FOR AUG 2022	87,048.00

CLAIMS OVER \$25000 TOTAL: \$ 2,521,212.48



Commission Meeting Date: October 4, 2022

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Public Hearing – Ordinance 3250, an amendment to the Planned Unit Development to allow 4-plex multifamily units for West Ridge Addition Phases VII - XI, legally described as Peretti Addition Tract 2, located in the SE1/4 Section 26, Township 21 N, Range 3 East, PMM, City of Great Falls, Cascade County, MT; and Preliminary Plat for a 40-lot major subdivision for West Ridge Addition, Phase X

From: Alaina Mattimiro, Planner II, Planning and Community Development

Initiated By: S & L Development

Presented By: Craig Raymond, Director, Planning and Community Development

Action Requested: City Commission adopt Ordinance 3250 and the West Ridge Phase X Preliminary Plat

Public Hearing:

1. Mayor conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
2. Mayor closes public hearing and asks the will of the Commission.

Suggested Motion:

I.

A. Commissioner moves:

“I move that the City Commission (adopt/deny) Ordinance 3250 amending the Planned Unit Development for West Ridge Phases VII-XI.”

B. Mayor requests a second to the motion, Commission discussion, and calls for the vote.

II.

A. Commissioner moves:

“I move that the City Commission (approve/deny) the Preliminary Plat of West Ridge Addition Phase X, and accompanying Findings of Fact, subject to Conditions of Approval being fulfilled by the Applicant.”

B. Mayor requests a second to the motion, Commission discussion, and calls for the vote.

Recommendation: The Planning Advisory Board/Zoning Commission recommended approval of the PUD amendment as well as the preliminary plat for West Ridge, Phase X at their public hearing held on August 23, 2022. Neighborhood Council #3 voted in favor of approval at their meeting on September 1, 2022. Staff also recommends approval for both actions.

Conditions of Approval:

1. **General Code Compliance.** The proposed project shall be developed consistent with the conditions in this report, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
2. **Amended Plat.** Provide an Amended Plat of the subject property which shall incorporate corrections of any errors or omissions noted by Staff.
3. **Utilities.** The final engineering drawings and specifications for public improvements for the subject property shall be submitted to the City for review and approval. Specifically, the Owner shall be responsible for creating a permanent stormwater facility that will be privately owned and maintained and will be required to be sized with each phase based on the drainage area, including the public rights-of-way. Alterations to the facility may be required through each phase based on this requirement
4. **Land Use & Zoning.** Except as provided herein, development of the property shall be consistent with allowed uses and specific development standards for the PUD Planned unit development district designation.
5. **Reimbursements.** The applicant is required to pay the following fees: 1) payment for past City force main and lift stations improvements, with the fee being charged on a per acre basis, and 2) park in lieu of fee. Both fees shall be paid in full prior to approval of the Final Plat for the subdivision.
6. **Subsequent modifications and additions.** If, after establishment of townhomes and multifamily units, the owner proposes to expand or modify the use, buildings, and/or structures, the Director of Planning and Community Development shall determine in writing if such proposed change would alter the finding for one or more review criteria . If such proposed changes would alter a finding, the proposal shall be submitted for review as a new development application. If such proposed change would not alter a finding, the owner shall obtain all other permits as may be required.

Background: The subject property is located between Thaniel Addition and 4th Street Northeast, and will cover the length of 42nd Avenue Northeast. The property is 12.62 acres, and will consist of another phase of West Ridge Addition. The subdivision proposal is for Phase X, of an originally proposed eleven phase development that has been, and will be, platted over a number of years. The City Commission approved the annexation of the whole property, assigning R-3 Single-family high density zoning on August 18, 2015. At the request of the applicant, the Commission further approved the rezone of the property to Planned Unit Development (PUD) on February 21, 2017 to give the applicant the ability to construct 2-unit townhomes. The applicant is now requesting an amendment to the existing PUD to accommodate an allowance for 4-plex, multifamily units for Phases VII-XI.

Preliminary Plat Request: The applicant is proposing to proceed with Phase X of West Ridge Addition which will include townhomes, single family homes, and multi-family 4-plexes. This proposed phase would create 40 new lots and 70 total dwelling units. The lots on the preliminary plat range from 8,417 – 8,445 square feet for the townhomes, and 10,650 – 11,005 square feet for the single family lots, all of which are located on the eastern side of 2nd St. NE and extend to 4th St NE. On the west side of 2nd St. NE, the 4-plex lots range from 13,473 – 13,709 square feet. The proposed townhome and single family

lot standards are consistent with R-3 zoning district requirements as well as the PUD that was added to the development in 2017. The 4-plex lot standards are included in the proposed amendment to the PUD.

The basis for decision to approve, conditionally approve, or deny a proposed subdivision is whether the subdivision application, preliminary plat, applicable environmental assessment, public hearing, planning board recommendations, or additional information demonstrate that development of the proposed subdivision meets the requirements of 76-3-608 MCA. The governing body shall issue written findings of fact that weigh the criteria in of 76-3-608 (3) MCA, which are attached as Findings of Fact – Subdivision.

Improvements

Roadways

Phase X will connect to and extend existing City roadways by extending 2nd and 4th Streets NE, and building 42nd Ave NE. These roadways will be constructed to the City's typical 35 foot wide standard, and the 60 foot rights-of-way will be provided to set up for boulevard-style sidewalks for builders to construct as lots are sold. These sidewalks will connect to the existing system to continue to build out the sidewalk network. No changes to the road or sidewalk network are being proposed with this application.

Utilities

Service for the proposed 40 lots will require extension of existing 8 inch sewer and water mains that currently serve West Ridge, Phase IX. The on-site improvements required for the development of the subject property shall be installed as shown on the final construction plans that are submitted to, and approved by the City. The on-site improvements shall include everything required to provide water, sanitary sewer, storm water management, and access including streets and sidewalks serving each proposed lot. These improvements shall be installed at the Owner's expense in accordance with the requirements of the OCCGF and the supplemental Improvement Agreement that was approved during Phase IX.

Storm Water Management

The Improvement Agreement for West Ridge Addition, Phases VII – XI, recorded with the Cascade County Clerk & Recorder's Office on September 3, 2015, record # R0311745 GFA, outlines the Owner's permanent and temporary storm water management requirements in Sections 12.4 and 20. More specifically, that Agreement envisioned the construction of a regional storm water facility on a separate parcel with a shared cost arrangement between West Ridge, Thaniel Addition, and the City of Great Falls.

As part of the construction of the previous phase (Phase IX), the Owner approached the City to construct a permanent storm water detention pond onsite that would be a private facility to treat just the West Ridge Addition. The request was approved in 2021 and documented with a Supplement Improvement Agreement. The Owner is now responsible for creating a permanent storm water facility that will be privately owned and maintained and will be required to be sized with each phase based on the drainage area, including the public rights-of-way. Alterations to the facility may be required through each phase based on this requirement. While City staff still prefers the regional storm water plan developed in the 2015 Improvement Agreement as a more appropriate long term regional solution, staff accepts that the developer's proposed alternative is a legal method of meeting storm water requirements as long as the system is properly designed, constructed, and maintained.

Planned Unit Development Request: The current Planned Unit Development that was adopted in 2017 was created to allow for two-unit townhomes, which were not allowed under the previous R-3 zoning district. At the time that it was approved, the PUD set the standards for the townhome lots, and kept an underlying R-3 zoning district for any other standards not specifically set. Now, in conjunction with the Phase X preliminary plat, the applicant is requesting an amendment to the PUD to include 4-plex multifamily units. Within the application, S & L Development has proposed setbacks for each of the multifamily lots, as well as a lot size range, minimum lot width and proportion, maximum lot coverage, and maximum building heights. Other deviations from the code that are being proposed in the amendment include a difference in location for accessory structures, specifically garages. Current City code dictates that accessory structures cannot be built in front of the principal structure, but the proposed PUD amendment will allow the structures to be located closer to the front lot line than the principal building.

The addition of multi-family units, not only creates a greater feasibility for the applicant to continue to develop the remaining phases of West Ridge, but the added density also meets an identified need in the community. A recent study commissioned by the Great Falls Development Authority has identified a pressing need for significant numbers of additional housing units to be constructed in the community. Increasing the amount of dwelling units in West Ridge would be a step to meeting those needs, which is a reason why Planning & Community Development staff is recommending approval of the proposed Planned Unit Development amendment request.

Fiscal Impact: The subject property has already been annexed, so services are already provided by the City, and the cost of infrastructure improvements are being covered by the Developer per the agreed upon terms of the Supplement Improvement Agreement. The preliminary plat provides an increase in lots, which increases the City's tax base and increases revenue. It should be noted that the City Public Works Department has expended approximately \$130,000 towards the regional storm water option originally planned in the 2015 Improvement Agreement. The City has not ruled out the eventual construction of a regional storm water facility in this area. Per the 2015 annexation agreement, The City has also invested over \$1.4 million towards a sewer lift station and force main that serves the West Ridge and Thaniel subdivisions. Per the agreement, the city will continue to be reimbursed for the investment as lots are brought to the market. For the remaining phases of West Ridge, the applicant is required to reimburse the City for these sewer improvements on a per acre basis. Additionally, the applicant is required to continue their park in lieu of payments to the Park and Recreation Department.

Alternatives: The City Commission could deny the amendment to the PUD, for such action, the City Commission must provide separate Findings of Fact for Planned Unit Developments. The City Commission could deny the preliminary plat pursuant to MCA 76-3-604. For these actions, the City Commission must provide separate Findings of Fact for the subdivision.

Concurrences: Representatives from the City's Public Works Department have been involved throughout the review and approval process for this project. In particular, there have been extensive discussions with Public Works staff on appropriate storm water management options to address the water quantity and quality impacts associated with further development of both the West Ridge and Thaniel subdivisions.

Attachments/Exhibits:

Ordinance 3250

Attachment A

Findings of Fact – Planned Unit Development

Findings of Fact – Subdivision

Aerial Map

Zoning Map

Application – Standards and Preliminary Plat Exhibit

ORDINANCE 3250

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS TO AMEND THE PLANNED UNIT DEVELOPMENT ON THE PROPERTY LEGALLY DESCRIBED AS WEST RIDGE ADDITION PHASES VII – XI, PREVIOUSLY KNOWN AS PERETTI ADDITION TRACT 2, LOCATED IN THE SE ¼ SECTION 26, TOWNSHIP 21 NORTH, RANGE 3 EAST, PM, CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA.

* * * * *

WHEREAS, West Ridge Addition Phases VII – XI, previously known as Peretti Addition Tract 2, located in the SE ¼ Section 26, Township 21 North, Range 3 East, PM, City of Great Falls, Cascade County, Montana, is presently zoned PUD Planned Unit Development; and,

WHEREAS, the property owner, S & L Development, LLC, has petitioned the City of Great Falls to amend said PUD Planned Unit Development; and,

WHEREAS, the amendment includes adding 4-plex multifamily units to the already existing permitted single-family and townhome land uses; and,

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on August 23, 2022, to consider the applicant’s petition to amend the PUD to add the requested land use; and

WHEREAS, the Zoning Commission passed a motion recommending that the City Commission approve the requested amendment because it adds housing density, promotes housing diversity, and is being designed compatibly to fit into the West Ridge Addition; and

WHEREAS, notice of assigning said zoning classification to the subject property was published in the *Great Falls Tribune* advising that a public hearing on this zoning amendment would be held on the 4th day of October, 2022, before final passage of said Ordinance herein; and,

WHEREAS, the Planned Unit Development amendment on said property meets the Basis of Decision requirements in the Official Code of the City of Great Falls, Section 17.16.29.050; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

Section 1. It is determined that the herein requested amendment will meet the criteria and guidelines cited in Section 76-2-304 Montana Code Annotated, and Section 17.16.29.050 of the Land Development Code of the City of Great Falls.

Section 2. That the PUD zoning for West Ridge Addition Phases VII – XI, previously known as Peretti Addition Tract 2, located in the SE ¼ Section 26, Township 21 North, Range 3 East, PM, City of Great Falls, Cascade County, Montana, be amended to allow 4-plex multifamily units, subject to the setbacks, and other development standards attached hereto as Attachment A, and by this reference made a part hereof, as well as all other applicable regulatory codes and ordinances.

Section 3. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading September 6, 2022.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading October 4, 2022.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Jeff Hindoien, City Attorney

State of Montana)
County of Cascade : ss
City of Great Falls)

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the City Commission, Ordinance 3250 in three conspicuous places within the limits of said City to-wit:

- On the Bulletin Board, first floor, Civic Center Building;
- On the Bulletin Board, first floor, Cascade County Court House;
- On the Bulletin Board, Great Falls Public Library

Lisa Kunz, City Clerk

(CITY SEAL)

ATTACHMENT A

The following narrative is intended to better describe the intent and details of the Planned Unit Development (PUD) due to a change in product types that are proposed in West Ridge Phase 10.

The proposed 12.62 acres of the West Ridge Subdivision will undergo a revision to its previously approved PUD due to a change in product types that are proposed. West Ridge Phase 10 will have 3 different product types.

4-Plex Lot

Front Yard Set Back = 20'

Side Yard Set Back = 5'

Rear Yard Set Back = 10'

Lot Size Range = 12,000 to 15,000 square feet

Minimum Lot Width = 100'

Max Building Height Principal Building = 35'

Max Building Height Accessory Building = 24', but no higher than the principal building.

Max Lot Coverage = 60% for corner lots, 50% for the other lots

Lot Proportion of Newly Created Lots (Max Depth to Width) = 2.5:1

Note: A deviation request will be required relating to the garage being set in front of the principal structure rather than behind. Appendix F shows the requested location of the garage related to the principal structure.

Townhouse Lot

Front Yard Set Back = 20'

Side Yard Set Back = 6', 0' on attached side

Rear Yard Set Back = 10'

Lot Size Range = 7,500 to 12,500 square feet

Minimum Lot Width = 61'

Max Building Height Principal Building = 35'

Max Building Height Accessory Building = 24', but no higher than the principal building.

Max Lot Coverage = 60% for corner lots, 50% for the other lots

Lot Proportion of Newly Created Lots (Max Depth to Width) = 2.5:1

Single Family

Front Yard Set Back = 20'

Side Yard Set Back = 6'

Rear Yard Set Back = 10'

Lot Size Range = 7,500 to 11,300 square feet

Minimum Lot Width = 61'

Max Building Height Principal Building = 35'

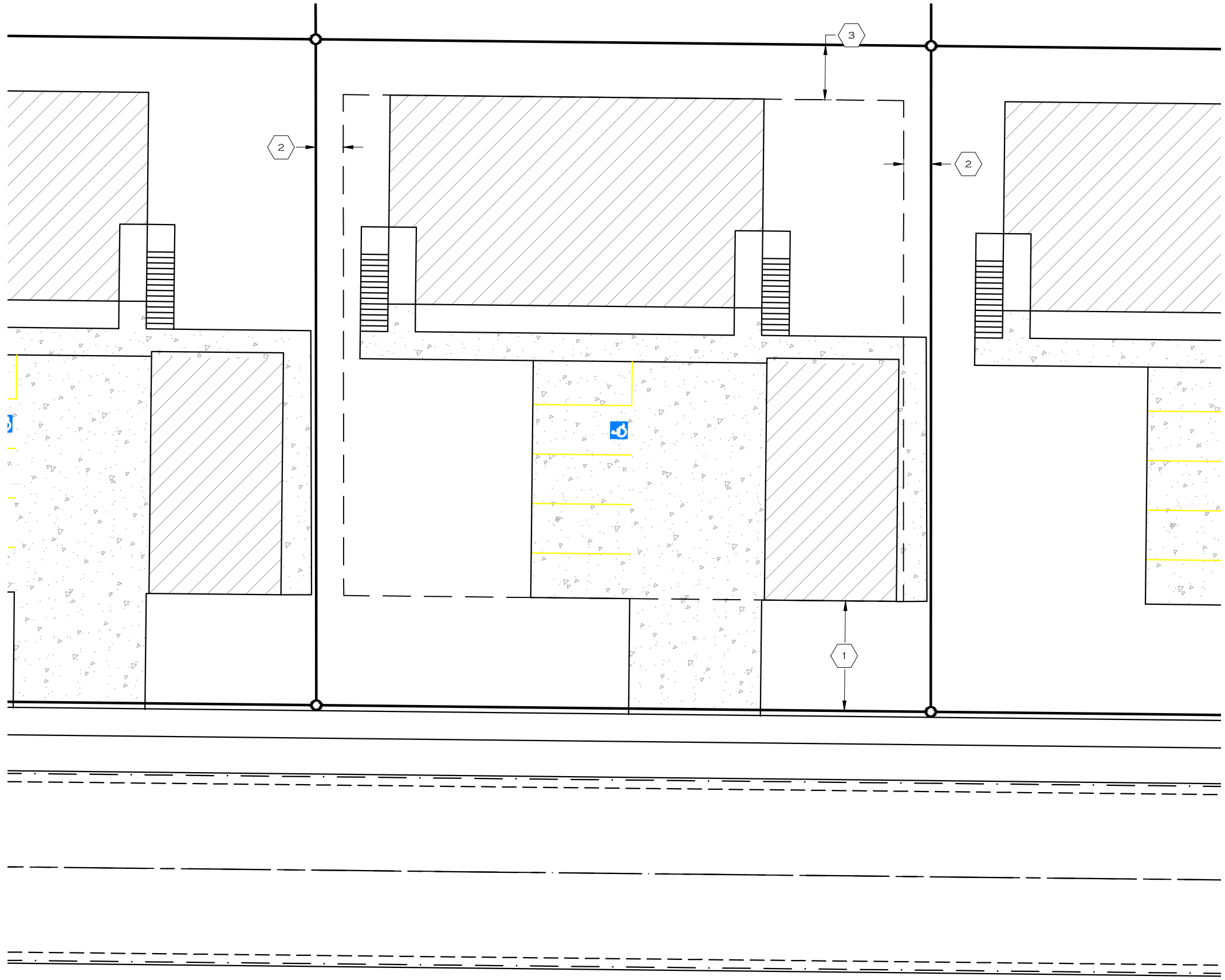
Max Building Height Accessory Building = 24', but no higher than the principal building.

Max Lot Coverage = 55% for corner lots, 50% for the other lots

Lot Proportion of Newly Created Lots (Max Depth to Width) = 2.5:1

EXHIBIT 'A'

4-PLEX LOT LAYOUT - TYPE 1



- KEY NOTES:**
- 1 20' FRONT YARD SETBACK
 - 2 5' SIDE YARD SETBACK
 - 3 10' REAR YARD SETBACK

WOTH ENGINEERING, INC.
ENGINEERS & SURVEYORS
 480 3RD STREET NW SUITE 206 - GREAT FALLS, MT 59404 • 406.761.6185
 300 O'LEARY STREET - GREAT FALLS, MT 59405 • 406.761.6185
 WWW.WOTHENG.COM

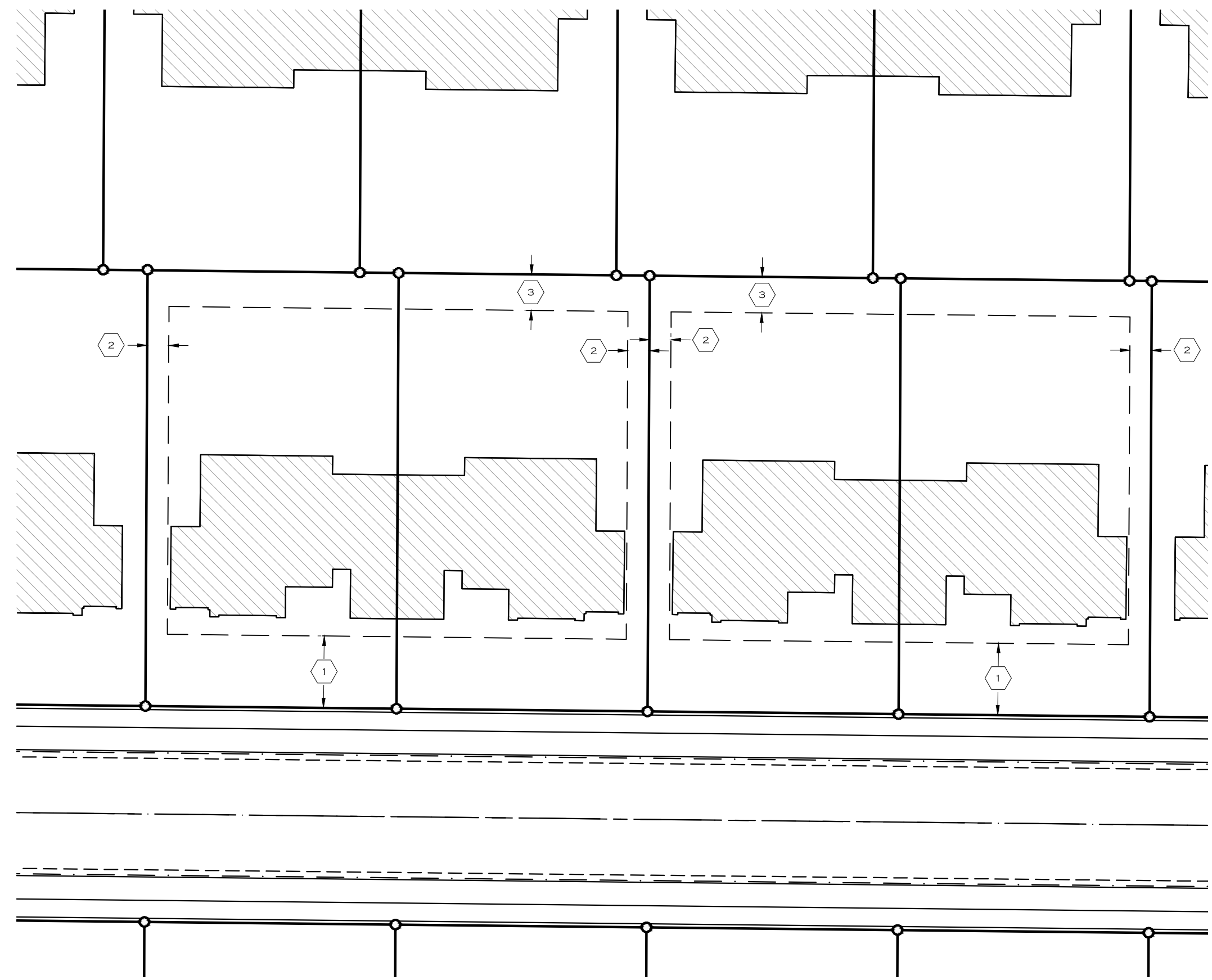
WEST RIDGE PHASE 10 AND 11 - 4 PLEX LOT
 LAYOUT TYPE 1

EX-A
 1 OF 5

JOB#:	0F2190
DRAWN:	RLO
QA:	SMW
DATE:	4/27/2022

EXHIBIT 'A'

TOWNHOUSE LOT LAYOUT - TYPE 1



- KEY NOTES:**
- 1 20' FRONT YARD SETBACK
 - 2 6' SIDE YARD SETBACK
 - 3 10' REAR YARD SETBACK

WOTH ENGINEERING, INC.
ENGINEERS & SURVEYORS
 480 3RD STREET NW SUITE 206 - GREAT FALLS, MT 59404 • 406.761.6185
 300 O'LEARY STREET - GREAT FALLS, MT 59405 • 406.761.6185
 WWW.WOTHENG.COM

WEST RIDGE PHASE 10 AND 11 - TOWNHOUSE
 LOT LAYOUT TYPE 1

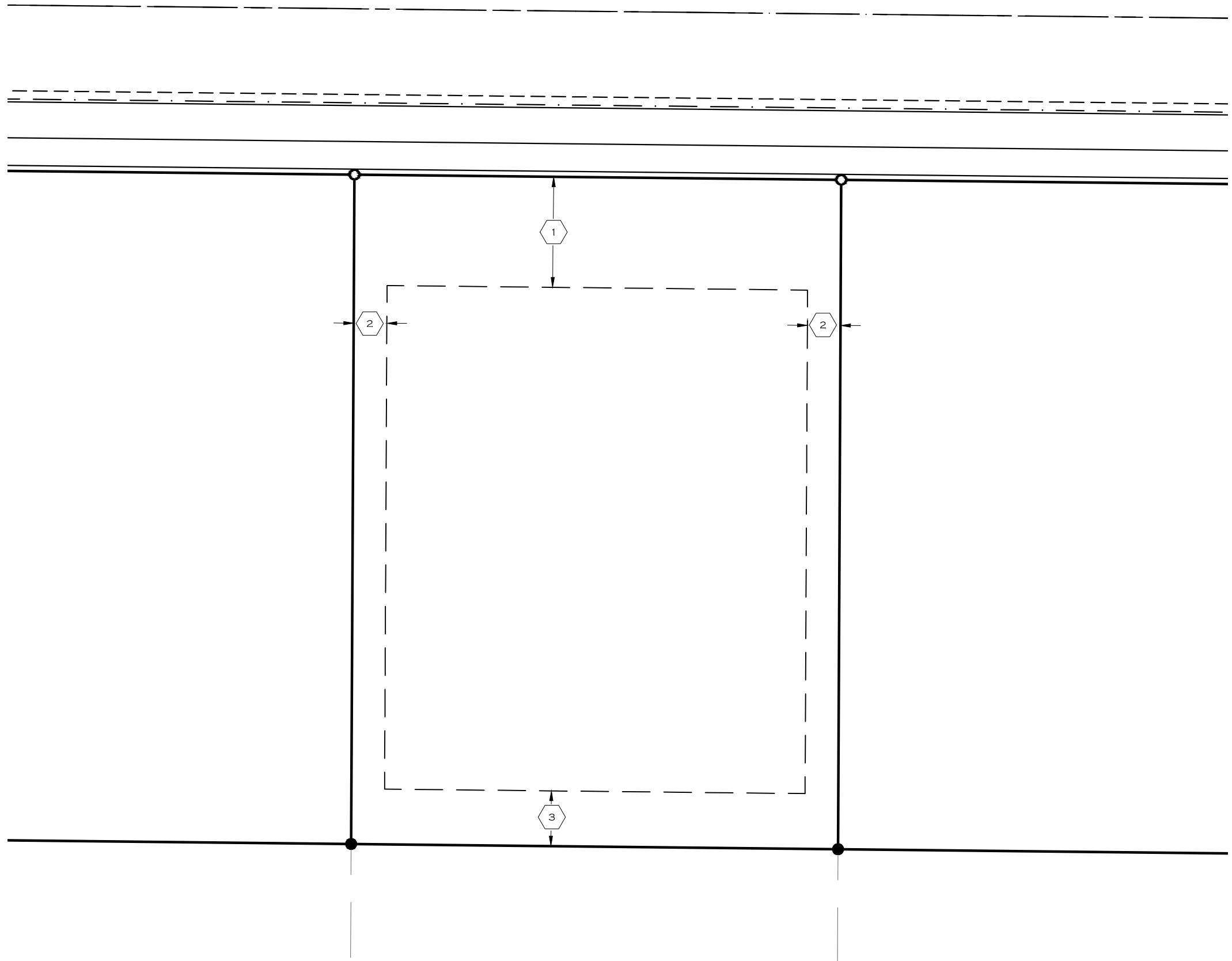
EX-A
 3 OF 5

JOB#:	0F2190
DRAWN:	RLD
QA:	SMW
DATE:	4/27/2022

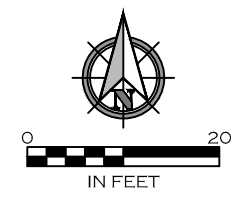
RS: ROBBY OSOWSKI; WOTH ENGINEERING, INC.; WEST RIDGE PHASE 10 AND 11; ACAD; EXHIBITS; EXAR; PLO; SETBACKS.DWG

EXHIBIT 'A'

SINGLE FAMILY LOT LAYOUT



- KEY NOTES:**
- 1 20' FRONT YARD SETBACK
 - 2 6' SIDE YARD SETBACK
 - 3 10' REAR YARD SETBACK



JOB#:	BF-2130
DRAWN:	RLD
QA:	SMW
DATE:	4/27/2022

WOTH ENGINEERING, INC.
ENGINEERS & SURVEYORS
 485 3RD STREET NW SUITE 206 - GREAT FALLS, MT 59404 • 406.761.6185
 300 O'LEARY STREET - • 406.252.5665
 WWW.WOTHENG.COM

WEST RIDGE PHASE 10 AND 11 - SINGLE FAMILY
 LOT LAYOUT

BASIS OF DECISION – PLANNED UNIT DEVELOPMENT

Peretti Addition Tract 2, located in the SE ¼ Section 26, Township 21 North, Range 3 East, PMM, City of Great Falls, Cascade County, MT

PRIMARY REVIEW CRITERIA:

The basis for decision on planned unit developments is listed in Official Code of the City of Great Falls § 17.16.29.050 of the Land Development Code. The decision of City Commission shall at a minimum consider the following criteria:

1. The development project is consistent with the City's growth policy;

The proposed amendment is consistent with the overall intent and purpose of the 2013 City Growth Policy Update. This project is strongly supported by the Social and Physical portions of the Growth Policy, specifically the goals and principles to 1) encourage a diverse, safe and affordable supply of housing in the City; 2) enhance the urban built environment by promoting infill and redevelopment in the City; and 3) encourage a balanced mix of land uses throughout the City.

Additional Policies that this project is consistent with include:

Social - Housing

Soc1.4.1 Work with the private sector and non-profits to increase housing opportunities in the city.

Soc1.4.2 Expand the supply of residential opportunities including single family homes, apartments, manufactured homes and assisted living facilities.

Soc1.4.3 Encourage, promote and support adequate and affordable home ownership in the City.

Soc1.4.6 Encourage a variety of housing types and densities so that residents can choose by price or rent, location and place of work.

Soc1.4.13 Protect the character, livability and affordability of existing neighborhoods by ensuring that infill development is compatible with existing neighborhoods.

Environmental - Urban Form

ENV2.3.1 In order to maximize existing infrastructure, identify underutilized parcels and areas with infill potential as candidates for redevelopment in the City.

Physical - Land Use

Phy4.1.1 Promote and incentivize infill development that is compatible with the scale and character of established neighborhoods.

Phy4.1.3 Create a balanced land use pattern that provides for a diversity of uses that will accommodate existing and future development in the City.

Phy4.1.4 Foster the development of safe, walkable, neighborhoods with a mix of uses and diversity of housing types.

Phy4.1.5 Encourage and incentivize the redevelopment or adaptive reuse of vacant or underutilized properties so as to maximize the City's existing infrastructure.

2. The development project is consistent with applicable neighborhood plans, if any;

Great Falls is separated into nine Neighborhood Councils. There are no adopted Neighborhood

Plans for any of the Councils within the City. The subject property is located in Neighborhood Council #3. The Owner presented the information to Council #3 on September 1, 2022, and the Council voted in favor of the project.

3. The establishment, maintenance, or operation of the development project will not be detrimental to, or endanger the public health, safety, morals, comfort or general welfare;

Any development within the City limits requires a review of how the development will impact the public health, safety and welfare. It is not anticipated that the proposed amendment will have any negative impact. Public health issues have been addressed through the provision of City utilities. Additionally, the proposal will be accompanied by the construction of three public streets. This will provide multiple paths of travel for future residents as well as emergency service response.

4. The development project will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;

The proposed amended PUD provides housing options between single-family houses, 2-unit townhomes, and 4-plex multifamily units. Even though the project does increase the density of lots, the development will fit in with the context of the neighborhood based on the existing mix of single-family and two-unit townhome structures that are already established. The proposal will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor substantially diminish and impair property values in the neighborhood. New sidewalks will be constructed, landscaped boulevards will be added, and compatibly scaled homes will improve the overall transition.

5. The development project will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

The proposed amendment will impact vacant property located north of the existing built out phases of West Ridge which currently have single-family and two-unit townhome residential units. Therefore, the proposed PUD amendment request is not anticipated to impede on the normal and orderly development and improvement of the surrounding property for uses permitted. The amendment will provide for a smooth transition between single family and multifamily units. Additionally, the proposed inclusion of additional housing density will assist the developer in potentially addressing future costs associated with off-site storm water and construction of 43rd Avenue North along the northern portion of the remaining undeveloped property.

6. The proposed design of the building and other structures are compatible with the desired character of the neighborhood;

The units are designed in a manner that is appropriate in scale for the area. The surrounding architectural context was considered in the design of the units for this development. Emphasis has been placed on the look of the units as they are viewed from the neighborhood as well as the way they fit into the development itself.

7. Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;

The proposed amendment will continue the grid pattern established by the adjacent neighborhoods and previous phases. The lots in the development will extend and connect to City water and sewer mains. The street appeal of the area will be greatly enhanced by new sidewalks and boulevard trees. The Owner will pay the costs of extending these utilities. The development will be designed to meet all criteria required for stormwater runoff.

8. Adequate measures have been or will be taken to provide ingress and egress so as to minimize traffic congestion in the public streets;

The development has been designed to continue the existing street network, and will be required to provide secondary turnaround access for emergency services at the west end of 42nd Ave NE. With the construction of 42nd Ave NE, 2nd St NE, and 4th St NE, traffic congestion will be minimized throughout the development. Previous traffic studies done by the developer at the time of annexation, as well as the North Great Falls Transportation Study conducted by the City, have shown that the area can withstand the traffic numbers associated with the development.

FINDINGS OF FACT – MONTANA SUBDIVISION AND PLATTING ACT

Preliminary Plat of West Ridge Addition, Phase X, of Peretti Addition Tract 2, located in the SE ¼ Section 26, Township 21 North, Range 3 East, PMM, City of Great Falls, Cascade County, MT

(PREPARED IN RESPONSE TO 76-3-808(3) MCA)

PRIMARY REVIEW CRITERIA:

Effect on Agriculture and Agricultural Water User Facilities:

The subject property was used for land crop production prior to annexation. The Improvement Agreement for West Ridge Addition, Phases VII – XI, recorded with the Cascade County Clerk & Recorder's office on September 3, 2015, record # R0311745 GFA, allowed current agricultural uses to continue on the portions of the subject property that are not being actively developed in Section 21. The Supplement to the Improvement Agreement for West Ridge Addition, which supplements the original agreement, also allows current agricultural uses to continue on the portions of the subject property that are not being actively developed. Agricultural use in the immediate vicinity has decreased due to residential development. There is not an agricultural water user facility in the area that the proposed development will impact. The subject property is in the City limits in a developing neighborhood, and the subdivision does not interfere with agricultural operations in the area.

Effect on Local Services:

Lots in the subdivision will receive service from extended public water and sewer mains through the proposed public rights-of-way from the existing mains from the previous phase. All service lines for water and sanitary sewer will be stubbed to the property line of all proposed lots. The City has installed a lift station and force main to provide sanitary sewer service to the overall West Ridge development and a larger surrounding area, including Thaniel Addition. To compensate the City for these improvements, the Owner will continue to pay the City, per the 2015 Improvement Agreement, a proportionate share for each remaining subdivision phase. This fee will be calculated on a per acre basis. The Owner is also responsible to pay a storm drain fee for each phase in the amount of \$250 per acre as well as a park in lieu of fee. The occupants of the residences within the subdivision will pay regular water and sewer charges.

This subdivision is receiving law enforcement and fire protection service from the City of Great Falls. The nearest fire station is +/-2 miles away from Phase X. Phase X includes the completion of 42nd Avenue from Thaniel Addition to 4th St NE. With the required turnaround on the west end of 42nd Ave NE, there will be two points of access for emergency services. Providing these services to the subdivision is expected to be a manageable cost to the City, and increased tax revenues from improved properties will assist with increased costs.

The Owner agrees to construct roadways for each phase as required for circulation through the development. Design and installation shall be consistent with City standards and submitted plans

approved by the City of Great Falls. Construction of 42nd Ave NE, 2nd St NE, and 4th St NE shall include curb and gutter. Boulevard style sidewalks will be the responsibility of individual property owners.

Because the subdivision is the latest phase of a previously approved development project and the proposed development will comply with all utility and roadway requirements, there are no negative impacts on local services.

Effect on the Natural Environment:

The subdivision is not expected to adversely affect soils or the water quality or quantity of surface or ground waters. Surface drainage from the subdivision primarily flows to the northwest of the subject property, with a smaller portion flowing due north. The original agreement for the West Ridge and Thaniel Additions required a regional stormwater detention facility to be constructed to serve the subdivisions. The Owner approached the City to construct a permanent stormwater detention pond onsite that will be private to treat just the West Ridge Addition. Details on this facility, including requirements for the pond as well as the maintenance of the private facility, were included in the Supplement Improvement Agreement that was approved in 2021. The onsite facilities will be designed, constructed, and maintained to address City requirements, which should mitigate erosion and flooding impacts to downstream properties.

Effect on Wildlife and Wildlife Habitat:

The subdivision creates the northernmost edge of the City limits. There is existing development to the east and south, and this is not in an area of significant wildlife habitat beyond occasional grazing deer or migrating fowl. This subdivision will not result in closure of public access to hunting or fishing areas, nor to public lands.

Effect on Public Health and Safety:

Based on available information, the subdivision is not subject to abnormal potential natural hazards such wildfire, avalanches or rockslides; however, the drainage basin in which the subject property is located has experienced flooding in the past. Installation of effective storm drainage facilities as reviewed and approved by the City Public Works Department and MDEQ can prevent a reoccurrence of said flooding events.

REQUIREMENTS OF MONTANA SUBDIVISION AND PLATTING ACT, UNIFORM STANDARDS FOR MONUMENTATION, AND LOCAL SUBDIVISION REGULATIONS

The subdivision meets the requirements of the Montana Subdivision and Platting Act and the surveying requirements specified in the Uniform Standards for Monumentation, and conforms to the design standards specified in the local subdivision regulations. The local government has complied with the subdivision review and approval procedures set forth in the local subdivision regulations.

EASEMENT FOR UTILITIES

The developer shall provide necessary utility easement to accommodate water mains, sanitary sewer mains, storm water mains, and private utilities to serve all lots of the subdivision.

LEGAL AND PHYSICAL ACCESS

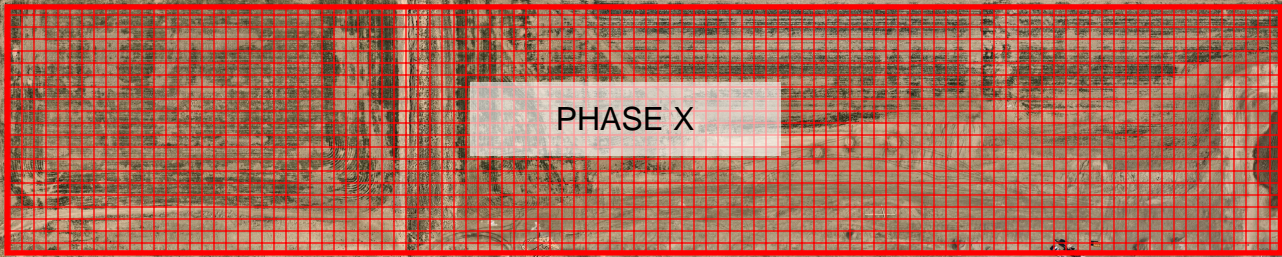
The grid pattern established by the adjacent neighborhoods and previous phases will be continued on to the subject property. The Owner agreed in a previous phase to the dedication and installation of 42nd Avenue NE. This street as well as 2nd St NE and 4th St. NE are public right-of-ways maintained by the City of Great Falls after construction is completed and after final acceptance of the improvements by the City.

Untitled Map

Write a description for your map.

Legend *Agenda #9.*

- Feature 1
- Feature 2



PHASE X

Choteau Ave NE

41st Ave NE

41st Ave NE

40th Ave NE

Sharon F. Thompson, NCTMB

Accountable E

39th Ave NE

39th Ave NE

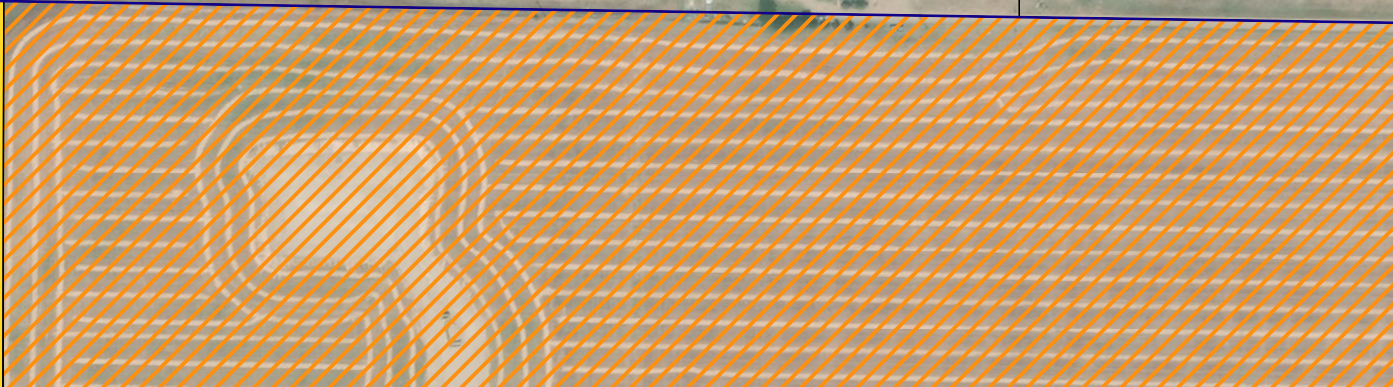
Google Earth

1000 ft

38

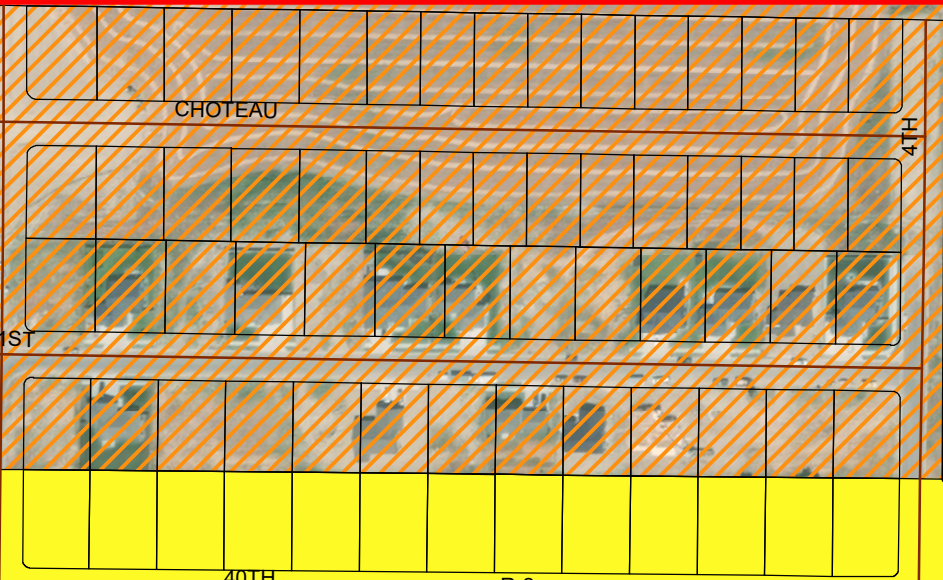


PLI



PHASE X
PUD

R-3



WEST RIDGE - PHASE 10

A 40 Lot Major Subdivision in Great Falls, Montana

Preliminary Plat Submittal

<i>Revision</i>	<i>Date</i>
Preliminary Plat Submittal	07/29/2022

Prepared for:

S & L Development
221 30th Ave NE
Great Falls, MT 59404

405 Third Street NW, Suite 206
Great Falls, MT 59404
(406) 761-1955

WOITH ENGINEERING, INC.
ENGINEERS & SURVEYORS

3860 O'Leary Street, Suite A
Missoula, MT 59808
(406) 203-0869

PRELIMINARY PLAT SUBMITTAL
WEST RIDGE - PHASE 10
July 29, 2022



TABLE OF CONTENTS

- 1. Preliminary Plat..... 2**
 - 1.A. Narrative of the Proposed Property..... 2
 - 1.B. Preliminary Plat..... 2
 - 1.C. Conceptual Plans for Public Infrastructure.....3
 - 1.D. Preliminary Soils/Geotechnical Information.....3
 - 1.E. Estimated Water and Wastewater Demand/Discharge.....3
 - 1.F. Preliminary Drainage Plan.....4
 - 1.G. Special Funding Proposal.....4
 - 1.H. Preliminary Easement.....4
- 2. Planned Unit Development 4**
 - 2.A. Narrative.....4
 - 2.B. Plans and Supplemental Information.....5

PRELIMINARY PLAT SUBMITTAL
WEST RIDGE - PHASE 10
July 29, 2022



The following headings follow the “Land Use Application Checklist” that was determined to be required for submittal from the City of Great Falls Planning and Community Development Department. The checklist was supplied to Woith Engineering on May 10th, 2022. See Appendix A for the checklist.

1. PRELIMINARY PLAT (TABLE 1)

1.A. NARRATIVE OF THE PROPOSED PROPERTY

The following narrative is intended to better describe the intent and design details of the West Ridge Subdivision Phase 10. See Appendix B for an overall master plan of this proposed subdivision.

West Ridge Phase 10 continuation of the West Ridge Subdivision located in southeast 1/4, Section 26, Township 21 North, Range 3 East, P.M.M. City of Great Falls, Cascade County, Montana. Phase 10 will include the extension of 4th and 2nd St NE going north one block and the creation of 42nd Ave NE extending to both the east and west ends of the property. The continuation of all roadway improvements will be constructed per the City of Great Falls Design Standard Drawings. All right-of-way's will be 60' in width. Sidewalk improvements will be constructed as lots are sold and housing development starts.

Utility improvements will include the extension of the 8” sewer and water main down the corridor of 42nd Ave., the 16” water main in the corridor of 2nd St., and the 8” water main in 4th St. Water and sewer services will be stubbed out to each lot for housing development to occur.

Storm drainage will be conveyed similarly to the previous phases of West Ridge and be broken into four separate basins. Basin 1 consists of approximately 2.46 acres and will discharge to the east of the property out the northern portion of 4th St NE. Preliminary calculations show that basin 1 will have a post developed 5-year 2-hour flow rate of 1.39 cfs. At this time the design team is working with the City of Great Falls Engineering Department on the proposed way to handle the flows from Basin 1. Basin 2 and 3 consists of a total of 8.77 acres. These basins will discharge out the northern portion of 2nd St NE and be conveyed to the existing stormwater pond to the north of West Ridge Phase 10. Preliminary calculations show that basin 2 and 3 will have a post developed 5-year 2-hour flow rate of 4.39 cfs. Further coordination will occur on the details on expanding the existing pond. The final basin, basin 4, consists of roughly 1.39 acres and will discharge out the eastern end of 42nd Ave NE due to the existing grade contours.

1.B. PRELIMINARY PLAT

See Appendix C

PRELIMINARY PLAT SUBMITTAL
WEST RIDGE - PHASE 10
July 29, 2022



1.C. CONCEPTUAL PLANS FOR PUBLIC INFRASTRUCTURE

See Appendix B

1.D. PRELIMINARY SOILS/GEOTECHNICAL INFORMATION

See Appendix D for the soil evaluation that was done for West Ridge Phase 9.

1.E. ESTIMATED WATER AND WASTEWATER DEMAND/DISCHARGE

Water Discharge:

Single Family Lots = 10

Townhouse Lots = 20

4 Plex Lots = 10 (3 bedrooms per unit, 12 total living units per lot)

Total Lots = 40

The average daily demand, including domestic demands and irrigation demands, was calculated based on the following assumptions:

Domestic: 300 gallons per day (as per DEQ 4)

$$D_{\text{DOM}} = (30 \text{ residences} * 300 \text{ gpd}) + (120 \text{ residences} * 100 \text{ gpd}) = 210,000 \text{ gpd}$$

Irrigation: 2" per week during the summer months (June-August). Assuming 50% of each lot is irrigated.

$$D_{\text{IRR}} = \left(\frac{2''}{\text{week}}\right) \left(\frac{1'}{12''}\right) \left(\frac{7.48 \text{ gal}}{\text{ft}^3}\right) \left(\frac{\text{week}}{7 \text{ days}}\right) (205,626 \text{ ft}^2 \text{ landscaping}) = 36,621 \text{ gpd}$$

Thus, the total average daily demand during the summer months, when water usage will be at its most severe, is **246,621** gallons per day.

Wastewater Discharge:

The peak sanitary sewer design flow for the development was estimated using the wastewater flow rates outlined in Section 3.1 of Montana Department of Environmental Quality Circular 4. The proposed residential units have been assumed to each have 3 residents for a total estimated population of 540 residents in the development. The 10 single-family, 20 townhouse, and 10 4-plex units will produce **210,000 gallons per day of wastewater flow**.

PRELIMINARY PLAT SUBMITTAL
WEST RIDGE - PHASE 10
July 29, 2022



A peaking factor is applied to the total daily flow to determine the design flow rate:

$$\text{Peaking Factor} = \frac{18 + \sqrt{P}}{4 + \sqrt{P}} = \frac{18 + \sqrt{.15}}{4 + \sqrt{.15}} = 4.19$$

Therefore, the peak design flow rate for this phase of development is calculated as follows:

$$Q_{\max} = 210,000 \text{ gpd} * \left(\frac{0.13 \text{ cf}}{\text{gal}} \right) * \left(\frac{\text{day}}{86,400 \text{ sec.}} \right) * 4.19 = 1.32 \text{ cfs}$$

1.F. PRELIMINARY DRAINAGE PLAN

See Appendix B

1.G. SPECIAL FUNDING PROPOSAL

There are no special funding proposals for the public infrastructure on this proposed development.

1.H. PRELIMINARY EASEMENTS

The proposed preliminary easements are shown on the attached preliminary plat.

2. PLANNED UNIT DEVELOPMENT (TABLE 3)

2.A. NARRATIVE

The following narrative is intended to better describe the intent and details of the Planned Unit Development (PUD) due to a change in product types that are proposed in West Ridge Phase 10.

The proposed 12.62 acres of the West Ridge Subdivision will undergo a revision to its previously approved PUD due to a change in product types that are proposed. West Ridge Phase 10 will have 3 different product types. See Appendix E for further clarification.

4-Plex Lot (See Appendix F)

Front Yard Set Back = 20'

Side Yard Set Back = 5'

Rear Yard Set Back = 10'

Lot Size Range = 12,000 to 15,000 square feet

Minimum Lot Width = 100'

Max Building Height Principal Building = 35'

PRELIMINARY PLAT SUBMITTAL
WEST RIDGE - PHASE 10
July 29, 2022



Max Building Height Accessory Building = 24', but no higher than the principal building.
Max Lot Coverage = 60% for corner lots, 50% for the other lots
Lot Proportion of Newly Created Lots (Max Depth to Width) = 2.5:1

Note: A deviation request will be required relating to the garage being set in front of the principal structure rather than behind. Appendix F shows the requested location of the garage related to the principal structure.

Townhouse Lot (See Appendix G)

Front Yard Set Back = 20'
Side Yard Set Back = 6', 0' on attached side
Rear Yard Set Back = 10'
Lot Size Range = 7,500 to 12,500 square feet
Minimum Lot Width = 61'
Max Building Height Principal Building = 35'
Max Building Height Accessory Building = 24', but no higher than the principal building.
Max Lot Coverage = 60% for corner lots, 50% for the other lots
Lot Proportion of Newly Created Lots (Max Depth to Width) = 2.5:1

Single Family

Front Yard Set Back = 20'
Side Yard Set Back = 6'
Rear Yard Set Back = 10'
Lot Size Range = 7,500 to 11,300 square feet
Minimum Lot Width = 61'
Max Building Height Principal Building = 35'
Max Building Height Accessory Building = 24', but no higher than the principal building.
Max Lot Coverage = 55% for corner lots, 50% for the other lots
Lot Proportion of Newly Created Lots (Max Depth to Width) = 2.5:1

2.B. PLANS AND SUPPLEMENTAL INFORMATION

See Section 1 for details on plans and supplemental information.

PRELIMINARY PLAT SUBMITTAL
WEST RIDGE - PHASE 10
July 29, 2022



APPENDIX A

Land Use Application

Date Stamp:

CITY OF GREAT FALLS
PLANNING & COMMUNITY DEVELOPMENT DEPT.
P.O. BOX 5021, GREAT FALLS, MT, 59403 5021
406.455.8430 • WWW.GREATFALLSMT.NET

DEVELOPMENT APPLICATION

West Ridge Phase 10

Name of Project:

S & L Development

Owner Name:

221 30th Ave NE

Mailing Address:

406-799-5665

Phone:

Woith Engineering - Robby Osowski and Spencer Woith

Representative Name:

406-205-1761

Phone:

jm.rothwell@charter.net

Email:

robert@woitheng.com

Email:

- Annexation by Petition: \$500
- Preliminary Plat, Major: \$1,500 + \$50/lot
- Final Plat, Major: \$1,500 + \$25/lot
- Minor Subdivision: \$1,250
- Zoning Map Amendment: \$2,000
- Conditional Use Permit: \$1,500
- Planned Unit Development: \$2,000
- Amended Plat, Non-administrative: \$1,000

PROPERTY DESCRIPTION / LOCATION:

Lots 40

26

21N/(10 and 11)

3E/West Ridge

Mark/Lot:

Section:

Township/Block:

Range/Addition:

Choteau Ave NE/2nd St NE

Street Address:

ZONING:

PUD

PUD

Agricultural

Single Family

Current:

Proposed:

Current:

Proposed:

I (We), the undersigned, understand that the filing fee accompanying this application is not refundable. I (We) further understand that the fee pays for the cost of processing, and the fee does not constitute a payment for approval of the application. I (We) further understand that public hearing notice requirements and associated costs for land development projects are my (our) responsibility. I (We) further understand that other fees may be applicable per City Ordinances. I (We) also attest that the above information is true and correct to the best of my (our) knowledge.

Property Owner's Signature:

5-2-22

Date:

Representative's Signature:

5/5/2022

Date:

Land Use Application Checklist

All applicants are required to complete and submit the Land Use Application, associated fee, checklist, and required material per the checklist for the proposed development. This fee is non-refundable whether the request is approved or not. No processing will be performed until this fee has been paid. The applicant will also be responsible for the costs associated with publishing the legal ad. Per the Official Code of the City of Great Falls (OCCGF) Title 17 - Land Development Code, applicants requesting any of the following developments noted in the chart below are required to have a pre-submittal meeting with City Staff. Further, when directed by the City, the applicant will be required to present the proposed development to the Neighborhood Council.

APPLICANT SHALL SUBMIT ALL INFORMATION THAT IS MARKED REQUIRED BY STAFF FOR A COMPLETE SUBMITTAL

Completeness Checklist		Req.	App.	Staff
Annexation by Petition	Annexation requires an aerial exhibit or an amended plat/certificate of survey of the property to be annexed. Applicant is also required to submit a narrative of the proposed use of the property to be annexed and the requested zoning to be established.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Preliminary Plat, Major Subdivision	All major subdivisions require the approval of a preliminary plat. Submittal for the preliminary plat process also requires a narrative of the project as well as submittal of all information outlined in Table 1.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Final Plat, Major Subdivision	A final plat is required for each phase of a major subdivision. Submittal for final plat also requires submittal of all information outlined in Table 2. This information shall be submitted before the project will be put on an agenda for the Planning Advisory Board. Before a final plat can be recorded, all information noted in Table 2 must be approved.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Minor Subdivision	All minor subdivisions require a narrative of the project and a site plan showing compliance with the Development Standards as stated in the OCCGF as well as submittal information to show compliance with stormwater regulations (See Table 3), and a minor subdivision plat (See Table 2).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Zoning Map Amendment	Zoning map amendments require an exhibit of all properties to be proposed for the rezone, a narrative explaining the reasons for the rezone request, as well as submittal information to show compliance with stormwater regulations (See Table 3).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Conditional Use Permit	A conditional use permit requires a narrative explaining the project and the reason for the request of a conditional use permit along with a site plan of the project (See Table 3).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Planned Unit Development Please see Title 17, Chapter 28 for design considerations	A planned unit development request requires the submittal of a narrative explaining the project and reason for the request of a planned unit development. The submittal also requires the applicant to provide requested development standards that differ from those put forth in the OCCGF, a site plan showing the requested standards, as well as submittal information to show compliance with stormwater regulations (See Table 3).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amended Plat, Non-Administrative	Any amended plat altering six or more lots is required per State Statute to be reviewed by the governing body. This submittal requires a narrative of the project and an amended plat (See Table 2 for requirements).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Land Use Submittal Checklist - (continued)

APPLICANT SHALL SUBMIT ALL INFORMATION THAT IS MARKED REQUIRED BY STAFF FOR A COMPLETE SUBMITTAL

Table 1 - Preliminary Plat Checklist		Req.	App.	Staff
General Plat Requirements	Plat shall include all applicable items per Title 17 - Appendix A :			
	▪ Title Block - Title shall contain the words amended plat, subdivision, or certificate of survey (COS), the legal description, and the quarter section, section, township, range, principal meridian and county	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Name of owners, adjoining platted subdivision names, and adjoining COS numbers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ North arrow, scale and description of monuments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Legal description of boundary perimeters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ All lots and blocks in the subdivision designated by number, the dimensions of each lot and block, the area of each lot, and the total acreage of all lots	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ All streets, alleys, avenues, roads and highways; their widths and bearings; the width of all right-of-way; and the names of all streets, roads, and highways	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ The location, dimensions and areas of all parks, common areas, and all other grounds dedicated for public use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Date of survey and purpose statement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
▪ Show all phases if project is phased	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Plans and Supplemental Information	One (1) hardcopy of all plans, all manuals, and one (1) electronic submittal via CD or thumb drive are to be submitted and contain the following items:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Conceptual Plans for Public Infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Preliminary Soils/Geotechnical Information	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Estimated Water and Wastewater Demands/Discharge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Preliminary Drainage Plan(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Any Special Funding Proposal for Public Infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Preliminary Easements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Table 2 - Final Plat and Minor Subdivision Checklist		Req.	App.	Staff
General Plat Requirements	Plat shall include all applicable items per Title 17 - Appendix A and the Cascade County Clerk and Recorder Checklist:			
	▪ Title Block - Title shall contain the words amended plat, subdivision, or certificate of survey (COS), the legal description, and the quarter section, section, township, range, principal meridian and county	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Name of owners, adjoining platted subdivision names, and adjoining COS numbers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ North arrow, scale and description of monuments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Legal description of boundary perimeters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ All lots and blocks in the subdivision designated by number, the dimensions of each lot and block, the area of each lot, and the total acreage of all lots	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ All streets, alleys, avenues, roads and highways; their widths and bearings; the width of all right-of-way; and the names of all streets, roads, and highways	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ The location, dimensions and areas of all parks, common areas, and all other grounds dedicated for public use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Date of survey and purpose statement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ The signature and seal of the registered land surveyor responsible for the survey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Land Use Submittal Checklist - (continued)

APPLICANT SHALL SUBMIT ALL INFORMATION THAT IS MARKED REQUIRED BY STAFF FOR A COMPLETE SUBMITTAL

Table 2 - Final Plat and Minor Subdivision Checklist (cont.)		Req.	App.	Staff
Signatures and Certifications (continued)	Plat shall include all items per Title 17 - Appendix A and the Cascade County Clerk and Recorder Checklist in order to obtain the needed signatures for recording of the plat:			
	▪ Certification by the governing body that the final subdivision plat is approved, such certification shall include the acceptance of any dedicated land and improvements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ In the absence of full dedicated park land, a certification by the governing body waiving park dedication or accepting cash donation in lieu of dedication	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Certification by the applicable Planning Board that it has examined the subdivision plat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Signature of the landowner(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Certification of the County Treasurer that all real property taxes and special assessments levied on the land to be subdivided have been paid	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Approval statement from MDEQ and/or City-County Health Department or the Exemption stamp from City-County Health Department where subdivision is exempt from Montana Sanitation in Subdivisions Act (COSA or MFE)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plans and Supplemental Information	Three (3) hardcopies of all plans, one (1) copy of all manuals, and one (1) electronic submittal will be submitted and contain the following items (all plans and reports shall be prepared by a Montana licensed Professional Engineer):			
	▪ Final Plans and Specifications, including applicable sanitary sewer, storm drainage/grading, street, water and traffic control facilities,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Final Storm Drainage/Water Design	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Final Sanitary Sewer and Water Design Reports (Reports shall be prepared by in accordance with MDEQ requirements and standards)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ All other required Design Reports (i.e., traffic generation, geotechnical, pavement and roadway design)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Wastewater Industrial Pretreatment Survey for all developments except for projects containing only single or multi-family residential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Copy of Letter certifying that the Developer will be responsible for the cost of full-time construction inspection services provided by the City Engineering Division or a Consultant Engineering firm. Check with City Engineering Division for inspections.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Original executed Easements for Public Infrastructure.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Land Use Submittal Checklist - (continued)

APPLICANT SHALL SUBMIT ALL INFORMATION THAT IS MARKED REQUIRED BY STAFF FOR A COMPLETE SUBMITTAL

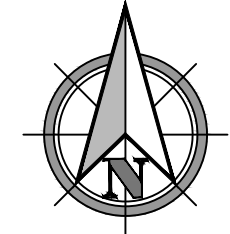
Table 3 - Site Plan Checklist		Req.	App.	Staff
Site Plan Requirements	Site Plan shall include all applicable items per Title 17 - Appendix A :			
	▪ Title Block containing project name, developer and landowner name, north arrow, graphic scale, property boundaries, and acreage of subject property	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Land Use/Development Standards tables with applicable information	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Existing buildings and site amenities as applicable including; contours, wetlands, existing vegetation, water resources, floodplains	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ All proposed buildings and site features including, access drives, pedestrian facilities, parking, landscaping, and lighting per Title 17 requirements	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ All proposed utilities and stormwater facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plans and Supplemental Information	One (1) copy of all plans, all manuals, and one (1) electronic submittal via CD or thumb drive are to be submitted and contain the following items:			
	▪ Conceptual Plans for Public Infrastructure	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Preliminary Soils/Geotechnical Information	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Estimated Water and Wastewater Demands/Discharge	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Preliminary Drainage Plan(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Any Special Funding Proposal for Public Infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Preliminary Easements	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PRELIMINARY PLAT SUBMITTAL
WEST RIDGE - PHASE 10
July 29, 2022



APPENDIX B

Master Plan



LOT COUNT

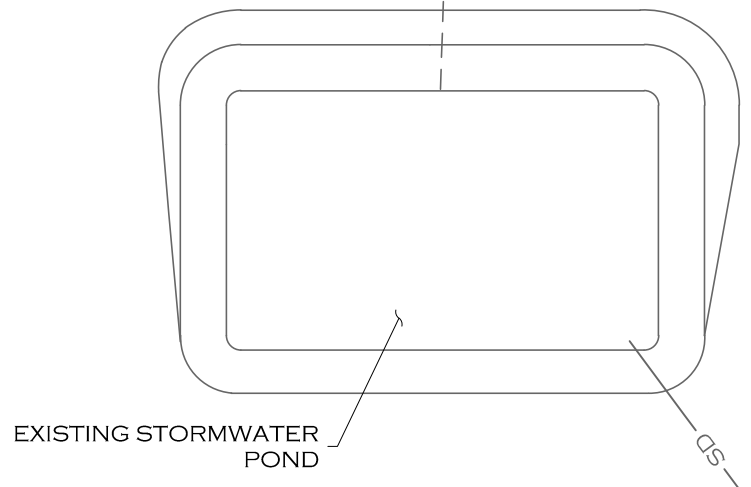
SINGLE FAMILY	10
TOWN HOUSE	20
4-PLEX	10
TOTAL	40

SCHULTZ
78.92 ACRES

STRUTZ
51 ACRES

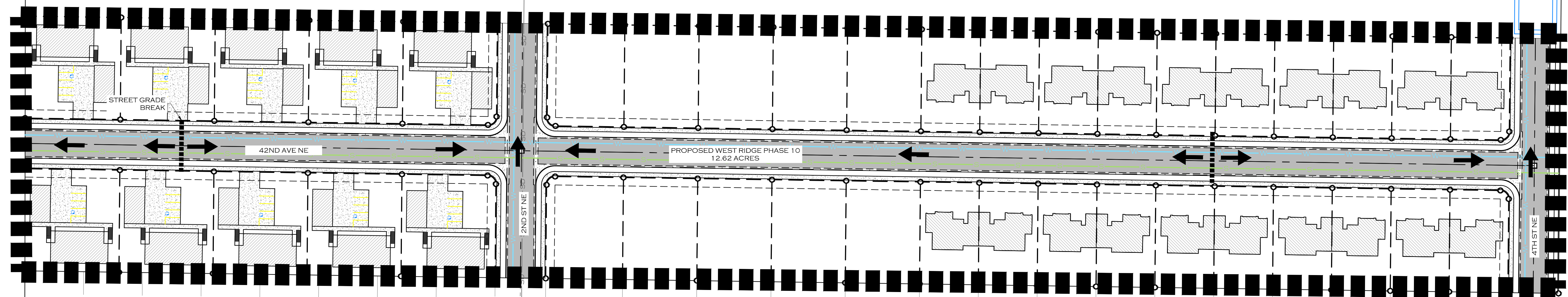
EAGLES CROSSING
226.93 ACRES

THANIEL ADDITION
95.08 ACRES



REMAINING PARCEL
21.05 ACRES

PERETTI
ADDITION
45.31 ACRES



WEST RIDGE PHASE 8

WEST RIDGE PHASE 9

CHOTEAU AVE NE

WOITH ENGINEERING, INC.
ENGINEERS & SURVEYORS
 405 3RD STREET NW, SUITE 205 • GREAT FALLS, MT 59404 • 406-761-1955
 3880 CLARY STREET, SUITE A • MISSOULA, MT 59808 • 406-803-9565
 WWW.WOITHENG.COM

COPYRIGHT © WOITH ENGINEERING, INC., 2022

GREAT FALLS

WEST RIDGE PHASE 10 & 11

MONTANA

MASTER PLAN

EX-A

PRELIMINARY PLAT SUBMITTAL
WEST RIDGE - PHASE 10
July 29, 2022



APPENDIX C

Preliminary Plat

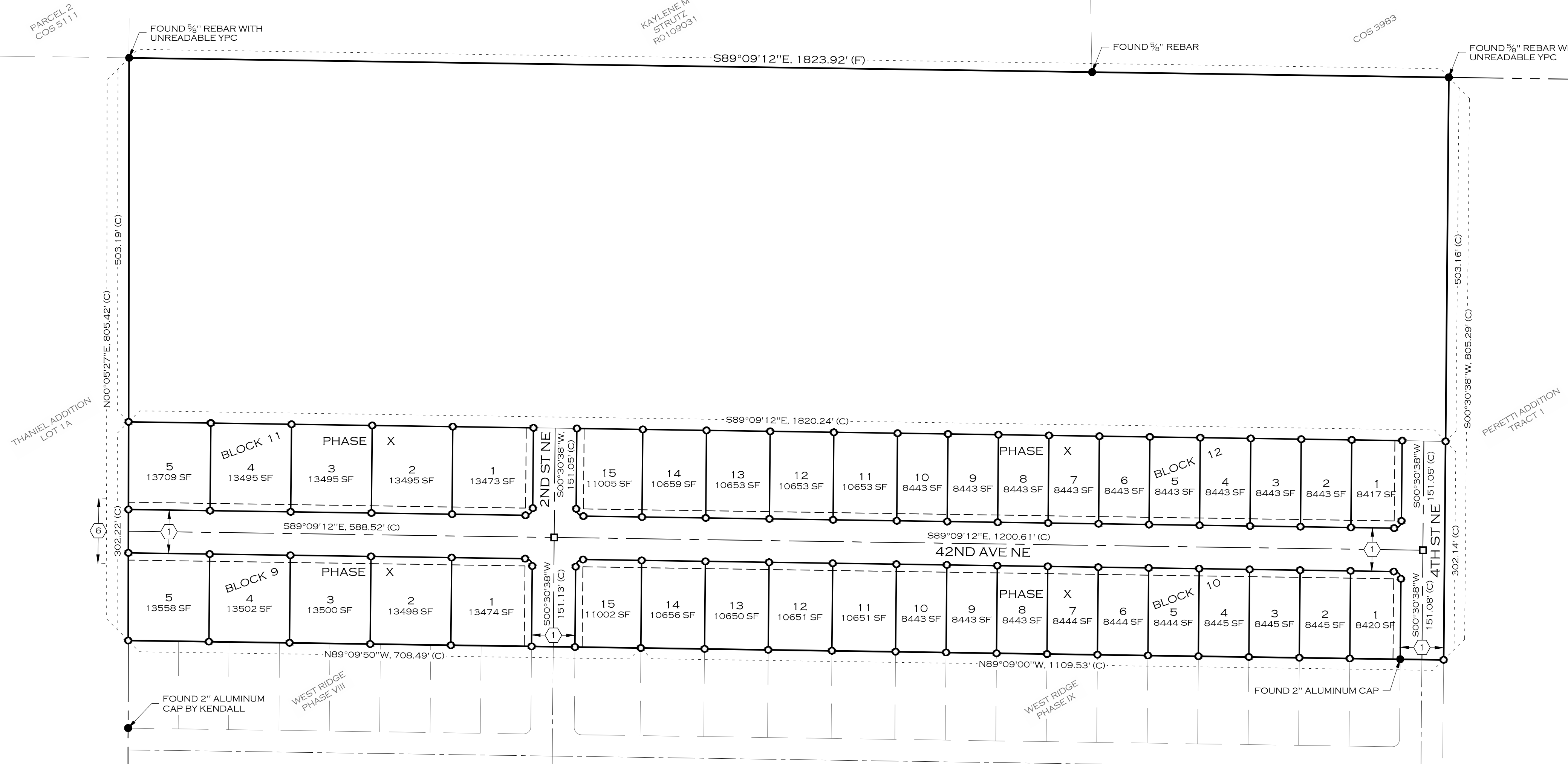
PRELIMINARY PLAT OF WEST RIDGE ADDITION, PHASE X OF PERETTI ADDITION TRACT 2

OWNER OF RECORD:
S&L DEVELOPMENT, LLC

SURVEY COMMISSIONED BY:
S&L DEVELOPMENT, LLC

TOTAL SUBDIVISION AREA:
12.62 ACRES (GROSS & NET)

A MAJOR SUBDIVISION OF PERETTI ADDITION TRACT 2, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 3 EAST, P.M.M., CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA



PURPOSE OF SURVEY

A 40 LOT MAJOR SUBDIVISION OF TRACT 2 OF PERETTI ADDITION.

CERTIFICATE OF SURVEYOR

I, MICHAEL D. SHAYLOR, A LICENSED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I PERFORMED THE SURVEY SHOWN ON THE ATTACHED PLAT OF WEST RIDGE ADDITION, PHASE X OF PERETTI ADDITION TRACT 2, LOCATED IN THE CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA, THAT SAID SURVEY IS TRUE AND COMPLETE AS SHOWN, AND THAT THE MONUMENTS FOUND AND SET ARE OF THE CHARACTER AND OCCUPY THE POSITIONS SHOWN THEREON. AS PER ARM 24.183.1 (1)(1)(d), DUE TO PLANNED IMPROVEMENT INSTALLATION, THE MONUMENTS NOT IN PLACE AT THE TIME OF FILING, (AS DEPICTED IN THE LEGEND) WILL BE PLACED WITHIN 240 DAYS OF RECORDING THIS SURVEY.

BY MICHAEL D. SHAYLOR, PLS
MONTANA REGISTRATION NO. 19110 LS

CERTIFICATE OF OWNERS

WE, THE UNDERSIGNED PROPERTY OWNERS, DO HEREBY CERTIFY THAT WE HAVE CAUSED TO BE SURVEYED AND PLATTED INTO BLOCKS, LOTS, EASEMENTS, AND STREETS AS SHOWN BY THE ATTACHED PLAT. THE TRACT OF LAND TO BE KNOWN AS THE PLAT OF WEST RIDGE ADDITION, PHASE X, BEING A PORTION OF TRACT 2 OF PERETTI ADDITION, LOCATED IN THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 3 EAST, PRINCIPAL MERIDIAN MONTANA, CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 8 OF BLOCK 9 OF WEST RIDGE ADDITION, PHASE VIII, THENCE, N00°08'28\"/>

THE UNDERSIGNED, GRANTOR HEREBY DEDICATES, TO THE CITY OF GREAT FALLS, GRANTEE, THE PUBLIC STREETS AS SHOWN HEREON. WITHOUT LIMITATION, GRANTEE MAY OPERATE, MAINTAIN, REPAIR, AND REBUILD ROADS, DRAINAGE WAYS, RAMPS, SIDEWALKS, CURBS, GUTTERS, CUTS AND OTHER RELATED IMPROVEMENTS.

FURTHERMORE, THIS SURVEY IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY PURSUANT TO SECTION 76-4-125(1)(d) M.C.A., TO WIT: "AS CERTIFIED PURSUANT TO 76-4-127, TO WIT "(1) TO QUALIFY FOR THE EXEMPTION SET OUT IN 76-4-125(1)(d), THE CERTIFYING AUTHORITY SHALL SEND NOTICE OF CERTIFICATION TO THE REVIEWING AUTHORITY THAT ADEQUATE STORM WATER DRAINAGE AND ADEQUATE MUNICIPAL FACILITIES WILL BE PROVIDED FOR THE SUBDIVISION, FOR A SUBDIVISION SUBJECT TO TITLE 76, CHAPTER 3, THE CERTIFYING AUTHORITY SHALL SEND NOTICE OF CERTIFICATION TO THE REVIEWING AUTHORITY PRIOR TO FINAL PLAT APPROVAL."

FURTHERMORE, FEDERAL, STATE, AND LOCAL PLANS, POLICIES, REGULATIONS AND/OR CONDITIONS OF SUBDIVISION APPROVAL THAT MAY LIMIT THE USE OF THE PROPERTY, INCLUDING THE LOCATION, SIZE AND USE ARE SHOWN ON THE CONDITIONS OF APPROVAL SHEET OR AS OTHERWISE STATED.

FURTHERMORE, BUYERS OF PROPERTY SHOULD ENSURE THAT THEY HAVE OBTAINED AND REVIEWED ALL SHEETS OF THE PLAT AND ALL DOCUMENTS RECORDED AND FILED IN CONJUNCTION WITH THE PLAT AND ARE STRONGLY ENCOURAGED TO CONTACT THE LOCAL PLANNING DEPARTMENT AND BECOME INFORMED OF ANY LIMITATIONS ON THE USE OF THE PROPERTY PRIOR TO CLOSING.

FURTHERMORE, THE UNDERSIGNED HEREBY GRANTS UNTO EACH AND EVERY PERSON, FIRM, OR CORPORATION, WHETHER PUBLIC OR PRIVATE, PROVIDING OR OFFERING TO PROVIDE TELEPHONE, TELEGRAPH, ELECTRIC POWER, GAS, CABLE TELEVISION, WATER OR SEWER SERVICE TO THE PUBLIC, THE RIGHT TO THE JOINT USE OF AN EASEMENT FOR THE CONSTRUCTION, MAINTENANCE, REPAIR, AND REMOVAL OF THEIR LINES AND FACILITIES, IN, OVER, UNDER AND ACROSS EACH AREA DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT" TO HAVE AND TO HOLD FOREVER.

S&L DEVELOPMENT, LLC

BY AUTHORIZED AGENT
S&L DEVELOPMENT, LLC

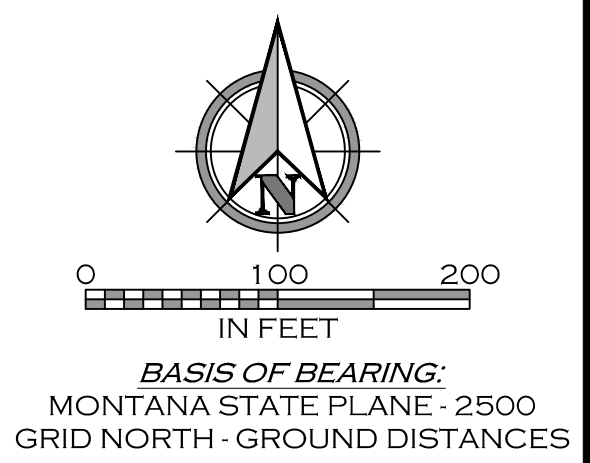
STATE OF MONTANA)
COUNTY OF CASCADE) :SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2022, A NOTARY PUBLIC FOR THE STATE OF MONTANA, PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGE TO ME THAT THEY ARE EXECUTED THE SAME.

NOTARY PUBLIC, STATE OF MONTANA

- LEGEND**
- SECTION LINE
 - EXTERIOR SUBDIVISION BOUNDARY
 - INTERIOR SUBDIVISION BLOCK & LOT BOUNDARY
 - EASEMENT AS DESCRIBED (PER THIS DOCUMENT)
 - ROAD CENTERLINE (PER THIS DOCUMENT)
 - BLOCK & LOT BOUNDARY
 - ROAD CENTERLINE (PER RECORD DOCUMENT)
 - FOUND MONUMENT AS DESCRIBED
 - SET 1 1/2" ALUMINUM CAP MARKED "WEI SHAYLOR 19110LS"
 - SET 1 1/4" YELLOW PLASTIC CAP MARKED "WEI SHAYLOR 19110LS"
 - (F) FOUND
 - (C) CALCULATED OR SET

- KEY NOTES:**
- ① 60' RIGHT OF WAY
 - ② 10' UTILITY EASEMENT

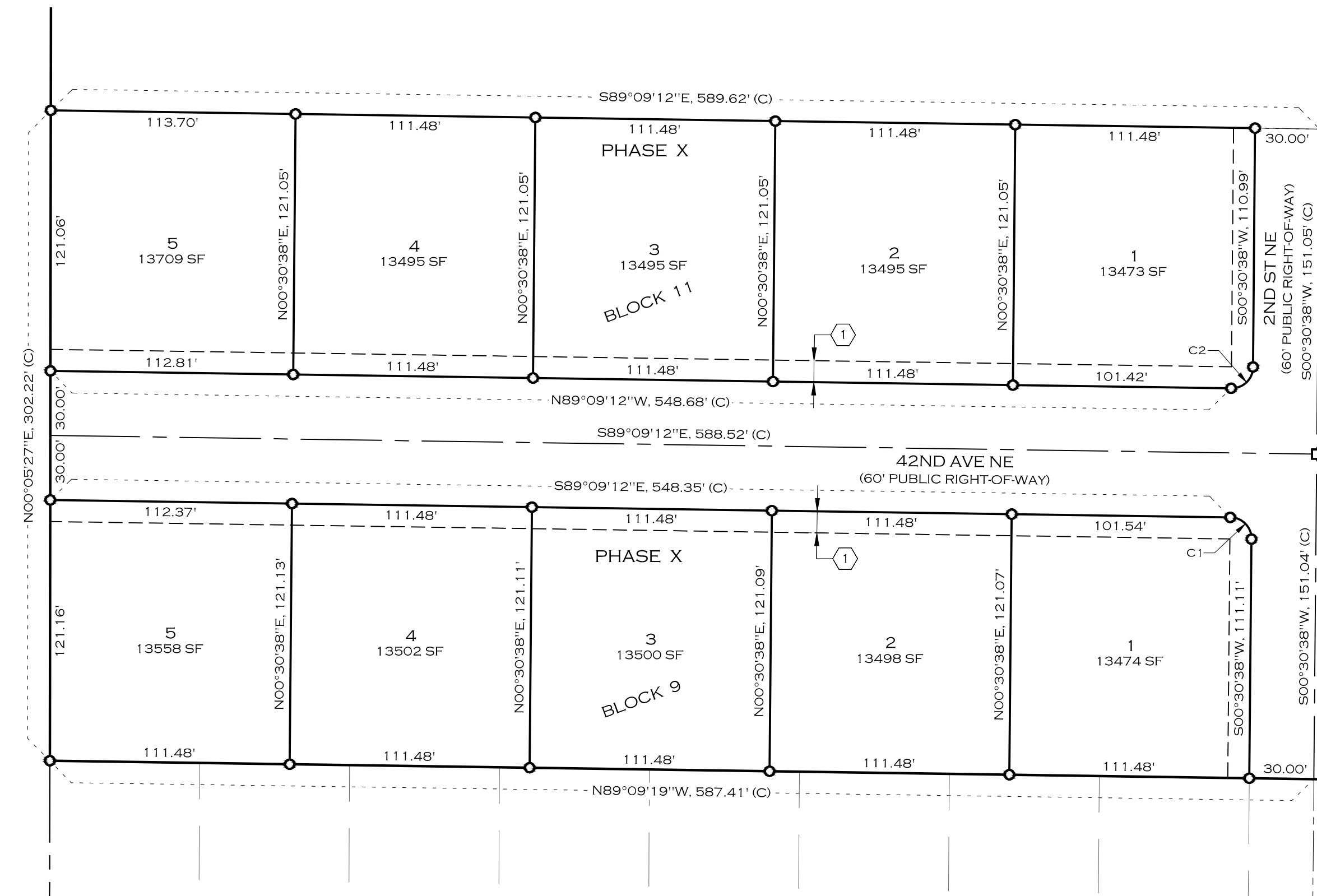


	1/4	SECTION	TOWNSHIP	RANGE	PRINCIPAL MERIDIAN MONTANA CASCADE COUNTY, MONTANA WEI JOB#: 2130 DRAWN: RLO QA: MDS DATE: JULY 18, 2022 FILENAME: PLAT.DWG SHEET 1 OF 8
	<input type="checkbox"/>	26	21 N	3 E	

COPYRIGHT © WOITH ENGINEERING, INC. 2022

PRELIMINARY PLAT OF WEST RIDGE ADDITION, PHASE X OF PERETTI ADDITION TRACT 2

A MAJOR SUBDIVISION OF PERETTI ADDITION TRACT 2, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 3 EAST, P.M.M., CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA



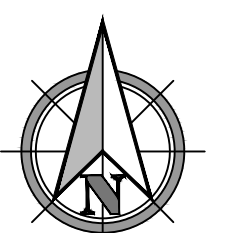
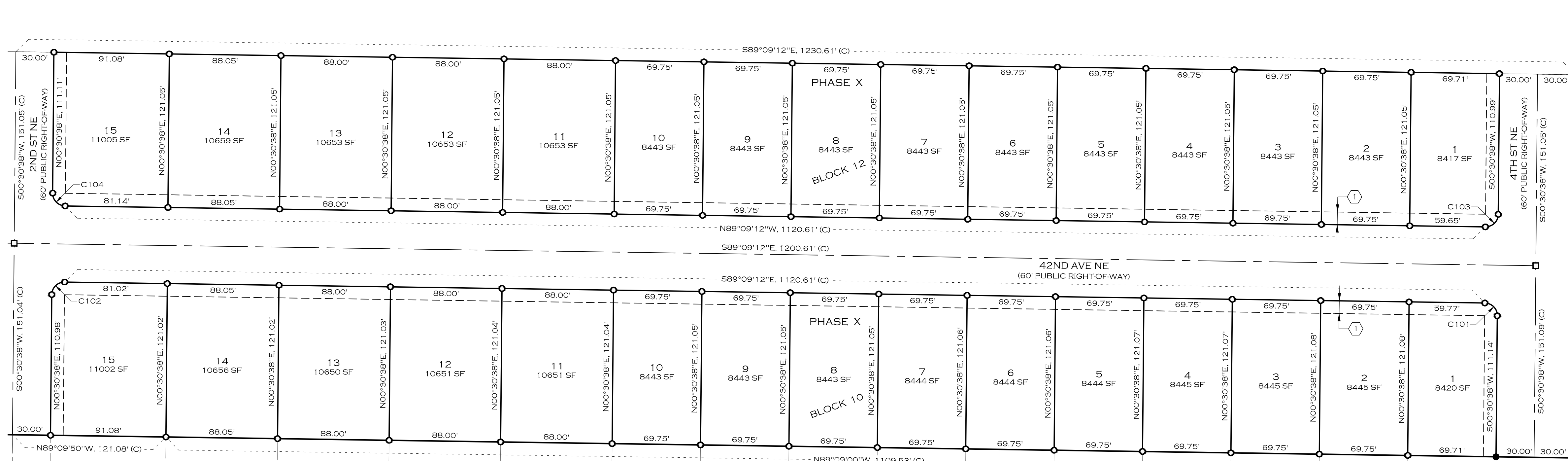
LEGEND

- SECTION LINE
- EXTERIOR SUBDIVISION BOUNDARY
- INTERIOR SUBDIVISION BLOCK & LOT BOUNDARY
- EASEMENT AS DESCRIBED (PER THIS DOCUMENT)
- ROAD CENTERLINE (PER THIS DOCUMENT)
- BLOCK & LOT BOUNDARY
- ROAD CENTERLINE (PER RECORD DOCUMENT)
- FOUND MONUMENT AS DESCRIBED
- SET 1/2" ALUMINUM CAP MARKED "WEI SHAYLOR 191 10LS"
- SET 1/4" YELLOW PLASTIC CAP MARKED "WEI SHAYLOR 191 10LS"
- (F) FOUND
- (C) CALCULATED OR SET

KEY NOTES:

- ① 10' UTILITY EASEMENT

CURVE TABLE			
CURVE #	RADIUS	LENGTH	DELTA
C1	10.00'	15.65'	089°39'49"
C2	10.00'	15.77'	090°20'11"
C101	10.00'	15.65'	089°39'49"
C102	10.00'	15.77'	090°20'11"
C103	10.00'	15.77'	090°20'11"
C104	10.00'	15.65'	089°39'49"



0 100 200
IN FEET

BASIS OF BEARING:
MONTANA STATE PLANE - 2500
GRID NORTH - GROUND DISTANCES

VERTICAL DATUM
NAVD88

	1/4	SECTION	TOWNSHIP	RANGE	PRINCIPAL MERIDIAN MONTANA CASCADE COUNTY, MONTANA WEI JOB#: GF-2130 DRAWN: RLO QA: MDS DATE: JULY 11, 2022 FILENAME: PLAT.DWG SHEET 1 OF 8
	26	21 N	3 E	3 E	

PRELIMINARY PLAT SUBMITTAL
WEST RIDGE - PHASE 10
July 29, 2022



APPENDIX D

Soil Evaluation

DELTA ENGINEERING P.C.

CONSULTING ENGINEERS
P.O. BOX 1481
GREAT FALLS, MT 59403
(406) 727-3687



MEMO TO: Craig Raymond, Director, Planning and Development
FROM: G. L. Knudson, PE
RE: WEST RIDGE ADDITION - PHASE IX, Soils Evaluation/Building Foundations
DATE: October 20, 2021

Six different test holes were completed in West Ridge Phase IX to determine the subsurface soils lithology for planned foundations for single family homes and town houses. A Plat Map showing the location of the six test pits is enclosed. Logs of each test hole are also enclosed.

The excavations for the water and sewer mains on Choteau Avenue penetrated bedrock at depths of 3 to 9 feet below existing surface. The excavations for the water and sewer service lines also penetrated bedrock at similar depths, which provided me the depths to bedrock between the test holes completed for this Phase.

The six test holes and the utility excavations show that all of West Ridge Addition Phase IX is underlain by bedrock at depths of 3 to 9 feet. The subsurface bedrock in West Ridge PH IX is consistent with the bedrock conditions (depth and lithology) found in the previous phases for West Ridge.

All test holes were excavated to hard dense sandstone bedrock. Typically, the sandstone is overlain by silty sand/loam on the north side of Choteau Ave., generally in the middle, of the Block, underlain by sand, then 2 to 4-1/2 feet of a blocky clay, above the sandstone bedrock in Test Holes 2,3,4,5, & 6. The clay is dry and moderately stiff. There is a yellow medium to coarse grained sand layer overlying the sandstone bedrock at TH-1.

All of the single family home lots (11,12,13,14, 17, 18, 19 & 20) have bedrock at 3 to 6 feet. All basement foundations/footings will be below bedrock. The standard City of Great Falls spread footing and foundation is appropriate for these lots.

The unconsolidated soils (clay and sand) vary from 4.5 feet up to about 9 feet below existing ground surface. The footings/foundations of the planned town homes, are intended to be on crawlspaces, with a 4 feet stem wall on 8 inch thick footings. The bedrock under the town home Lots 1-10 varies from 4 to 9 feet. These lots are north of Choteau Ave. The bedrock below Lots 21-30 varies from 8 to 4.5 feet. These lots are south of Choteau Ave. Based upon the utility trenches for the water and sewer lines, the bedrock is increasing shallower on the lots on the south side of Chouteau Ave from Lot 22 to Lot 30 (5.5 ft. to 4.5 ft.)

Presumptive bearing capacity of the sandstone is estimated to be between 20,000 pounds per square feet up to 40,000 pounds per square feet (see attachment). The International Building Code Allowable Foundation Bearing Pressure is 1500 psf. The presumptive bearing pressure of the bedrock in West Ridge PH IX is over a magnitude of ten higher.

For the town home lots with bedrock in excess of 5 feet below the top of the foundation, there

are several options available:

- I. Excavate and remove the unconsolidated materials to bedrock and replace with engineered fill.
- II. Shafts (large diameter drill /auger holes) drilled to bedrock, on specific spacing based on the shaft diameter, and filled with 4000+ psi cast-in-place concrete to the bottom of the footing elevation. Use a concrete grade beam for the footing, between the concrete shafts.
- III. Excavate a narrow trench along the perimeter of the home foundation and interior footings to bedrock, and extend the footings and foundation to bedrock. Maintain the undisturbed soils to the crawl space sub-grade elevation/concrete floor slab.
- IV. Resistance/helical piers are another option, but the shallow bedrock, in my opinion, do not justify this more costly alternative.

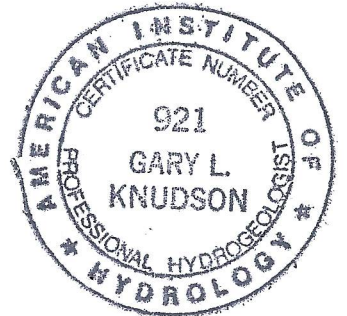
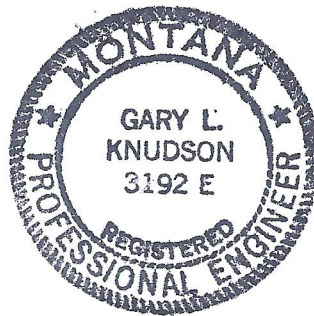
These options are most likely contingent on the depth to bedrock, and the economics/costs associated with each option.

If you have any questions, please give me a call.

Respectively Submitted,

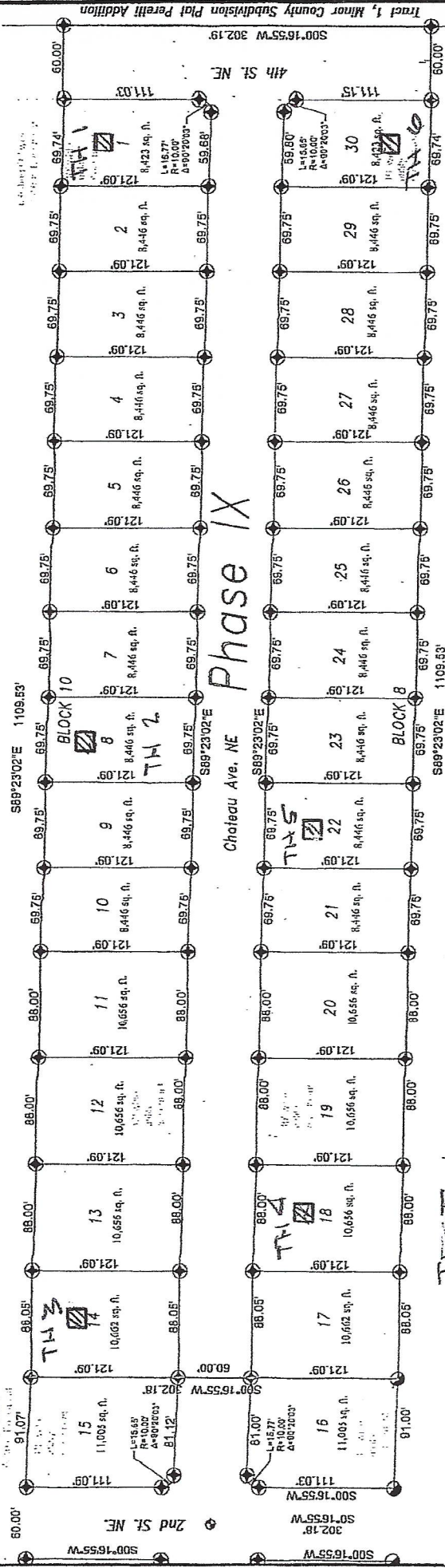


Gary L. Knudson, P.E.
 Montana Professional Engineer No. 3192E
 Certified Professional Hydrogeologist AIH 921 HG



Preliminary Plat of West Ridge Addition Phase IX of Peretti Addition Tract 2, a Minor County Subdivision

SE1/4, Section 26, Township 21 North, Range 3 East, P.M.M., Cascade County, Montana



TEST HOLE	LOT / BLOCK	BEDROCK	TOTAL DEPTH
1	LOT 10 BLK 10	9'	9'
2	LOT 8 BLK 10	4.5'	5'
3	LOT 14 BLK 10	3'	3'
4	LOT 13 BLK 10	4.5'	5'
5	LOT 22 BLK 10	8'	8.5'
6	LOT 30 BLK 10	4.5'	5'

ALL TEST HOLES LOCATED 50' FROM FRONT PROP. LINE - NEAR CENTER OF LOT

WR PH IX
TEST HOLE LOCATION

SOILS-SPREAD FOOTINGS

TABLE-A CLASSIFICATION OF SUPPORTING SOILS*

Class	Material	Maximum allowable presumptive bearing values in tons-per square foot
1	Hard sound rock	60
2	Medium hard rock	40
3	Hardpan overlying rock	12
4	Compact gravel and boulder-gravel formations; very compact sandy gravel	10
5	Soft rock	8
6	Loose gravel and sandy gravel; compact sand and gravelly sand; very compact sand-inorganic silt soils	6
7	Hard dry consolidated clay	5
8	Loose coarse to medium sand; medium compact fine sand	4
9	Compact sand-clay soils	3
10	Loose fine sand; medium compact sand-inorganic silt soils	2
11	Firm or stiff clay	1.5
12	Loose saturated sand-clay soils; medium soft clay	1

Explanation of Terms

Compaction Related to Spoon Blows; Sand

Descriptive Term	Blows/Foot	Remarks
Loose	15 or less	These figures approximate for medium sand.
Compact	16 to 50	2½-inch spoon, 300-pound hammer, 18-inch fall.
Very compact	50 or more	Coarser soil requires more blows, finer material, fewer blows.

Consistency Related to Spoon Blows; Mud, Clay, Etc.

Descriptive Term	Blows/Foot	Remarks
Very soft	push to 2	Molded with relatively slight finger pressure.
Soft	3 to 10	
Stiff	11 to 30	Molded with substantial finger pressure; might be removed by spading.
Hard	30 or more	Not molded by fingers, or with extreme difficulty; might require picking for removal.

Descriptive Term	Soil Sizes		Size Range
	Pass Sieve Number	Retained Sieve Number	
Clay	200	Hydrometer analysis	.006 mm.
Silt	200		.006 to .074 mm.
Fine sand	65	200	.074 to .208 mm.
Medium sand	28	65	.208 to .589 mm.
Coarse sand	8	28	.589 to 2.362 mm.
Gravel	—	8	2.362 mm.
Pebble	—	—	2.362 mm. to 2½"
Cobble	—	—	2½" to 6"
Boulder	—	—	6"

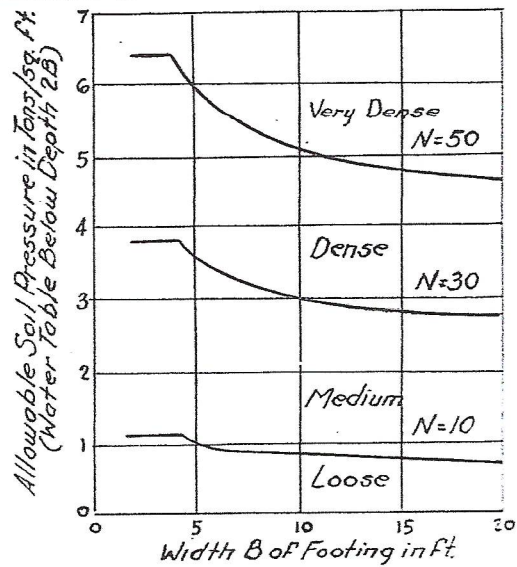
TABLE-B PROPOSED BEARING VALUES FOR CLAY

N = number of blows per foot in standard penetration test
 q_u = unconfined compressive strength in tons per sq. ft.
 q_d = ultimate bearing capacity of continuous footing in tons per sq. ft.
 q_{ds} = ultimate bearing capacity of square footing in tons per sq. ft.
 q_a = proposed normal allowable bearing value in tons per sq. ft.
 q_a' = proposed maximum tolerable bearing value in tons per sq. ft.
 G_s = Factor of safety with respect to base failure.
 1 Standard Penetration Test - 140 lb weight, 30" drop

Description of Clay	N	q_u	q_d	q_{ds}	q_a		q_a'	
					Square 1.2 q_u	Cont. 0.9 q_u	Square 1.8 q_u	Cont. 1.3 q_u
Very Soft*	Less than 2	Less than 0.25	Less than 0.71	Less than 0.92	Less than 0.30	Less than 0.22	Less than 0.45	Less than 0.30
Soft*	2 to 4	0.25 to 0.50	0.71 to 1.42	0.92 to 1.85	0.30 to 0.60	0.22 to 0.45	0.45 to 0.90	0.30 to 0.60
Medium	4 to 8	0.50 to 1.00	1.42 to 2.85	1.85 to 3.70	0.60 to 1.20	0.45 to 0.90	0.90 to 1.80	0.60 to 1.30
Stiff	8 to 15	1.00 to 2.00	2.85 to 5.70	3.70 to 7.40	1.20 to 2.40	0.90 to 1.80	1.80 to 3.60	1.30 to 2.60
Very Stiff	15 to 30	2.00 to 4.00	5.70 to 11.40	7.40 to 14.80	2.40 to 4.80	1.80 to 3.60	3.60 to 7.20	2.60 to 5.20
Hard	Over 30	Over 4.00	Over 11.40	Over 14.80	Over 4.80	Over 3.60	Over 7.20	Over 5.20

* If clay is normally loaded settlement can be important even under smallest allowable soil pressure.

FIG. A SAND BEARING CURVES**



* Adapted from NYC Building Code, 1951

** From "Soil Mechanics in Engineering Practice" Terzaghi & Peck, John Wiley, 1948

PRELIMINARY PLAT SUBMITTAL
WEST RIDGE - PHASE 10
July 29, 2022

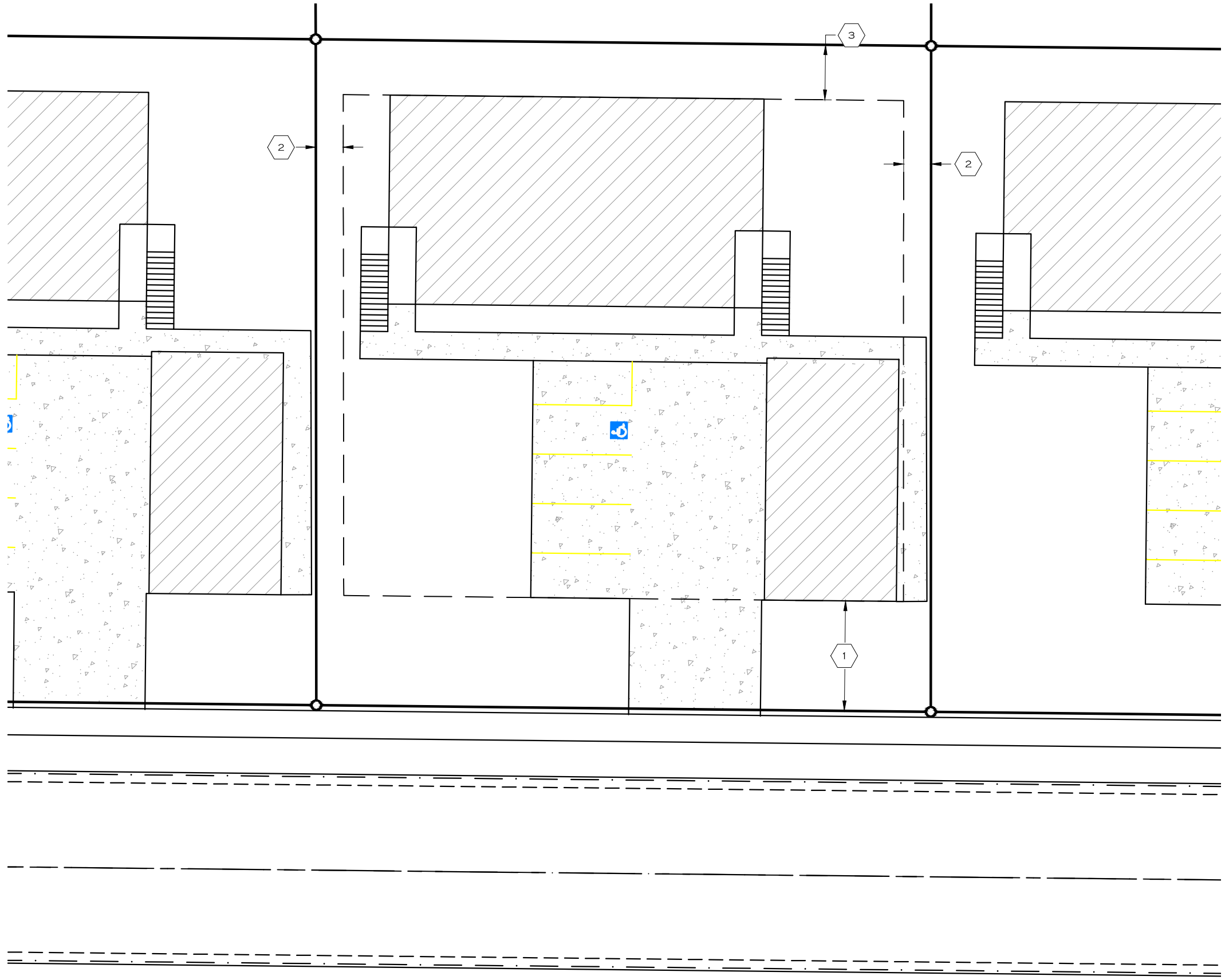


APPENDIX E

PUD Lot Types

EXHIBIT 'A'

4-PLEX LOT LAYOUT - TYPE 1



- KEY NOTES:**
- 1 20' FRONT YARD SETBACK
 - 2 5' SIDE YARD SETBACK
 - 3 10' REAR YARD SETBACK

WOTH ENGINEERING, INC.
ENGINEERS & SURVEYORS
 480 3RD STREET NW SUITE 206 - GREAT FALLS, MT 59404 • 406.761.6185
 300 O'LEARY STREET - GREAT FALLS, MT 59405 • 406.761.6185
 WWW.WOTHENG.COM

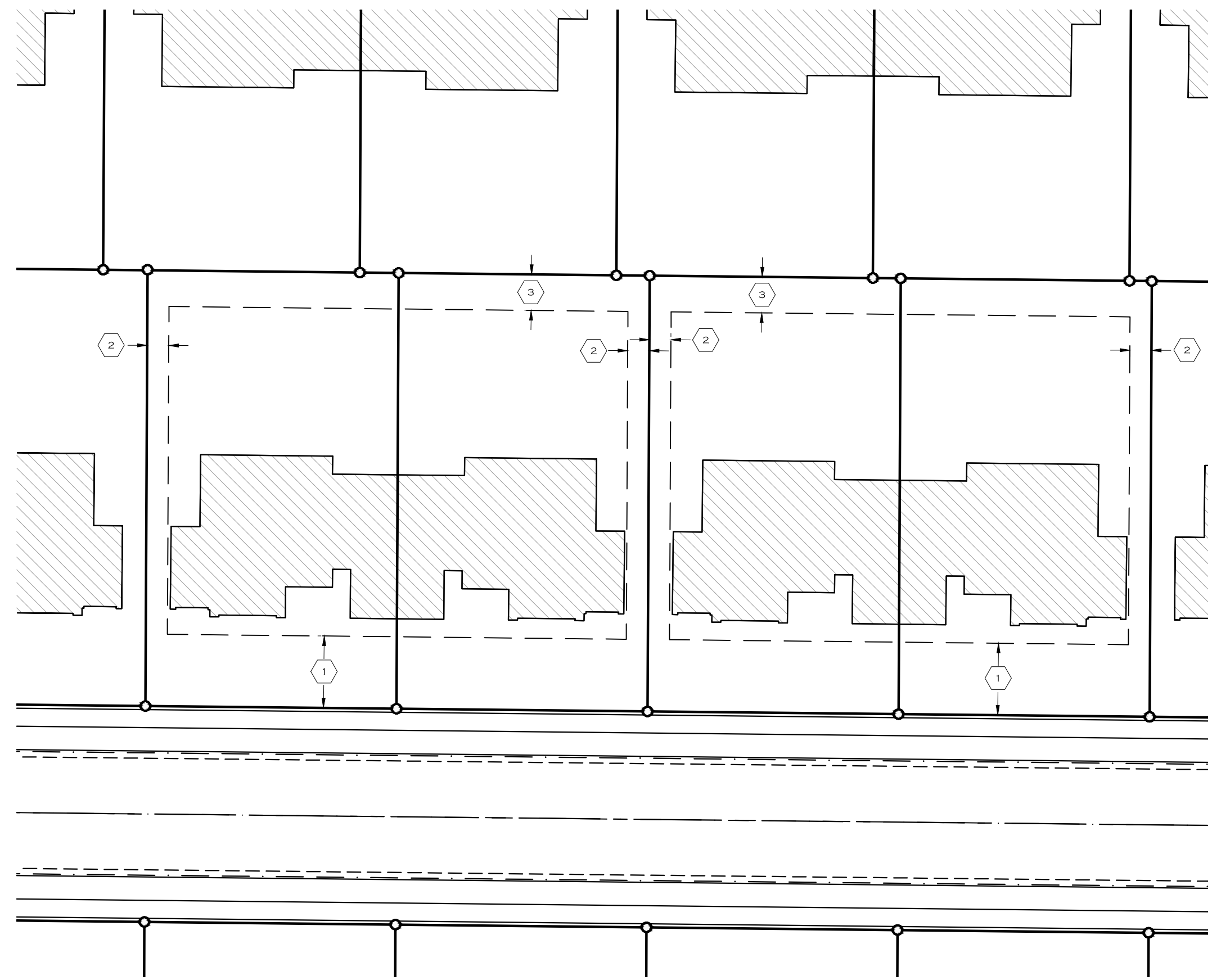
WEST RIDGE PHASE 10 AND 11 - 4 PLEX LOT
 LAYOUT TYPE 1

EX-A
 1 OF 5

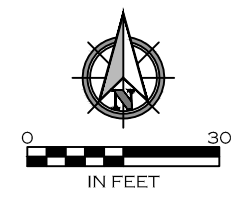
JOB#:	0F2190
DRAWN:	RLO
QA:	SMW
DATE:	4/27/2022

EXHIBIT 'A'

TOWNHOUSE LOT LAYOUT - TYPE 1



- KEY NOTES:**
- 1 20' FRONT YARD SETBACK
 - 2 6' SIDE YARD SETBACK
 - 3 10' REAR YARD SETBACK



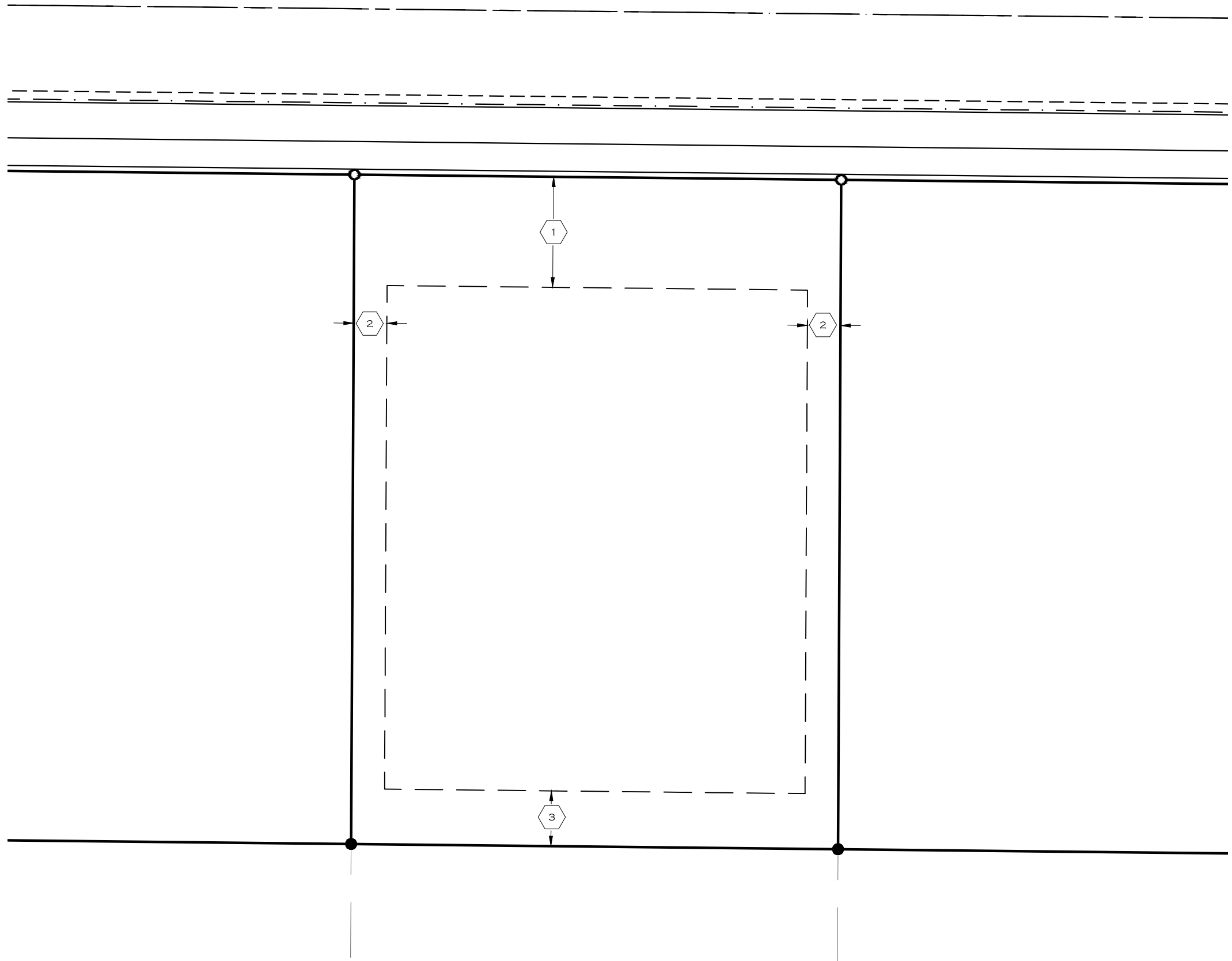
WOTH ENGINEERING, INC. ENGINEERS & SURVEYORS <small>480 3RD STREET NW SUITE 206 - GREAT FALLS, VT 05441 • 802.761.6185 380 O'LEARY STREET - WASHINGTON, VT 05682 • 802.535.6665 WWW.WOTHENG.COM</small>	JOB #:	06-2130
	DRAWN:	RJD
	QA:	SMW
	DATE:	4/27/2022

WEST RIDGE PHASE 10 AND 11 - TOWNHOUSE
 LOT LAYOUT TYPE 1

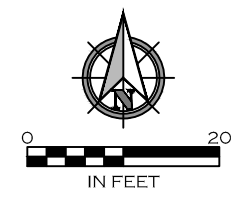
EX-A
3 OF 5

EXHIBIT 'A'

SINGLE FAMILY LOT LAYOUT



- KEY NOTES:**
- 1 20' FRONT YARD SETBACK
 - 2 6' SIDE YARD SETBACK
 - 3 10' REAR YARD SETBACK



WOTH ENGINEERING, INC.
ENGINEERS & SURVEYORS
 485 3RD STREET NW SUITE 206 - GREAT FALLS, MT 59404 • 406.761.6185
 300 O'LEARY STREET - • 406.252.5665
 WWW.WOTHENG.COM

JOB#:	BF-2130
DRAWN:	RLD
QA:	SMW
DATE:	4/27/2022

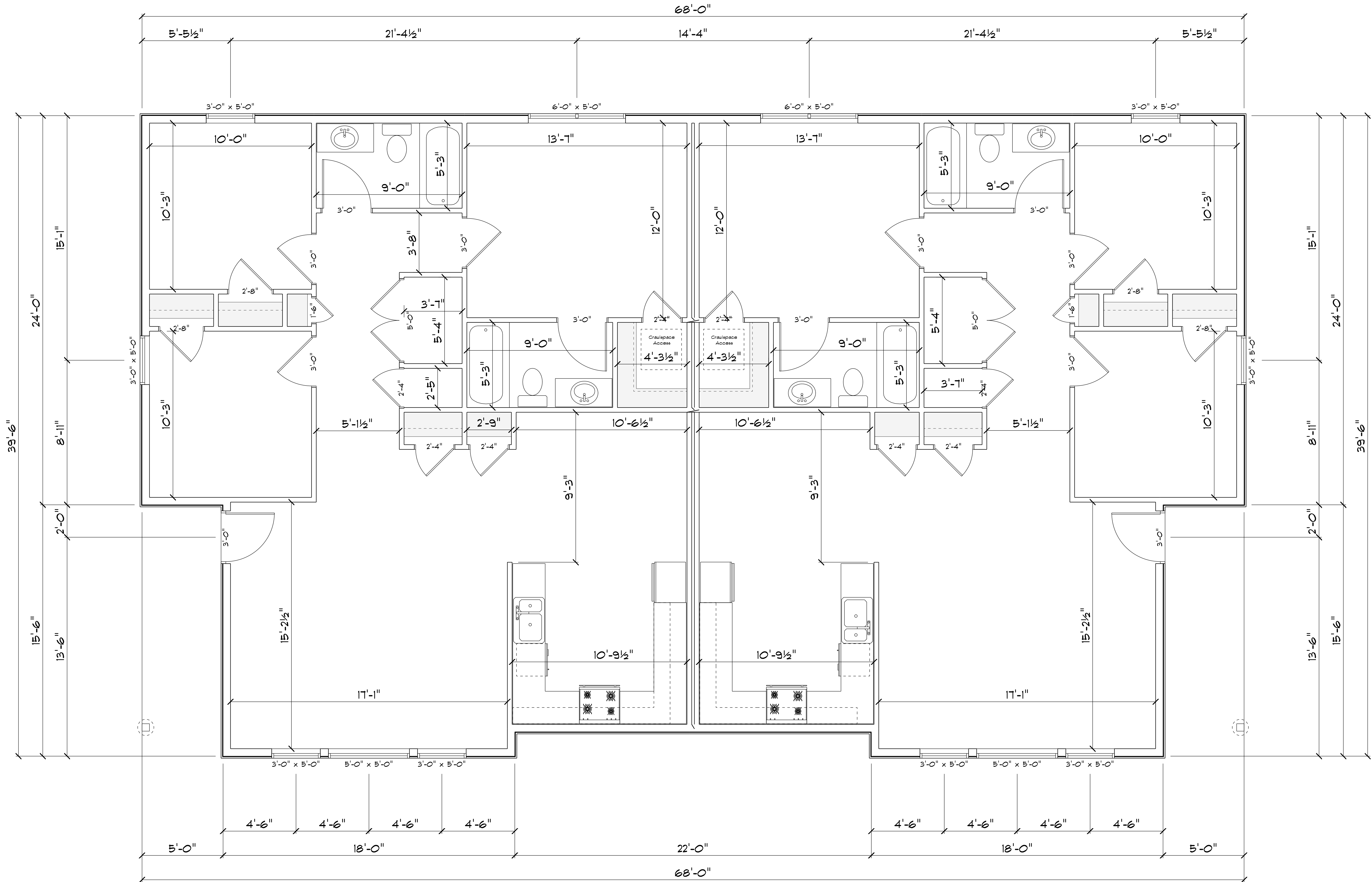
WEST RIDGE PHASE 10 AND 11 - SINGLE FAMILY
 LOT LAYOUT

PRELIMINARY PLAT SUBMITTAL
WEST RIDGE - PHASE 10
July 29, 2022



APPENDIX F

4 - Plex Plans and Details



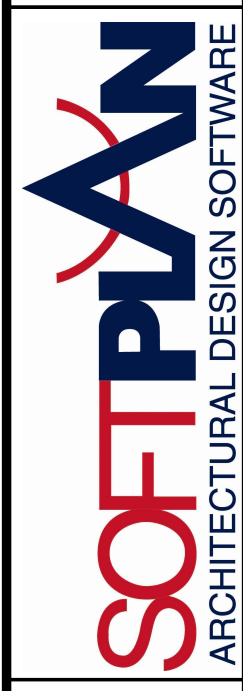
MAIN FLOOR
SCALE: 3/8" = 1'-0"

APPROVED: _____
CHECKED BY: _____

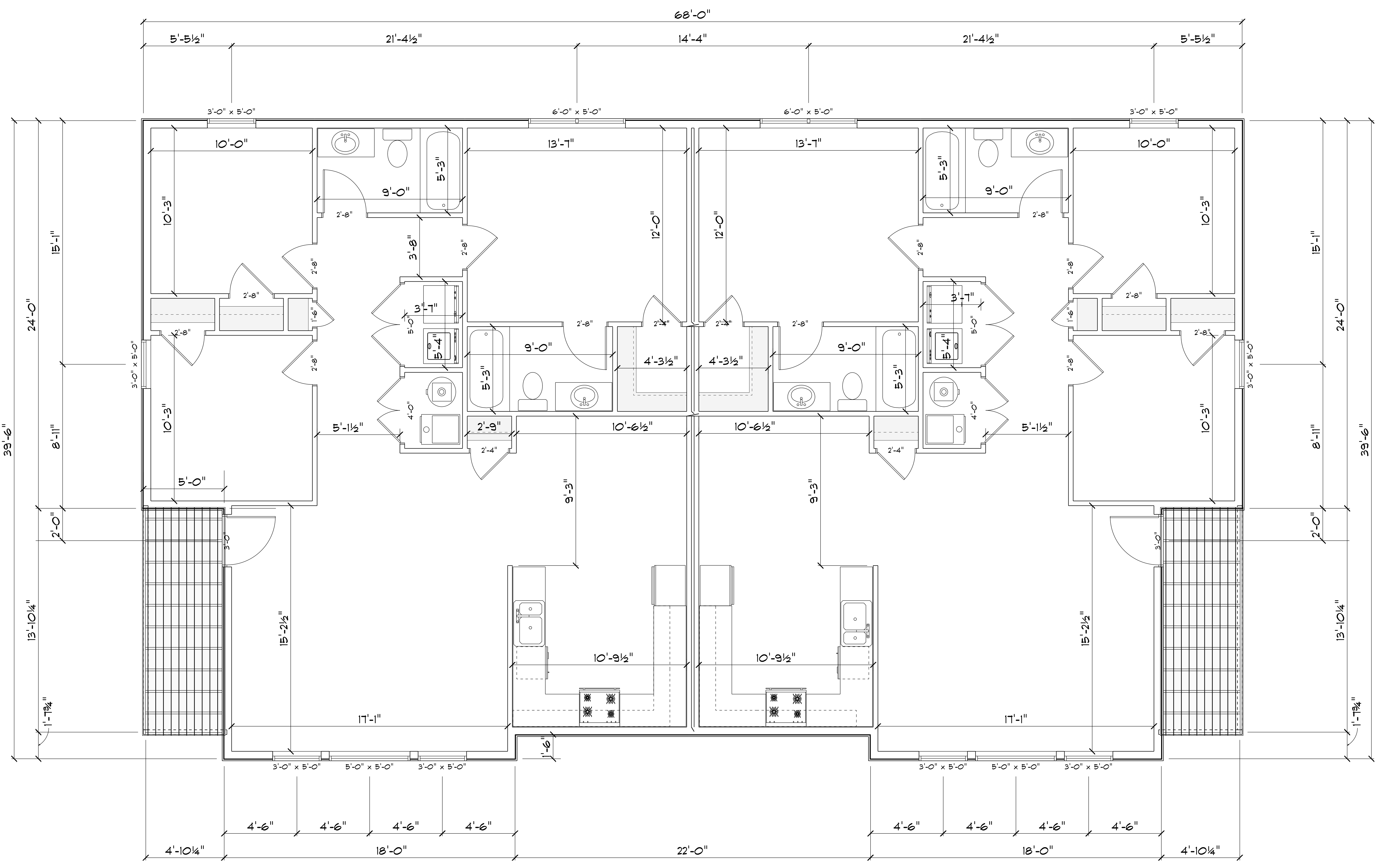
SECTION LETTER: A
PAGE NUMBERS: 11

SCALE: 3/8" = 1'-0"
DRAWN BY: _____
DATE: Wednesday, January 31, 2018

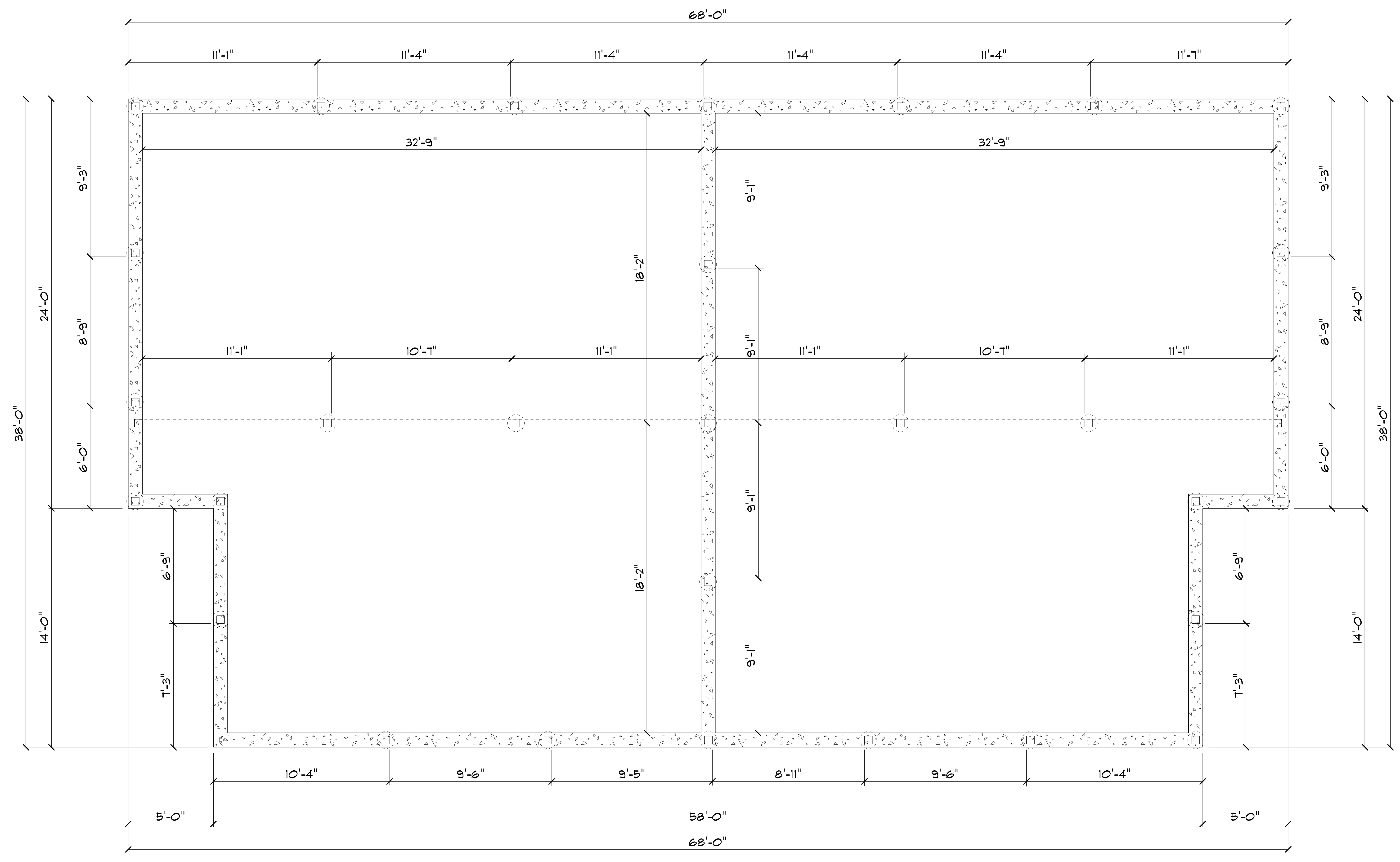
PHONE: _____
FAX: _____



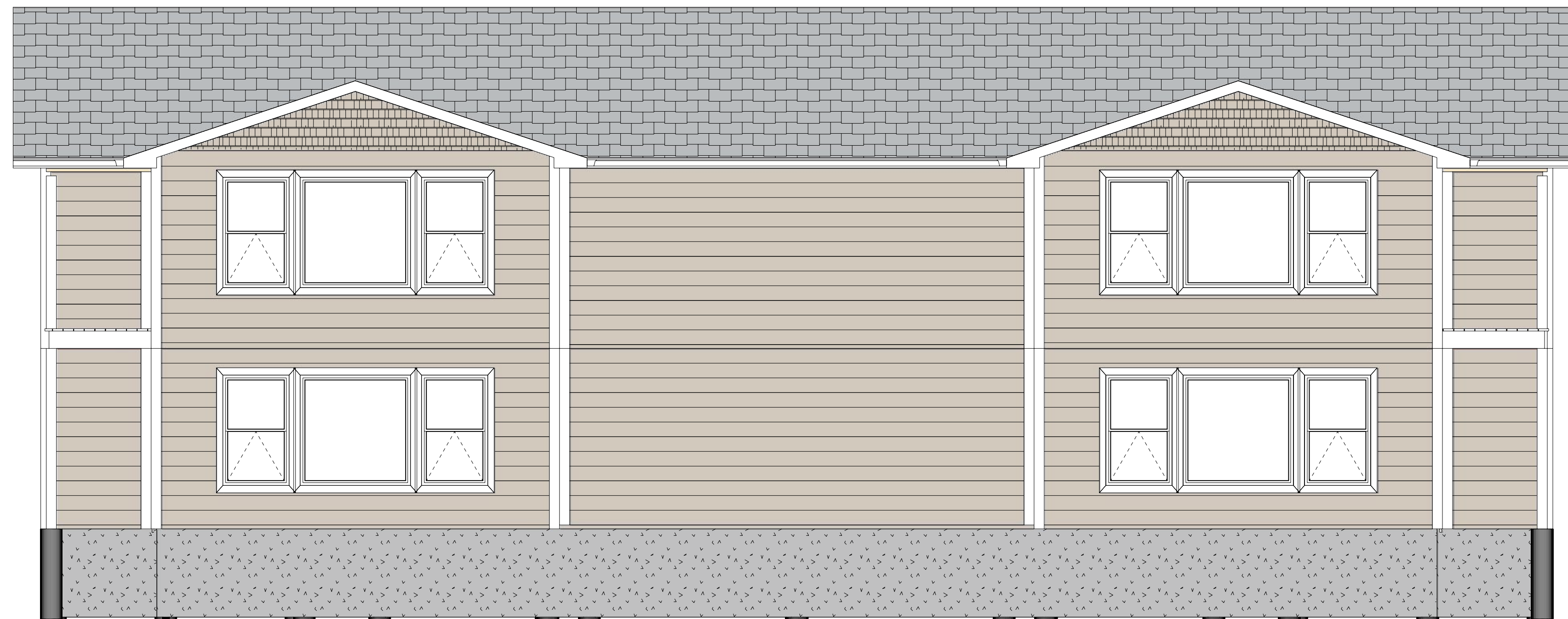
Sunrise Meadows Apartments
4801 Central Avenue
Great Falls
MT
59405
PHONE: (406) 866-9498
FAX: _____
signaturehomesmt@gmail.com



SECOND FLOOR
SCALE: 3/8" = 1'-0"

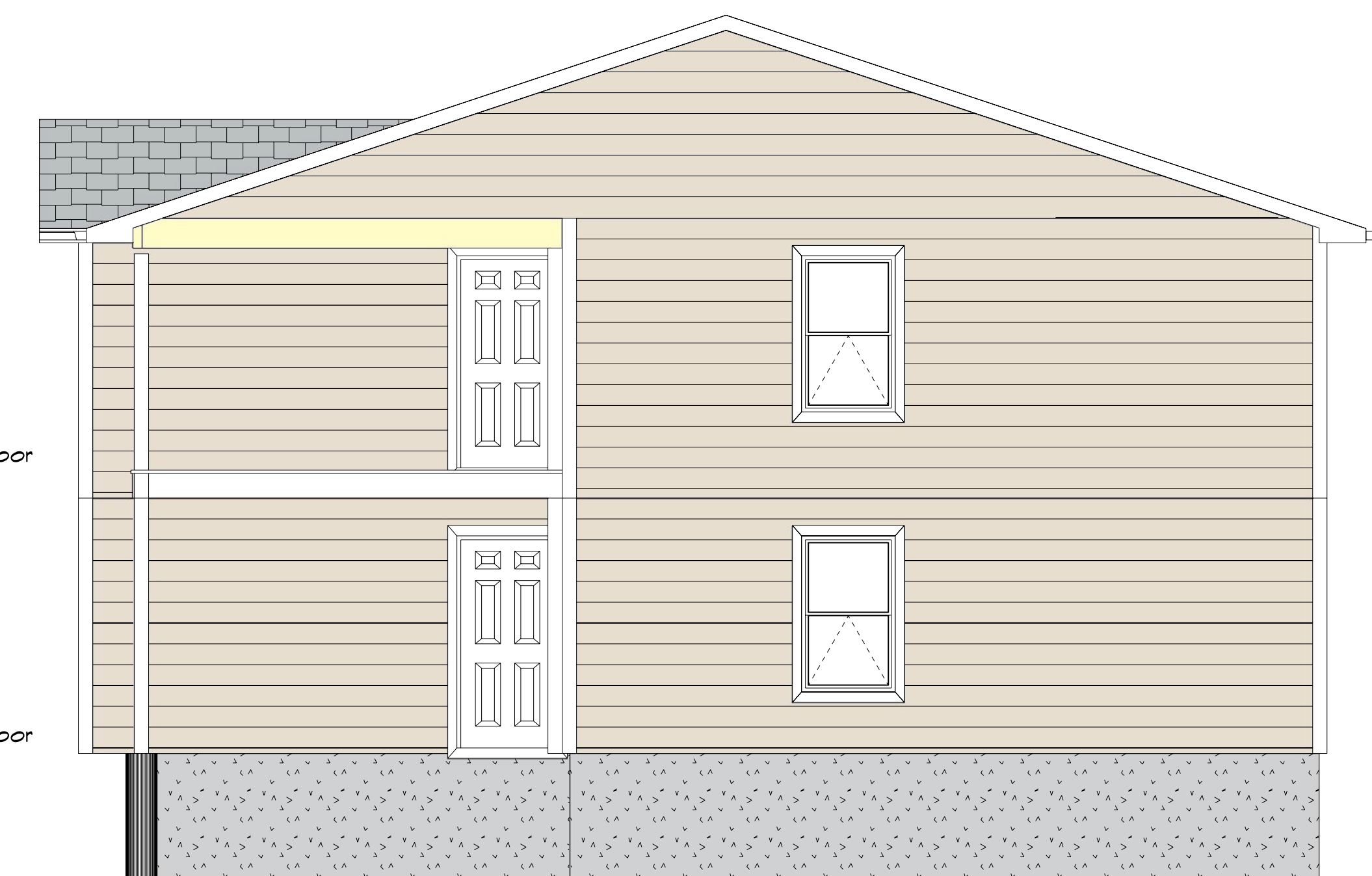


CRAWLSPACE
SCALE: 3/8" = 1'-0"



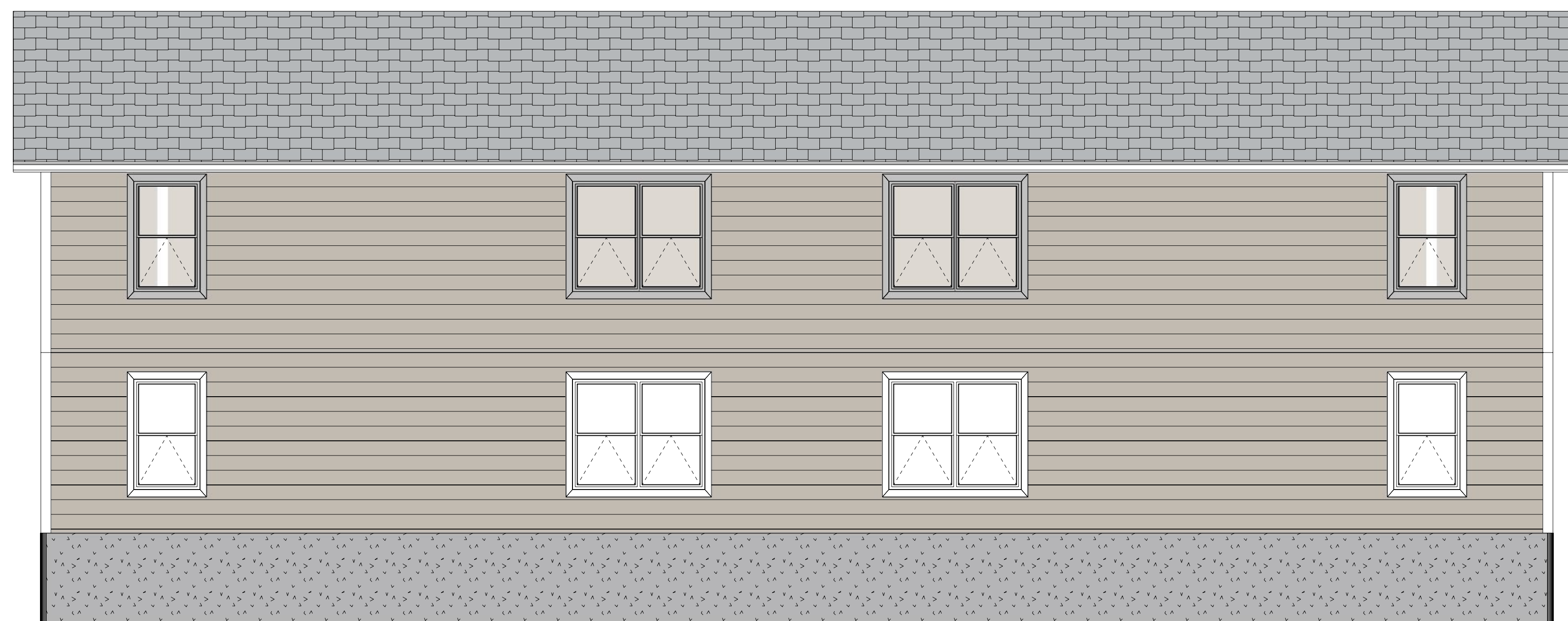
FRONT ELEVATION
SCALE: 1/4" = 1'-0"

Top of Plate
Top of Subfloor
Top of Plate
Top of Plate
Top of Subfloor



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

Top of Plate
Top of Subfloor
Top of Plate
Top of Plate
Top of Subfloor



REAR ELEVATION
SCALE: 1/4" = 1'-0"

Top of Plate
Top of Subfloor
Top of Plate
Top of Plate
Top of Subfloor



LEFT ELEVATION
SCALE: 1/4" = 1'-0"

Top of Plate
Top of Subfloor
Top of Plate
Top of Plate
Top of Subfloor

APPROVED: _____
CHECKED BY: _____

SECTION LETTER: A
PAGE NUMBERS: 1/1

SCALE: 1/4" = 1'-0"
DRAWN BY: _____
DATE: Wednesday, January 31, 2018

PHONE: _____
FAX: _____

SOFTPLAN
ARCHITECTURAL DESIGN SOFTWARE

Sunrise Meadows Apartments
4801 Central Avenue
Great Falls
MT
59405
PHONE: (406) 866-9498
FAX: _____
signaturehomesmt@gmail.com







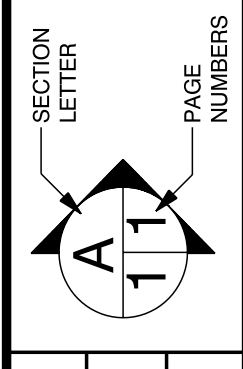
PRELIMINARY PLAT SUBMITTAL
WEST RIDGE - PHASE 10
July 29, 2022



APPENDIX G

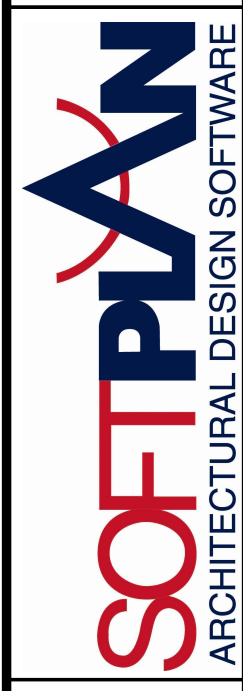
Townhouse Plans and Details

APPROVED: _____
CHECKED BY: _____

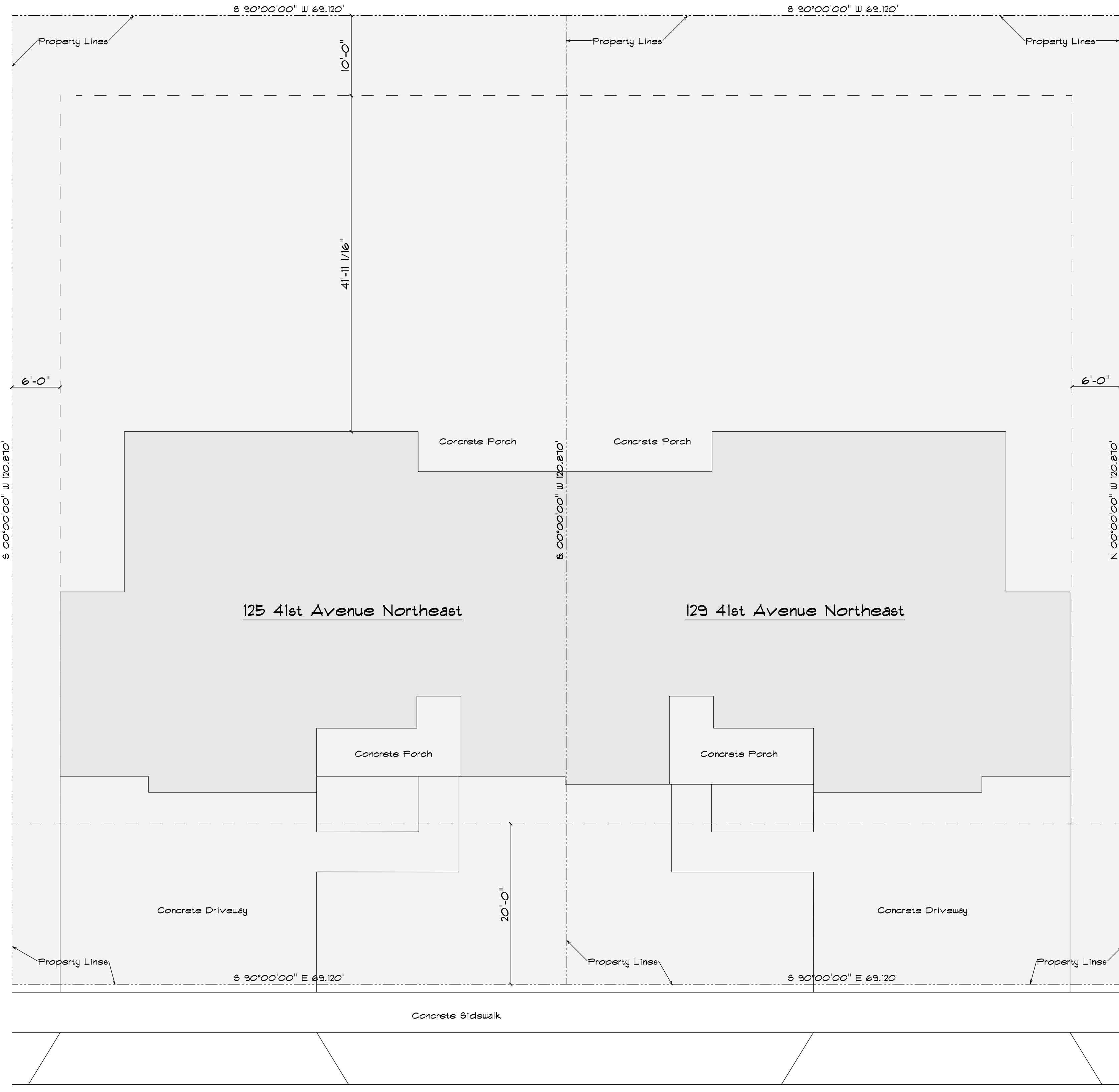
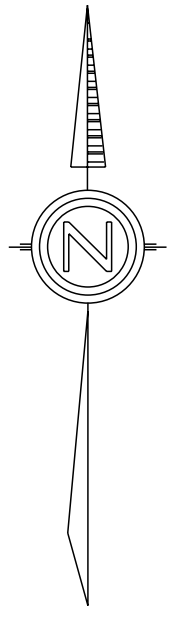


SCALE: 1/8" = 1'-0"
DRAWN BY: _____
DATE: Saturday, June 10, 2017

PHONE: _____
FAX: _____

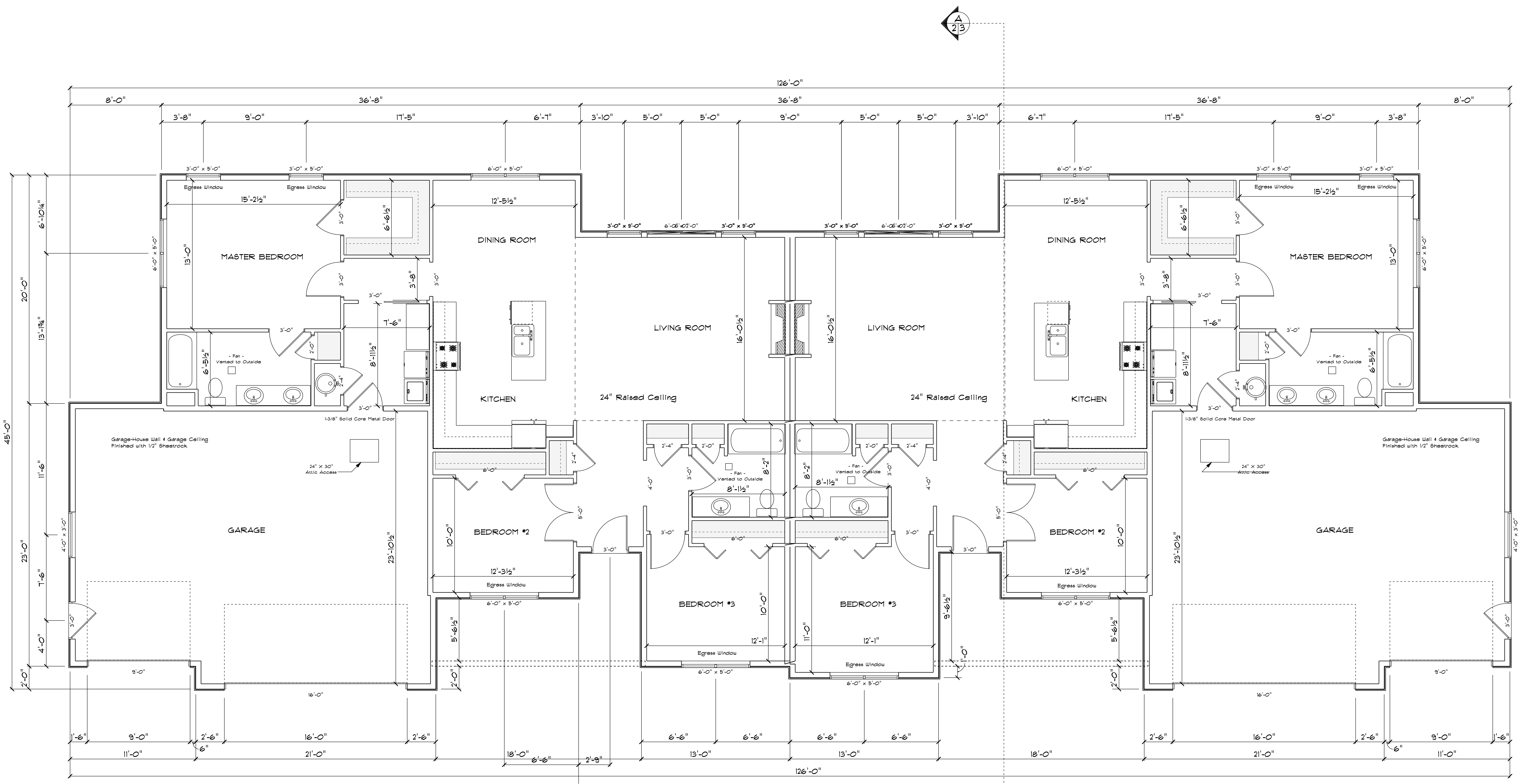


West Ridge Townhomes
125 & 129 41st Ave NE
Great Falls
MT
59404
PHONE: (406) 866-9488
FAX: _____
signaturehomesmt@gmail.com

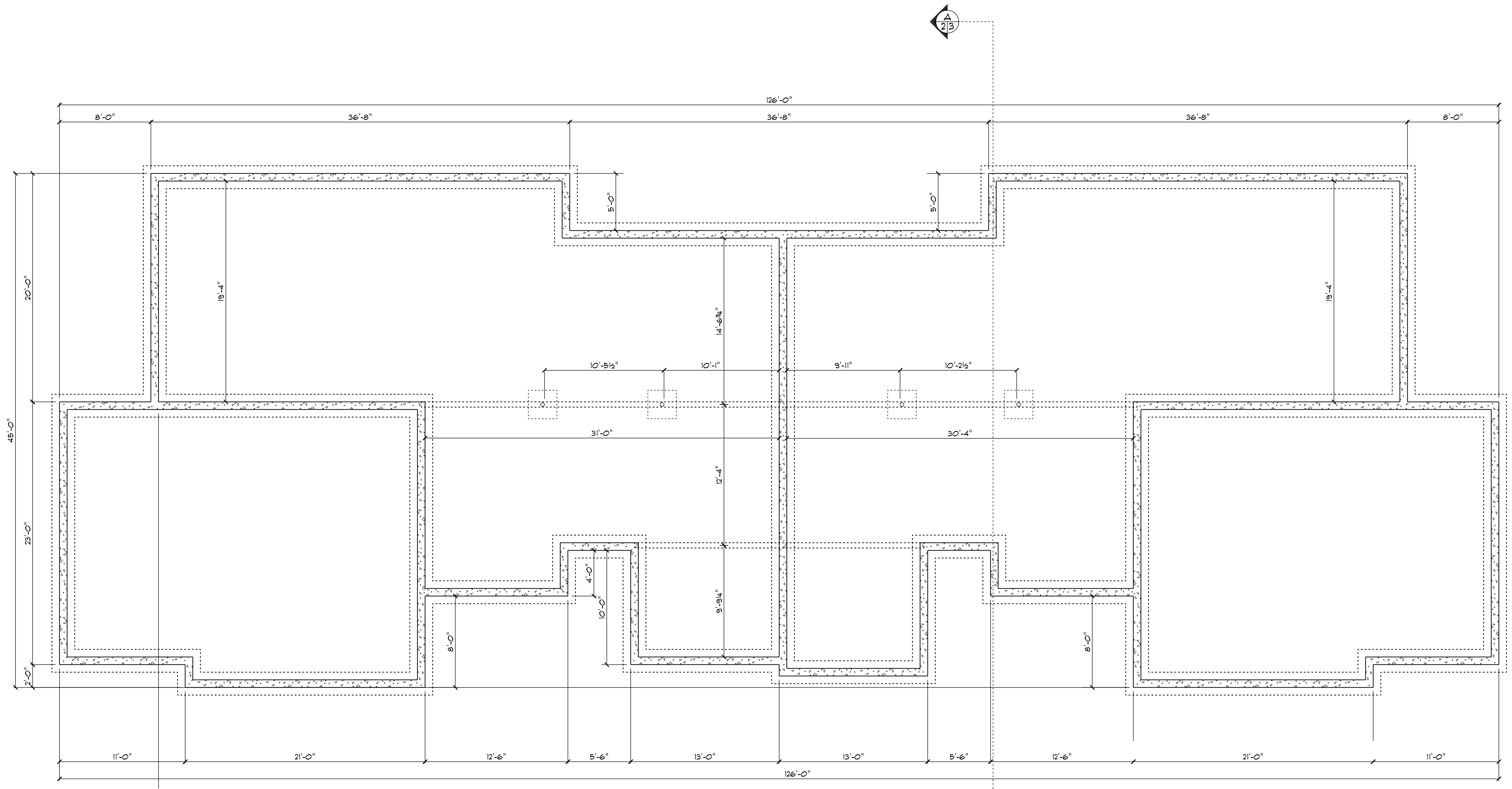


41st Avenue Northeast

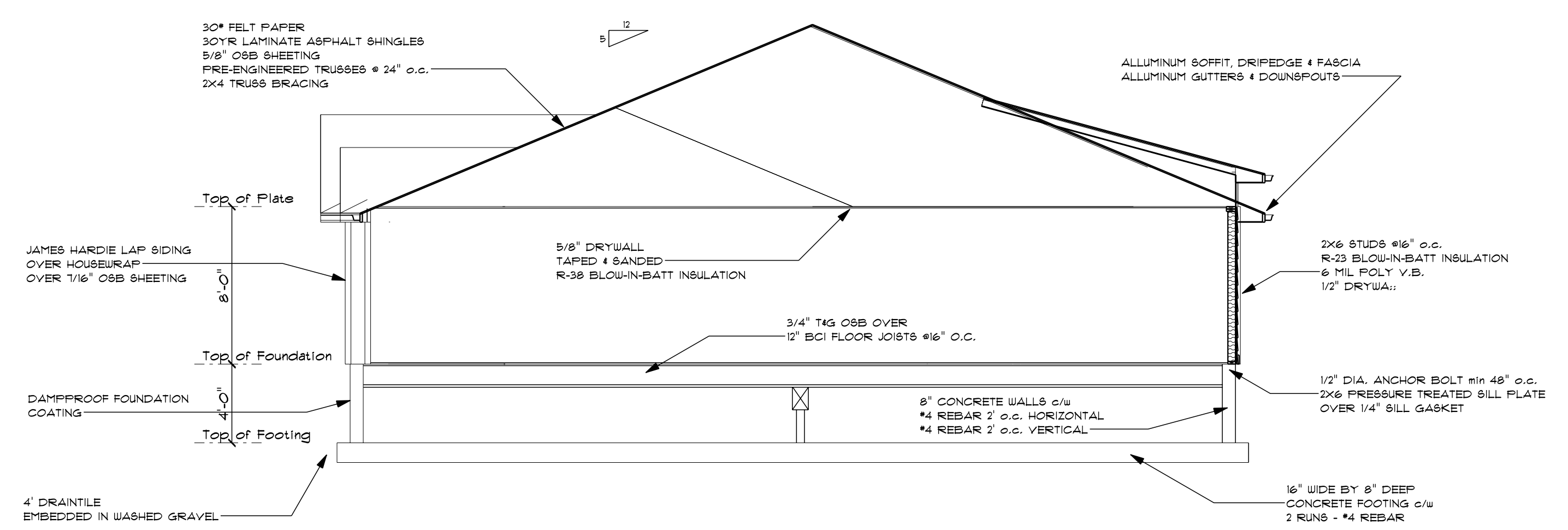
SITEPLAN
SCALE: 1/8" = 1'-0"



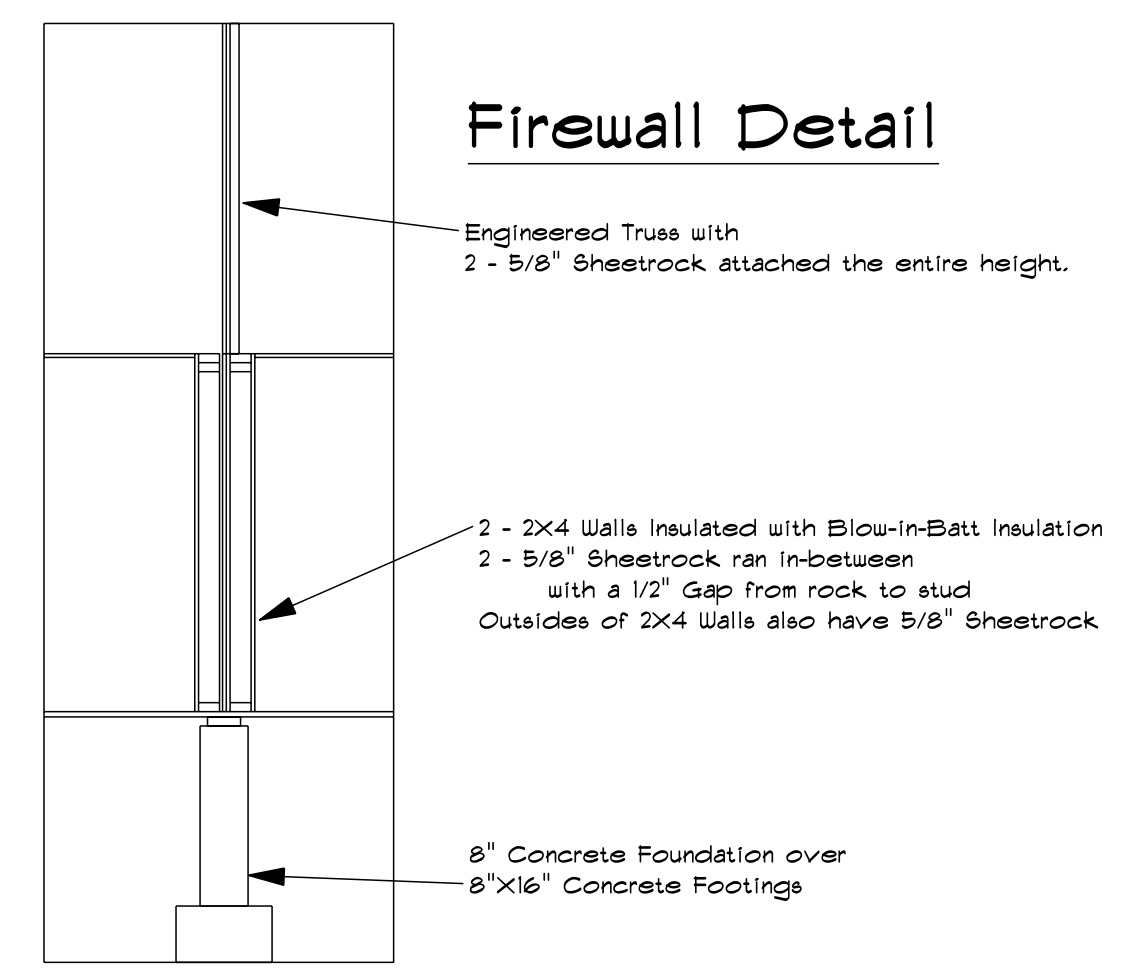
MAIN FLOOR
SCALE: 1/4" = 1'-0"



FOUNDATION
SCALE: 3/16" = 1'-0"



TYPICAL WALL SECTION
SCALE: 3/16" = 1'-0"



Fire Wall Detail
SCALE: 3/8" = 1'-0"

APPROVED: _____
CHECKED BY: _____

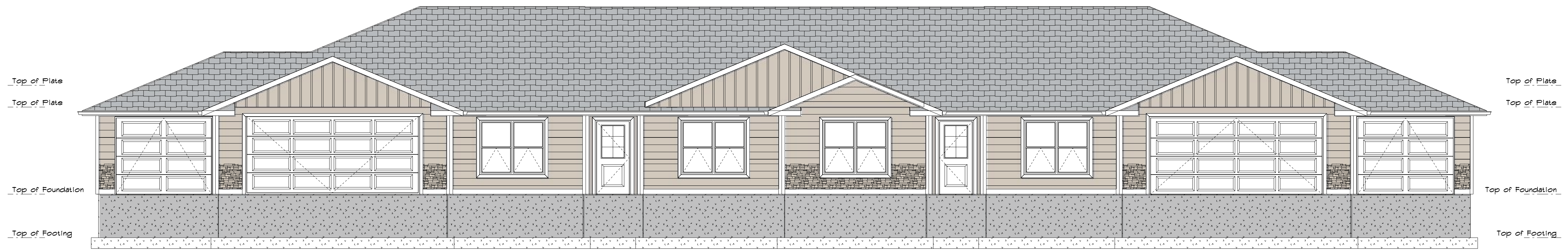
SECTION LETTER: A
PAGE NUMBERS: 11

SCALE: 3/16" = 1'-0"
DRAWN BY: _____
DATE: Saturday, June 10, 2017

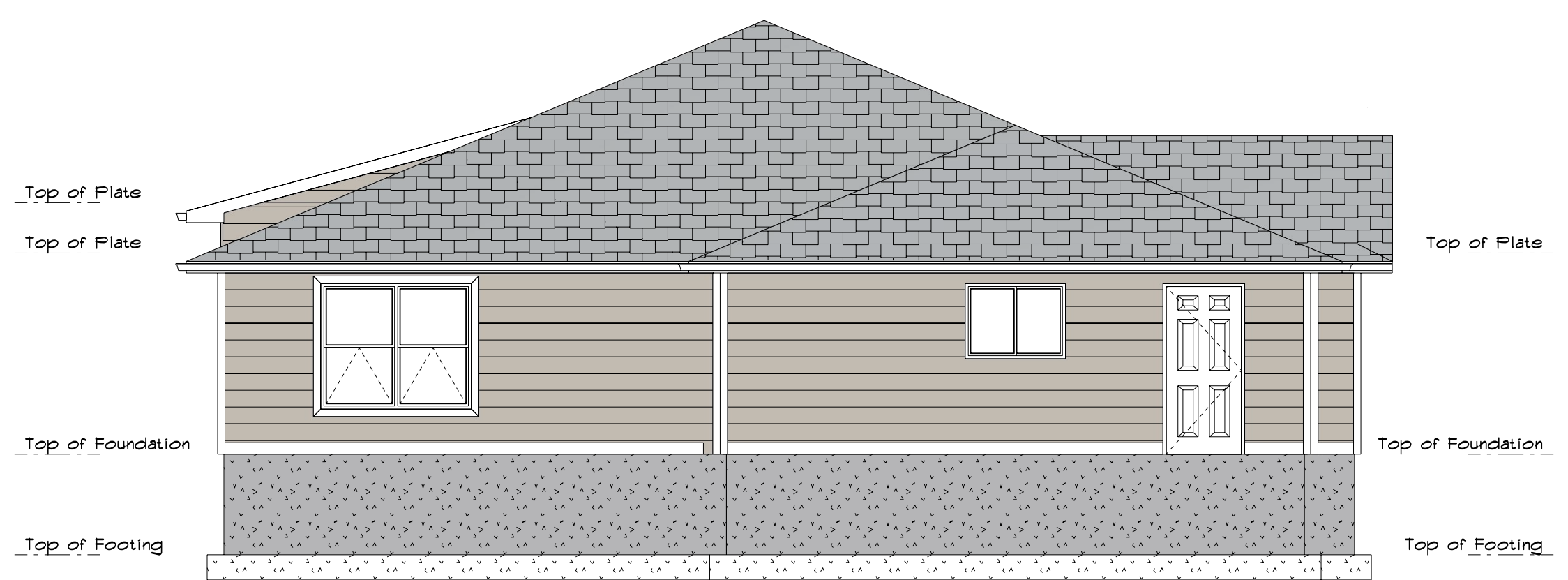
PHONE: _____
FAX: _____

SOFTPLAN
ARCHITECTURAL DESIGN SOFTWARE

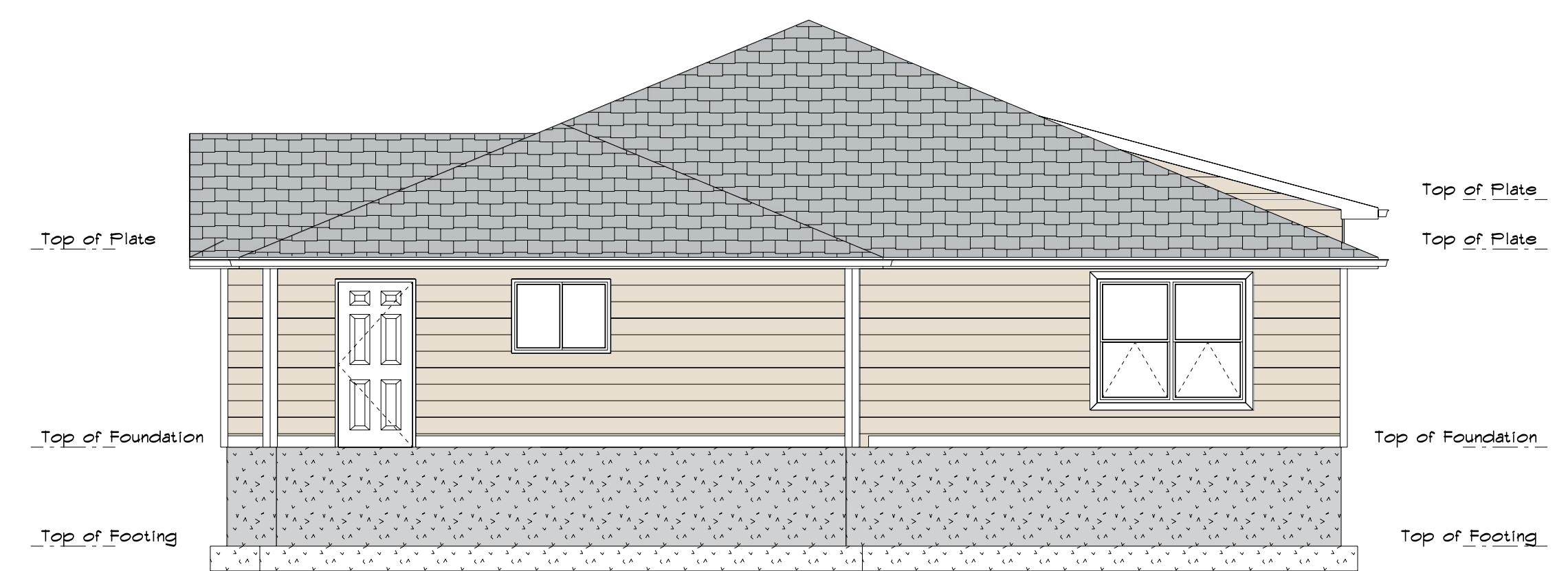
West Ridge Townhomes
PHONE: (406) 866-9488
FAX: _____
signaturehomesmt@gmail.com
125 & 129 41st Ave NE
Great Falls
MT
59404



FRONT ELEVATION
SCALE: 3/16" = 1'-0"



LEFT ELEVATIONS
SCALE: 3/16" = 1'-0"



RIGHT ELEVATION
SCALE: 3/16" = 1'-0"



REAR ELEVATION
SCALE: 3/16" = 1'-0"



Commission Meeting Date: October 4, 2022
CITY OF GREAT FALLS
COMMISSION AGENDA REPORT

Item: Construction Contract Award: Wastewater Treatment Plant Clarifier Rehabilitation OF 1731.3

From: Engineering Division

Initiated By: Public Works Department

Presented By: Chuck Anderson, Interim Public Works Director

Action Requested: Consider and Approve Construction Contract

Suggested Motion:

1. Commissioner moves:

"I move the City Commission (award/not award) the Base Bid of \$2,367,000 plus Alternate Bid 1A of \$236,200, plus Alternate Bid 2 of \$1,596,000, plus Alternate Bid 2A of \$236,200 for a total amount of \$4,435,400 to Sletten Construction Company for the Wastewater Treatment Plant Clarifier Rehabilitation project, and authorize the City Manager to execute the contract documents."

2. Mayor requests a second to the motion, Commission discussion, public comment, and calls for the vote.

Staff Recommendation: Staff recommends awarding the contract to Sletten Construction Company in the amount of \$4,435,400.00. Sletten Construction Company has executed all the necessary documents.

Summary: The project consists of rehabilitation and improvements associated with the Secondary Clarifiers in the Wastewater Treatment Plant (WWTP). Project work consists of the following: complete removal and improvements to the designated Secondary Clarifiers including: standpipe and mechanism replacement, effluent launder replacement, concrete surface restoration and coatings, and replacement and addition of controls equipment.

Background: The Great Falls Wastewater Treatment Plant (WWTP) utilizes three Bioreactors and four Secondary Clarifiers within the treatment process. In late 2021, damage was identified on the standpipe support column of the rotating mechanism of Secondary Clarifier No. 2. The standpipe has a significant tilt to one angle, where it should be straight and plum. The tilt has resulted in precautionary measures of taking Secondary Clarifier No. 2 out of service, resulting in operational limitations at the WWTP. Additionally, the clarifier mechanisms of Secondary Clarifiers No. 1, 2, and 3 were constructed in approximately 1977, and are approaching 50 years old. Clarifier No. 4 was designed and constructed in 2014.

On November 23, 2021, City Staff, AE2S, Veolia, and Loenbro evaluated the damage to the clarifier mechanism. On December 21, AE2S provided a technical memo identifying the issues, and made the recommendation to replace the rotating clarifier mechanism. The memo specifically did not recommend a temporary repair of the existing damage of Secondary Clarifier No. 2 and placement of it back in service. The stated reasons for this recommendation were that the integrity of the repair could not be guaranteed, increasing the potential risk of further damage or failure to the overall mechanism. Without leveling and stabilizing the Secondary Clarifier No. 2 standpipe structure, the same damage is expected to reoccur due to the imbalance. The technical memo recommends a complete rebuild of the clarifier mechanism in Secondary Clarifier No. 2, including a full assessment of the floor and wall symmetry and vertical pipe/pier trueness. Upgrading the equipment to stainless steel and fiberglass, similar to Secondary Clarifier No. 4, would also provide operational benefits along with a longer expected equipment life.

The technical memo also recommended taking advantage of the economy of scale, and considering a replacement of the mechanisms of either or both Secondary Clarifiers No. 1 and 3 along with that of No. 2. Because funding is limited, the City has elected to pursue a project replacing Secondary Clarifiers No. 2 and 1 at this time. The replacement of Secondary Clarifier No. 3 will be considered with a future project.

On March 1st, 2022, the City Commission voted to award a Professional Services Agreement to AE2S to facilitate the design and bidding of the project. The design resulted in a project with a Base Bid of replacing the mechanism of Secondary Clarifier No. 2. Alternate Bid 1A includes surface repair and coating of Secondary Clarifier No. 2. Alternate Bid 2 includes replacement of the mechanism of Secondary Clarifier No. 1, and Alternate Bid 2A includes surface repair and coating of Clarifier No. 1. The base bid and all bid alternates are recommended for award with this project.

Significant Impacts:

The project will put the Secondary Clarifier No. 2 back into service at the WWTP, replace the mechanism of Secondary Clarifier No. 1, extend the useful life of the clarifier concrete by making surficial repairs and improvements, and reduce future maintenance costs by utilizing stainless steel.

Workload Impacts:

City staff involvement is primarily that of the Public Works Engineering Division and will include project oversight and coordination, assistance in construction administration, and serving as a point of contact for City correspondence.

Project Work Scope:

The project work includes complete rehabilitation to the designated Secondary Clarifiers, including standpipe and mechanism replacement, effluent launder replacement, and replacement and addition of controls equipment. Additionally, the useful life of the concrete will be extended by concrete surface restoration and coatings.

Evaluation and Selection Process:

This project was advertised on September 2, 2022 and September 9, 2022. One bid was received and opened for this project on September 21, 2022. The bid was reviewed, and no irregularities or mathematical errors were identified. The attached bid tabulation summary provides information regarding the bid received, including a comparison to the Engineer's Estimate prepared by Advanced Engineering and Environmental Services, LLC (AE2S). The City received a bid that was comparable to the Engineer's Estimate.

The lowest responsible bid prices are as follows: Base Bid was \$2,367,000. The price for Alternate Bid 1A was \$236,200; the price for Alternate Bid 2 was \$1,596,000; and the price for Alternate Bid 2A was

\$236,200.00. The total project cost, including the Base Bid and all Alternate Bids, was \$4,435,400. City Staff is comfortable recommending award of the Base Bid plus all Alternate Bids of the project to Sletten Construction Company as the lowest responsible bidder for \$4,435,000.

Conclusion:

City Staff recommends awarding this construction contract. The project has been selected, prioritized, and executed in accordance with the Public Works Capital Improvements Program. This project is also needed to keep operations in place at the WWTP.

Fiscal Impact: This project has been programmed and prioritized as a needed capital improvement and is being funded through the Sewer Treatment Fund. No additional funding is needed.

Alternatives: The City Commission could vote to deny award of the construction contract and re-bid the project at a later date, or do nothing. If nothing is done, the WWTP will continue to operate under the precarious scenario of Secondary Clarifier No. 2 being out of service. If only the base bid is selected, the opportunity to save costs on a replacement of Secondary Clarifier No. 1 by sequencing it with No. 2 is lost. If the concrete surface repair and coating work is not awarded, the useful life of the concrete will not be extended.

Attachments/Exhibits:

Bid tabulation summary

Project location map

CITY OF GREAT FALLS
 P.O. BOX 5021
 GREAT FALLS, MT 59403

BID TABULATION SUMMARY
 Great Falls WWTP Clarifier Rehabilitation

O.F. 1731.3

Project Number O.F. 1731.3
 Bids Taken at Civic Center
 Date: September 21, 2022
 Tabulated By: R. Hanson (AE2S)

	Name of Bidder	Acknowledge Addendum #1	Acknowledge Addendum #2	10% Bid Security	Affidavit of Non-Collusion	Certificate of Non-Segregated Facilities	Certificate of Compliance with Insurance Req	Base Bid	Alternate 1A (Selected <u>X</u>)	Alternate 2 (Selected <u>X</u>)	Alternate 2A (Selected <u>X</u>)	Total Bid (Base + Selected Alt)
1	Sletten Construction	X	X	X	X	X	X	\$ 2,367,000.00	\$ 236,200.00	\$ 1,596,000.00	\$ 236,200.00	\$ 4,435,400.00
2	Dick Anderson Construction											NO BID
3												
4												
5												
6												
	Engineer's Estimate							\$2,250,000.00	\$115,000.00	\$2,250,000.00	\$115,000.00	\$4,730,000.00

Sletten Construction Company
 PO Box 2467
 Great Falls, MT 59403

Respectfully submitted by:



Ross Hanson
 Project Manager, AE2S

9/21/2022
 Date

OF 1731.3 - WWTP CLARIFIER REHABILITATION

Base Bid for: Clarifier No. 2

Item	Description	Est Quantitie Unit	Engineers' Estimate		Sletten Construction		Dick Anderson Construction	
			Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Mobilization	1 LS	\$ 140,651	\$ 140,651	\$ 71,000	\$ 71,000	\$	-
2	Demolition/Removal	1 LS	\$ 184,800	\$ 184,800	\$ 441,000	\$ 441,000	\$	-
3	Clarifier Equipment	1 LS	\$ 1,400,000	\$ 1,400,000	\$ 1,169,000	\$ 1,169,000	\$	-
4	Equipment Installation	1 LS	\$ 374,500	\$ 374,500	\$ 573,000	\$ 573,000	\$	-
5	Startup and Commissioning	1 LS	\$ 50,000	\$ 50,000	\$ 13,000	\$ 13,000	\$	-
6	Miscellaneous Work	100,000 Units	\$ 1.00	\$ 100,000	\$ 1.00	\$ 100,000	\$	-
Total Bid				\$ 2,249,951		\$ 2,367,000		\$ -

Bid for: Alternate 1A: Surface Repair and Coating - Clarifier No. 2

Item	Description	Est Quantitie Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Tier 1 Surface Restoration	1,750 s.f.	\$ 12	\$ 21,000	\$ 68.00	\$ 119,000	\$	-
2	Tier 2 Surface Restoration	400 s.f.	\$ 36	\$ 14,400	\$ 113.00	\$ 45,200	\$	-
3	Tier 3 Surface Restoration	100 s.f.	\$ 600	\$ 60,000	\$ 360.00	\$ 36,000	\$	-
4	Crack Injections	300 l.f.	\$ 65	\$ 19,500	\$ 120.00	\$ 36,000	\$	-
Total Bid				\$ 114,900		\$ 236,200		\$ -

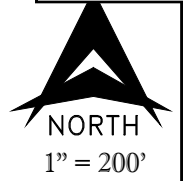
Bid for: Alternate 2: Clarifier No. 1

Item	Description	Est Quantitie Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Mobilization	1 LS	\$ 140,651	\$ 140,651	\$ 26,000	\$ 26,000	\$	-
2	Demolition/Removal	1 LS	\$ 184,800	\$ 184,800	\$ 115,000	\$ 115,000	\$	-
3	Clarifier Equipment	1 LS	\$ 1,400,000	\$ 1,400,000	\$ 997,000	\$ 997,000	\$	-
4	Equipment Installation	1 LS	\$ 374,500	\$ 374,500	\$ 353,000	\$ 353,000	\$	-
5	Startup and Commissioning	1 LS	\$ 50,000	\$ 50,000	\$ 5,000	\$ 5,000	\$	-
6	Miscellaneous Work	100,000 Units	\$ 1.00	\$ 100,000	\$ 1.00	\$ 100,000	\$	-
Total Bid				\$ 2,249,951		\$ 1,596,000		\$ -

Bid for: Alternate 2A: Surface Repair and Coating - Clarifier No. 1

Item	Description	Est Quantitie Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Tier 1 Surface Restoration	1,750 s.f.	\$ 12	\$ 21,000	\$ 68.00	\$ 119,000.00	\$	-
2	Tier 2 Surface Restoration	400 s.f.	\$ 36	\$ 14,400	\$ 113.00	\$ 45,200.00	\$	-
3	Tier 3 Surface Restoration	100 s.f.	\$ 600	\$ 60,000	\$ 360.00	\$ 36,000.00	\$	-
4	Crack Injections	300 l.f.	\$ 65	\$ 19,500	\$ 120.00	\$ 36,000.00	\$	-
Total Bid				\$ 114,900		\$ 236,200.00		\$ -

Total Bid **\$ 4,729,702** **\$ 4,435,400** **NO BID**



PROJECT LOCATION

WASTEWATER
TREATMENT
PLANT



WASTEWATER TREATMENT
PLANT SECONDARY CLARIFIER
NO. 2 & RAS BYPASS PIPING

VICINITY
MAP

OF 1731.3

10-04-2018 84



Commission Meeting Date: October 4, 2022

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Ordinance 3251, “An Ordinance Amending Title 17 of the Official Code of the City of Great Falls Pertaining to Casinos and their Special Standards for Location and Development”

From: Tom Micuda, Deputy Director, Planning and Community Development

Initiated By: Bill Heisler, 3 High Inc.

Presented By: Craig Raymond, Director, Planning and Community Development

Action Requested: City Commission accept Ordinance 3251 on first reading and set public hearing for November 1, 2022.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (accept/not accept) Ordinance 3251 on first reading and (set/not set) the public hearing for November 1, 2022.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends that the City Commission accept Ordinance 3251 on first reading and set the public hearing for November 1, 2022.

Background: The applicant for the proposed text amendment owns the property located at 2416 11th Avenue South. He is interested in selling the property to a buyer who would like to reuse a portion of the building for a casino. The building is currently vacant, but was previously occupied by a casino business known as “Bingo Bonanza.” A valid state gaming license is still available, which led to both the building owner and potential buyer approaching City staff to determine whether a casino could be re-established on the property.

The Land Development Code classifies three land uses related to the gaming industry: 1) Type I Casino, 2) Type II Casino, and 3) Accessory Gaming. Type I Casinos are classified as a Permitted Land Use in the General Commercial (C-2), Central Business Core (C-4), Airport Industrial (AI), Light Industrial (I-1), and Heavy Industrial (I-2) zoning districts. The applicant’s property is zoned C-2, which means that under normal circumstances, the building would simply need to be renovated as needed to establish the proposed use. However, Type I Casinos have special requirements found in Section 17.20.6.140 that create challenges for the applicant. These requirements are below.

17.20.6.140 - Casino, type I.

A. Purpose. *This section is intended to allow the location of new casinos or the relocation of existing casinos in certain zoning districts provided they meet more stringent development and appearance standards than type II casinos.*

B. Classification. *A casino shall be identified by definition in Chapter 8 of this Title.*

C. Proximity to residentially zoned properties. *There is no minimum distance requirement from residential uses or between casinos.*

D. Proximity to other specified uses.

1. Casinos shall not locate within six hundred (600) feet of an education facility (K through post-secondary), worship facility, park or playground. The distance shall be measured by direct line, without regard to intervening structures or streets, between closest property boundaries; and,

2. Casinos shall not locate on premises operating a sexually oriented business.

E. Design Review Board approval. *The Design Review Board shall review and approve the exterior building design and finishes; and landscaping, signage, lighting and parking plan for any new or relocated casino, or an expansion or exterior renovation of an existing casino.*

F. Special landscaping. *Casinos must comply with all applicable landscaping requirements in Chapter 44 Landscaping. Additional or special landscaping requirements for type I casinos include the following:*

1. Minimum square footage of interior landscaping, inclusive of landscaping in vehicular use areas and foundation planting areas, shall be twenty (20) percent of the gross property area to be developed.

2. Fifty (50) percent of said landscaping shall be located between the front lot line and the building.

G. Signage must meet zoning district requirements for the premises.

Impact of the Requirements on the Applicant's Property: The applicant's property complies with the distance requirement from schools, churches, parks, and playgrounds noted in 17.20.6.140(D) above. However, the applicant's property is significantly impacted by the Special Landscaping requirements noted in 17.20.6.140(F) above. The applicant's property was developed during a time period when current City landscaping regulations were not in place. Almost all of the landscaping on the site is actually in the public right-of-way along 25th Street and 11th Avenue. This landscaping does not count towards either of the requirements outlined in 17.20.6.140(F).

As a result, the only way the applicant could renovate a 3,000 s.f. tenant space for a Type I Casino would be to remove parking spaces on 20% of the existing property and install landscaping, with 50% of that landscaping required to be installed along the front of the property. Because the applicant's property is slightly less than 27,000 square feet, this translates to the applicant being required to establish 5,400 square feet on new landscaping with 2,700 square feet being required for the area between the building and the

front lot line. Staff estimates that this would require the applicant to eliminate at least 18 existing parking spaces to comply with the special landscaping standards.

During a meeting with the applicant and potential buyer, staff indicated that there were three options that could be pursued: 1) the applicant could comply with code, 2) the applicant could apply for a variance, or 3) the applicant could apply for a text amendment to the Land Development Code. Staff noted to the applicant that a variance could be difficult to obtain because the property wasn't necessarily unique and the applicant had the option to pursue many other commercial uses for the building. As a result, staff advised the applicant to submit the proposed text amendment. The goal of the applicant's request is to create a regulation that treats the establishment of casinos like every other commercial land use in City code.

Overview of the Proposed Text Amendment: The proposed text amendment represents a significant change in the way the casino land use would be regulated in the Land Development Code. The amendment is being submitted because applicants routinely struggle to navigate the special standards which are unique to casino uses which in turn creates difficulties for staff in administering the current regulations in the zoning code. Additionally, it could be argued that the original intent of the special standards regarding casinos is not likely having any significant impact other than creating difficulty for certain businesses in Great Falls without any tangible benefit to the community. Staff is proposing a much simpler approach – one that relies on the zoning districts to control where casinos can be located rather than one that also relies on specific distance requirements and requires property owners to install landscaping well beyond normal code requirements.

A full copy of the proposed amendments is attached in both (1) bold/strike-through format (*Exhibit "A"*). The key changes outlined in the proposal are as follows:

- The amendment proposes to eliminate all the special landscaping requirements for Type I Casinos. This change can be found on Page 40 of Exhibit A. This does not eliminate the need to landscape casino developments if such projects involve new construction, building expansions, or additional parking areas. Those proposals would be required to allocate 15 percent of the interior of the property as well as the boulevard area for landscaping like any other commercial development. The staff's proposal simply removes the requirement to retrofit landscaping for casinos moving into existing buildings.
- The amendment proposes to eliminate all the various special distance requirements in locating Type I and Type II Casinos near churches, schools, parks, playgrounds, and residential zoning districts. This can be found on pages 40 and 41 of Exhibit A. This is not an issue for the applicant's request, but has been an issue that has created challenges for both staff to administer as well as for property owners wishing to establish casinos. It is important to note that all of the State of Montana distance requirements would still be applicable to anyone seeking a gaming license. Staff is simply proposing not to duplicate the State's distance requirements with another layer of zoning requirements.
- Because staff is proposing to eliminate both the special landscaping requirements and the distance requirements for Type I and Type II Casinos, there is no longer a reason to have two types of casinos with two types of special regulations. As a result, staff is proposing to delete the two types and just have one land use – Casino. This change can be found on the color coded land use table on Page 37 of Exhibit A as well as the revised definition on Page 7. Under this proposal, there

would be one type of casino permitted in 5 different zoning districts: C-2, C-4, Airport, I-1, and I-2. No new districts are proposed for casinos.

- Finally, there have been some challenges in understanding the differences between casinos and what are called accessory gaming activities. Accessory gaming activities are very small gaming areas limited to no more than 500 square feet of space that are clearly accessory to bars, hotels, and restaurants. On page 7 on Exhibit A, staff proposes a minor change to the definition of Casino to make the distinction more clear. Currently, the code notes that accessory gaming areas are limited to no more than 500 square feet, but the Casino definition states any gaming operation having 5 or more machines is considered to be a casino. These two provisions are in conflict, and has created uncertainty for staff in determining whether a gaming operation should be considered accessory or be classified as a full-fledged casino. Staff proposes to eliminate the 5 machine provision and use the 500 square foot threshold.

Concurrences: Staff from the City's Legal and Planning and Community Development Departments have worked in tandem to develop the proposed amendment. Specifically, the amendment addresses the applicant's request to be treated like any other commercial land use.

Fiscal Impact: On the surface, the amendment could be viewed as increasing the potential for casino relocation and development in the community. This would likely be a concern for decision makers and certainly for residents in the community. However, because the State of Montana still restricts casino/bar licensing as well as enforces their own distance requirements, staff believes that both the financial impact and impact to community character associated with the proposed amendment will be limited. No change to the number of zoning districts which currently allow casinos is being proposed.

Attachments/Exhibits:

Ordinance 3251

Exhibit "A": Bold / Strikethrough Copy of Proposed Code Amendment

Text Amendment Application

ORDINANCE 3251

AN ORDINANCE AMENDING TITLE 17 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) PERTAINING TO CASINOS AND THEIR SPECIAL STANDARDS FOR LOCATION AND DEVELOPMENT

* * * * *

WHEREAS, the City Commission established Title 17 of the OCCGF outlining provisions pertaining to, and known as, the Land Development Code; and

WHEREAS, the applicant, Bill Heisler (3 High, Inc.) has applied for a text amendment to the Land Development Code requesting that the location and development of casinos be treated under the same zoning regulations as the location and development of any other commercial use; and

WHEREAS, the City’s Planning and Community Development staff also believe that the location and development of casinos should be governed under the same set of regulation as other commercial business uses; and

WHEREAS, City staff believe that the City’s established goals in the Land Development Code to promote the public health, safety, welfare, and moral, social, and cultural values within the community by reducing the public’s exposure to casino gambling can still be ensured by relying on the State of Montana’s licensing requirements as well as still limiting the number of zoning districts where casinos are allowed; and

WHEREAS, on behalf of the applicant, City staff presented a proposal to amend the Land Development Code at the regularly scheduled September 13, 2022 meeting of the Great Falls Planning Advisory Board, and the Board recommended that the City Commission adopt Ordinance 3251.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

Section 1. OCCGF 17.08.120 (General Definitions), is hereby amended to clarify the difference between Casinos and Accessory Gaming and eliminate the reference to Type I and Type II Casinos, as depicted by Exhibit “A” attached hereto

and by reference incorporated herein, with deleted language identified by ~~strikeout~~ and inserted language **bolded**; and

Section 2. OCCGF 17.20.3.060, Exhibit 20.1. Principal Uses by District, is hereby amended to eliminate the land uses, Type I and Type II Casinos, in favor of a single land use, Casino, with no change in the zoning districts where the use is allowed, as depicted by Exhibit “A”; and

Section 3. OCCGF 17.20.6.140, Special Standards for Principal Uses, Casino, Type I, is hereby amended to delete the Section entirely, as depicted by Exhibit “A”.

Section 4. OCCGF 17.20.6.150, Special Standards for Principal Use, Casino, Type II, is hereby amended to delete the Section entirely, as depicted by Exhibit “A”.

Section 5. This ordinance shall be in full force and effect thirty (30) days after public hearing and final adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading October 4, 2022.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading November 1, 2022.

Bob Kelly, Mayor

ATTEST:

(CITY SEAL)

Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT:

Jeff Hindoiien, City Attorney

State of Montana)
County of Cascade : ss
City of Great Falls)

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3251 on the Great Falls Civic Center posting board and the Great Falls City website.

Lisa Kunz, City Clerk

(CITY SEAL)

Exhibit A

17.8.120 General definitions.

- A. **Words and terms not defined.** Unless specifically defined in this section, words or phrases used in this Title shall be interpreted so as to give them the meaning they have in common usage and to give this Title its most reasonable application.
- B. **Words and terms defined.** For the purpose of this Title, certain terms and phrases are defined below and shall have the meaning ascribed to them, except where the context clearly indicates a different meaning.

A

"A-type sign" See: sandwich board sign.

"Abandoned sign" a sign that has not advertised a bona fide business, product or service for a period of one hundred eighty (180) consecutive days; a sign that is damaged, in disrepair, or vandalized and not repaired within thirty (30) days from the onset of damages.

"Accessible entrance" means an entrance to a facility meeting the minimum accessibility requirements of the Americans with Disabilities Act.

"Accessible route" means a continuous unobstructed path connecting all accessible elements and spaces of a building or facility. Interior accessible routes may include corridors, floors, ramps, elevators, lifts, and clear floor space at fixtures. Exterior accessible routes may include parking access aisles, curb ramps, crosswalks at vehicular ways, walks, ramps, and lifts. (Source: "ADA Standards for Accessible Design" 28 CFR Part 36, revised as of July 1, 1994)

"Accessory building/structure" means any building or structure that is clearly incidental and subordinate to and customarily found with a principal use.

"Accessory land use" See: land use, accessory.

"Accessory living space" means an interior space included as an integral part of a detached garage or other permitted accessory structure that is clearly subordinate to and upon the same lot as a single-family residential home. Similar terms include bonus rooms, craft or hobby rooms, home shops, granny flats, mother-in-law suites, guest houses or bedrooms, carriage houses and the like.

"Accessory use" means a use that is incidental and subordinate to the main use of a property and is located on the same lot as the main use.

"Adjudicative decision" means a decision that is discretionary in nature and that is made by elected or appointed governmental officials in the context of existing standards, requirements, and procedures and that applies to a specific instance. Examples include annexation requests and subdivision proposals.

"Administrative decision" means a decision that is made by a governmental employee in the context of existing standards, requirements, and procedures and that applies to a general or specific instance. For example issuance of a building permit is an administrative decision.

"Administrative government center" means a place and/or building, or portion thereof, that is used or is intended as a governmental office or administrative facility. The term includes post offices, courthouses, correctional and related transitional facilities, and the like.

"Administrative services" means a place and/or building, or portion thereof, that is used or is intended for providing administrative functions where customers are infrequent. The term includes data processing centers, customer service centers via telecommunications, architectural firms, engineering firms, and the like.

"Adult arcade" means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five (5) or fewer individuals per machine at any one (1) time, and where the images so displayed are distinguished or characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas.

"Adult book store/adult video store" means a commercial establishment which, as one (1) of its principal business purposes, offers for sale or rental for any form of consideration any one (1) or more of the following:

1. Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions which are characterized by an emphasis on the depiction or descriptions of specified sexual activities or specified anatomical areas;
2. Instruments, devices, or paraphernalia which are designed for use in connection with specified sexual activities.

"Adult cabaret" means a nightclub, bar, restaurant, or similar commercial establishment which regularly features:

1. Persons who appear semi-nude; or
2. Live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities; or
3. Film, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the exhibition or display of specified sexual activities or specified anatomical areas.

"Adult motel" means a hotel, motel, or similar commercial establishment which:

1. offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slide, or other photographic reproductions which are characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas; and has a sign advertising availability of this type of photographs reproduction; or
2. offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
3. allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten (10) hours.

"Adult motion picture theater" means a commercial establishment which, for any form of consideration, regularly shows films, motion pictures, video cassettes, slides or similar photographic reproductions that are distinguished or characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas.

"Affordable housing" means a dwelling unit that may be purchased or rented by a household earning no more than one hundred twenty (120) percent of the median annual income in the specified area and where the monthly housing costs do not exceed thirty (30) percent of the family's total monthly income. For example, in an area with a median income of fifteen thousand dollars (\$15,000.00), the term "affordable housing" would only be applied to those households earning less than eighteen thousand dollars (\$18,000.00) ($\$15,000.00 \times 1.2 = \$18,000.00$). For a household with an annual income of fifteen thousand dollars (\$15,000.00), their total housing costs should not exceed three hundred seventy-five dollars (\$375.00) per month ($(\$15,000.00 \times 0.3) / 12 \text{ months} = \375.00).

"Aggrieved person" means a person that has or likely will suffer an adverse effect resulting from a decision made pursuant to this Title.

"Agricultural commodity storage facility" means a place and/or building, or portion thereof, that is used or is intended to store bulk food stuffs prior to shipment and/or processing. The term includes grain elevators and such facilities.

"Agricultural water user facility" means those facilities which provide water for agricultural land as defined in 15-7-202, MCA, or which provide water for the production of agricultural products as defined in 15-1-101, MCA, including ditches, pipes, and head gates.

"Agriculture, horticulture, nursery" means a place and/or building, or portion thereof, that is used or is intended for growing fruit, vegetables, flowers, and other plants typically grown on farming operations in the region.

(Ord. 2950, 2007)

"Agriculture, livestock" means a place and/or building, or portion thereof, that is used or is intended for raising horses and/or cattle, exclusively.

"Agriculture sales" means a place and/or building, or portion thereof, that is used or is intended to be used for retail sale of a product(s) unique to and directly related to farm and ranch operations. The term includes feed/seed sales, irrigation equipment sales, farm machinery sales and repair, and the like. The term does not include wholesale sales.

"Air contaminant" means any fume, smoke, particulate matter, vapor, gas, or any combination. The term does not include water vapor or steam condensation.

"Airport" means a place and/or building, or portion thereof, that is used or is intended for the landing and takeoff of airplanes, helicopters, similar craft, including all necessary facilities for the housing and maintenance of the same.

"Airport, private" means an airport that is used by the owner and other persons authorized by the owner and not open for general public use.

"Airport, public" means an airport that is open for general public use.

"Airport elevation" means the highest point of an airport's usable landing area measured in feet from sea level.

"Airport influence area" means all land in the proximity of an airport within a defined boundary, the use of which may be affected by the airport's existence.

"Alley" means a vehicular accessway providing secondary access to the back of lots that front on a street.

"Alteration" See: structural alteration.

"Amateur radio station" means a radio station operated by a federally licensed amateur radio operator as part of the Amateur Radio Service.

"Animal shelter" means a place and/or building, or portion thereof, that is used or is intended to temporarily house stray pets.

"Annexation" means the process of adding land to the jurisdictional area of a city or town.

"Antenna" means a device that can be used to receive and transmit electromagnetic waves. The term includes directional antennas and omni-directional antennas. The term does not include (1) mobile services providing public information coverage of news events of a temporary nature or (2) hand held devices such as cell phones, business-band mobile radios, walkie-talkies, cordless telephones, garage door openers, and similar devices.

"Antenna, building-mounted" means any antenna, other than an antenna with its supports resting on the ground, directly attached or affixed to a building, tank, tower, building-mounted mast less than ten (10) feet tall and six (6) inches in diameter, or structure other than a telecommunication tower.

"Antenna, directional (also known as a panel antenna)" means an antenna that transmits and/or receives radio frequency signals in a directional pattern of less than three hundred sixty (360) degrees.

"Antenna, ground-mounted" means any antenna with its base, single or multiple posts, placed directly on the ground.

"Antenna, omni-directional" means an antenna that transmits and/or receives radio frequency signals in a three hundred sixty-degree radial pattern. For the purpose of this Title, an omni-directional antenna is up to fifteen (15) feet in height and up to four (4) inches in diameter.

"Antenna, parabolic (also known as satellite dish antenna)" means any device incorporating a reflective surface that is solid, open mesh, or bar configured that is shallow dish, cone, horn, bowl or cornucopia-shaped and is used to transmit and/or receive electromagnetic or radio frequency communication/signals in a specific directional pattern. This definition is meant to include, but is not limited to, what are commonly referred to as satellite earth stations and satellite microwave antennas.

"Antenna, portable" means any device used to transmit and/or receive electromagnetic or radio frequency communication/signals in a specific directional pattern, located on a portable or moveable base designed to be placed either for temporary or long-term use at a given site.

"Antenna, vertical" means a vertical type antenna with no horizontal cross-section greater than one-half (½) inch in diameter.

"Appeal" means a process initiated by an aggrieved party to review: (1) a decision made pursuant to this Title; or (2) an alleged failure to act as required by this Title.

"Appellant" means a person who has filed an appeal pursuant to this Title.

"Applicant" means a person who submits an application as required by this Title.

"Approach surface" means a surface longitudinally centered on the extended airport runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope. In plan view, the perimeter of the approach surface coincides with the perimeter of the approach zone.

"Approved plastic" means slow-burning plastic of no greater combustibility than that approved for sign use by Underwriter Laboratories, Inc.

"Aquifer" means a water-bearing, subsurface formation capable of yielding sufficient quantities of water to a water well for a beneficial use.

"Arboricultural standards and specifications" means the standards for the planting, care, and maintenance of trees, shrubs, and landscaping on file with the City Forester.

"Arcade" means a covered walkway often with shops on one (1) side or both.

"Architect" See: registered architect.

"Area of special flood hazard" See: one hundred-year floodplain.

"Artificial obstruction or development" means any obstruction which is not natural and includes any dam, diversion, wall, riprap, embankment, levee, dike, pile, abutment, projection, revetment, excavation, channel rectification, bridge, conduit, culvert, building, refuse, automobile body, fill or other analogous structure or matter in, along, across, or projecting into any one hundred-year floodplain which may impede, retard or alter the pattern of flow of water, either in itself or by catching or collecting debris carried by the water, or that is placed where the natural flow of water would carry the same downstream to the damage or detriment of either life or property.

"Artisan shop" means a place and/or building, or portion thereof, that is used or is intended for creating works of art and/or production of handmade craft items on a small-scale. Examples of such items include paintings, sculptures, pottery, jewelry, hand blown glass, small wooden items, candles, soaps, and lotions.

"Assessed value" means that value established by the State of Montana for taxing purposes.

"Auction sales" means a place and/or building, or portion thereof, that is used or is intended to be used for auctioning goods to the general public. The term does not include estate sales and the like. Vehicle auctions are considered as vehicle sales and rentals.

"Automated teller machine (ATM)" means an automated device for conducting financial transactions.

"Automated teller machine (ATM), exterior" means an automated teller machine that is accessed from outside of an enclosed building.

(Ord. 2950, 2007)

"Average daily traffic (ADT)" means the average number of vehicles passing a specific point on a roadway during a single twenty-four-hour period.

"Average trip generation rate" means the average number of vehicles entering and exiting a site during a twenty-four-hour period.

"Avoid" means to take an action so that a negative impact does not occur.

"Awning or canopy" means a material or structure intended to provide protection from the weather that is mounted on the exterior of a building. Signage placed on an awning or a canopy is calculated as wall signage.

B

"Bank stabilization" means any effort to harden the bank of a stream to prevent lateral movement. Such measures include: bio-engineering, native material revetment, rip-rap, bin-walls, barbs, vanes, and other such techniques.

"Banner" means fabric, plastic, paper, or other light, pliable material not enclosed in a rigid frame that is suspended, mounted or attached to buildings or poles at two (2) ends or continuously across its longest side.

"Bed and breakfast" means a single family residence that offers overnight accommodations and a meal for a daily charge and which also serves as a primary residence of the operator or owner. (Refer to: 50-51-102, MCA)

"Bench/transit shelter sign" means an off-premise sign attached to a bench or transit shelter.

"Berm" means a mound or embankment of earth, generally man-made.

"Best management practice (BMP)" means, in relation to erosion control, a practice, technique, or measure that is an effective, practical means of preventing and reducing soil erosion and/or water pollution during land development activities. BMPs can be structural, vegetative, or operational practices.

"Bike lane" means a portion of a roadway which has been designated by striping, signing, and pavement markings for the preferential or exclusive use of bicyclists.

"Bike path" means a bikeway physically separated from motorized vehicular traffic by an open space or barrier and either within the roadway right-of-way or within an independent right-of-way.

"Bike route" means a segment of a system of bikeways designated by the jurisdiction having authority with appropriate directional and informational markers, with or without a specific bicycle route number.

"Bikeway" means any road, path, or way which in some manner is specifically designated as being open to bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are to be shared with other transportation modes.

"Billboard" means a sign larger than two hundred (200) square feet in area, mounted on a permanent structure, designed to advertise products, services, or businesses not available on the premise upon which the sign is located.

"Block" means a group of lots, tracts, or parcels within well-defined and fixed boundaries (e.g., streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, municipal boundary lines or subdivision boundary lines).

"Block face" means all of the lots situated on one (1) side of the street.

"Board of Adjustment" means the board of adjustment created by the City Commission and more fully described in this Title.

"Board of County Commissioners" means the governing body of Cascade County, Montana.

"Boulevard" means that area within the street right-of-way not occupied by street paving, curb and gutter, and sidewalks.

"Boulevard, inside" means that portion of the boulevard between the sidewalk and the lot.

"Boulevard, outside" means that portion of the boulevard between the sidewalk and the street.

"Boulevard banner" means a decorative sign constructed of cloth, canvas, or vinyl that contains upper and lower pole pockets and is secured by a pole banner bracket system. Boulevard banners are designed as attachments to street light poles or boulevard lamps and advertise special community events.

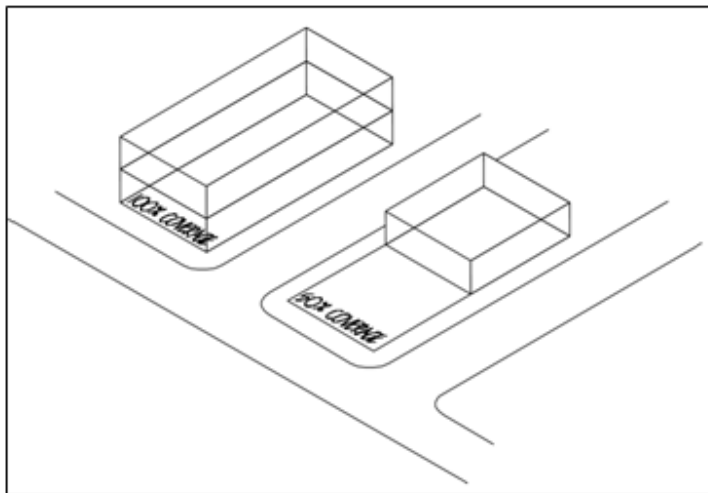
"Buffer area" means a landscaped area intended to separate and partially obstruct the view between uses, serve as an attractive boundary, or both.

"Building" means a structure having a roof supported by walls or columns, or other supports intended for the shelter or enclosure of people, animals, chattels, or property of any kind.

"Building area" means the total horizontal projected area of a building.

"Building coverage" is a measure of land use intensity. It compares the portion of a site that is covered by a building(s) with the overall area of the site. For example, a development consisting of two (2) buildings with a total footprint of 0.6 acres on a 2-acre site has a building coverage of 0.3 or 30 percent ($0.6 / 2 = 0.3$). (Exhibit 8-2)

Exhibit 8-2. Building coverage



"Building mass" means the three-dimensional bulk of a building represented by its height, width, and depth.

"Building permit" means a permit that is issued prior to the construction of or addition to a building or structure or the installation of a mobile home.

"Burden of proof" means the obligation of a party to establish a fact by evidence.

"Bus transit terminal" means a place and/or building, or portion thereof, that is used or is intended for loading and unloading of bus passengers along with facilities for ticket sales and food service areas primarily intended for bus passengers.

C

"Campground" means a place and/or building, or portion thereof, that is used or is intended for public camping, where people can camp, secure tents or cabins, or park trailers, camping trailers, pickup campers, automobiles,

and recreational vehicles for camping and sleeping purposes. The term includes accessory buildings such as a laundromat and retail sales for the convenience of campground guests. (Source: 50-52-101, MCA)

"Cascade County Conservation District" means the governmental subdivision of Montana organized in accordance with Title 76, Chapter 15, Part 2, MCA, that functions in Cascade County to address issues relating to soil and water conservation.

"Casino" means any and all establishments that offer legalized gambling authorized under Title 23, Chapter 5, Part 1, et seq., MCA and where any one (1) of the following characteristics applies:

- a. The establishment is referenced as a "casino" or "gambling establishment", or makes any reference to legalized gambling by signage, advertisement or by name; and/or
- ~~b. Five (5) or more gambling machines are on the premises; and/or~~
- ~~eb. A card table is on the premises- and/or~~
- c. The establishment does not meet the requirements for accessory gaming as outlined in 17.20.7.050 of this Title.**

~~"Casino, type I" means a casino allowed in certain zoning districts only if specific development and appearance standards are met.~~

~~"Casino, type II" means a casino allowed in certain zoning districts without specific development or appearance standards.~~

(Ord. 3251, 2022)

"Cemetery" means a place and/or building, or portion thereof, that is used or is intended for burial purposes. Accessory uses include columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such area.

"Central Business District" means the C-4 Central Business Core zoning district.

"Certificate of appropriateness" means a permit issued indicating conformance with design guidelines or other similar requirements as contained in this Title.

"Certificate of survey (COS)" means a drawing of a field survey prepared by a registered land surveyor for the purpose of disclosing facts pertaining to boundary locations.

"Changeable copy sign" means a sign whose content is changed by manual, electric, electromechanical or electronic means. Examples include electronic message boards, time and temperature boards or manually changed reader boards.

"Channelization project" means the excavation and/or construction of an artificial channel for the purpose of diverting the entire flow of a stream from its established course.

"City Attorney" means the position of City Attorney for the City of Great Falls.

"City Clerk" means the position of City Clerk for the City of Great Falls.

"City Commission" means the governing body of the City of Great Falls.

"Civic use facility" means a place and/or building, or portion thereof, that is used or is intended for large gatherings of people. The term includes zoos, arenas, stadiums, fairgrounds, and the like.

"Climate controlled indoor storage" means indoor units, accessed from inside a building, for rent or lease and intended for personal storage. Such storage units are heated for a consistent climate. Document storage services are also included in this definition.

"Co-located telecommunication antennae" means an antenna that is mounted on an existing tower.

"Co-location" See: telecommunication facility, co-located.

"Collector street" means a roadway that links local access streets to the arterial roadway network (minor and principal arterials). Speeds are generally lower than on arterials and access to adjacent land uses has a high priority. This is one (1) level in the City's functional classification system for roads within its jurisdiction.

"Color rendering index (CRI)" means a measurement comparing the color of an object under a light source to a reference light source of comparable color temperature. CRI values generally range from 0 to 100. As the CRI approaches 100, the color of the lit object becomes truer or closer to the original color.

"Commercial educational facility" means an educational facility operated by private institutions or individuals that is used or is intended for preparing students for jobs in trades or professions. The term includes music schools, hair styling schools, real estate schools, and the like.

"Commercial kennel" means a place and/or building, or portion thereof, that is used or is intended for housing three (3) or more dogs, cats or other domesticated animals over six (6) months of age or for the purpose of boarding, breeding, training, or sale. The term includes boarding kennels, dog motels, and dog training centers. The term does not include animal hospitals, animal grooming parlors, or pet shops.

"Commercial use" means a use that involves the exchange of cash, goods or services, barter, forgiveness of indebtedness, or any other remuneration in exchange for goods, services, lodging, meals, entertainment in any form or the right to occupy space over any period of time.

"Commercial zoning district" means any zoning district established by this Title that has a "C" followed by a number as its abbreviation (e.g., C-1).

"Community center" means a place and/or building, or portion thereof, that is used or is intended for short-term and intermittent meetings or gatherings of nonresident individuals that are generally open to the public for purposes of recreation, sharing information, entertainment, social service, or similar activities. The term includes fraternal, social, or civic clubs, lodges, union halls, and the like.

"Community cultural facility" means a place and/or building, or portion thereof, that is used or is intended for studying, reading, personal education, or for viewing the visual arts. The term includes libraries, museums, art galleries, observatories, and the like. The term does not include performing arts.

"Community garden" means an outdoor area that is used to grow vegetables, fruits, flowers, and the like by a group of unrelated individuals who primarily use what is grown for their personal use. The community garden can be divided into individual plots of land for the exclusive use of the person assigned each plot, or the entire garden may be a cooperative effort of any number of people, or a combination thereof.

"Community residential facility" means any one (1) of the following as defined:

- a. "Community group home" means a family-oriented residence that is designed to provide residential services for two (2) to eight (8) individuals with severe disabilities and does not provide skilled or intermediate nursing care. The term does not preclude the provision of skilled or intermediate nursing care by third-person providers. (Source: 52-4-202, MCA)
- b. "Youth foster home" means a youth care facility licensed by the State in which one (1) to six (6) children or youth other than the foster parents' own children, stepchildren, or wards are given food shelter, security and safety, guidance, direction, and if necessary, treatment. (Source: 52-2-602, MCA)
- c. "Youth group home" means a youth care facility licensed by the State in which seven (7) to twelve (12) children or youth are given food shelter, security and safety, guidance, direction, and if necessary, treatment. (Source: 52-2-602, MCA)
- d. "Halfway house" means a place and/or building, or portion thereof, that is used or is intended to provide treatment, rehabilitation, and prevention of chemical dependency. (Source: 53-24-103, MCA)
- e. "Adult foster care home" means a private home or other facility that offers only light personal care or custodial care to four (4) or fewer disabled adults or aged persons who are not related to the owner or manager of the home by blood, marriage, or adoption or who are not under the full guardianship of the owner or manager. (Source: 50-5-101, MCA)

"Community residential facility, type I" means a community residential facility with eight (8) or fewer individuals.

"Community residential facility, type II" means a community residential facility with nine (9) or more individuals.

"Composting facility" means a place and/or building, or portion thereof, that is used or is intended for collecting and processing vegetation (but not food wastes) for composting. The term includes the storage and manipulation of materials prior to, during, and following composting.

"Comprehensive sign plan" means a plan submitted for Design Review Board approval in conjunction with a permit application for a building or sign. The plan must show all signage for a planned or existing multi-tenant development.

"Conditional use" See: land use, conditional.

"Conditional use permit" means a permit authorizing establishment of a conditional use consistent with the provisions of this Title.

"Condominium" means a form of ownership with unrestricted right of disposal of one (1) or more units in a multiple unit project with the land and all other parts of the project held in common ownership or use with owners of the other units.

"Conical surface" means a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20:1 for a horizontal distance of four thousand (4,000) feet.

"Conservancy area" means a property or portion of a property designated on a recorded plat, deed, covenant, or other legally binding document to protect the natural features of the area designated.

"Conserve" means to manage and use in a prudent and sustainable manner to provide for future availability.

"Construction materials sales" means a place and/or building, or portion thereof, used or is intended for wholesale or retail sales of bulk construction materials such as roofing, lumber, bricks, component parts (trusses), and the like. The term does not include hardware stores, concrete plants, asphalt mixing plants, or any facility that manufactures building materials and offers them for retail sale on the premises.

"Contractor yard" means a place and/or building, or portion thereof, that is used or is intended to be used by a contractor/builder with one (1) or more of the following: construction material storage, machinery storage or repair, including trucks and heavy equipment, shops, and office space.

"Contractor yard, type I" means a contractor yard that would be compatible in size and scope in a residential setting as defined by performance standards herein described or as may be adopted.

"Contractor yard, type II" means a contractor yard that would be compatible in size and scope with industrial and commercial activities as defined by performance standards herein described or as may be adopted.

"Contributing structure, building or property" means a structure, building or property within a historic district that contributes to the historic integrity of the district.

"Convenience sales" means a place and/or building, or portion thereof, that is used or is intended for personal services or retail sale of a limited product line of frequently needed personal items. The term includes convenience stores, small grocery stores, barber shops, beauty parlors, and the like.

"County Clerk and Recorder" means the Clerk and Recorder for Cascade County.

"Covenant" means a legally binding agreement contained in a deed, declaration, or other legal document or on the face of a plat that restricts or regulates the use of specified real property.

"Critical habitat" means the area occupied by a species which contains those physical and biological features that are (1) essential to the conservation of the species and (2) which may require special considerations or protection. Critical habitat shall not include the entire geographic area which can be occupied by the species.

"Cumulative effect" means a noticeable overall effect which results from the incremental effects of other projects, where the increment from each project may not necessarily be noticeable or considered unacceptable.

"Curb" means the barrier used to separate roads and other vehicle use areas from the surrounding environs.

"Curb cut" means the width of the opening in the curb along a street that provides vehicular access to private property.

"Curb line" means the line at the back of the curb nearest to the lot line. In the absence of a curb, the curb line is established by the City Engineer.

"Curb radius" means the radius of the circle formed by the curve of the curb at the corner.

"Curb ramp" means a short ramp cutting through a curb or built up to it.

"Cutoff luminaire" means a luminaire where less than two and one-half (2.5) percent of the lamp lumens occur at or above the horizontal plane and no more than ten (10) percent of the lamp lumens occur above eighty (80) degrees.

D

"Date of completeness" means the date an application is deemed complete by the City.

"Day care center" means a place and/or building, or portion thereof, that is used or is intended to provide day care to children on a regular basis. The operation may include pre-school services/activities (Source: 52-2-703, MCA) (Ord. 2950, 2007)

"Deck" means an above-ground, unroofed platform extending from a building and intended for outdoor living.

"Dedication" means the deliberate appropriation of land by an owner for any general and public use, reserving to the landowner no rights that are incompatible with the full exercise and enjoyment of the public use to which the property has been devoted. (Source: 76-3-103(3), MCA)

"Demolition" means an act or process that destroys, in whole or in part, a structure.

"Demolition by neglect" means the gradual destruction of a building or structure due to a lack of normal maintenance.

"Demolition permit" means a permit issued consistent with this Title authorizing the complete or partial demolition of a structure.

"Density" means the number of dwelling units per acre, calculated as follows: number of dwelling units divided by the acreage of the parcel of land, whether gross or net. As the context would indicate, density can be based on the actual, proposed, or permitted number of dwelling units.

"Density, gross" means the density based on the acreage of the entire parcel of land. For example, a development of twenty (20) houses on a forty-acre parcel of land has a gross density of one-half of one (0.5) dwelling units per gross acre ($20 / 40 = 0.5$).

"Density, net" means the density based on the acreage of the entire parcel of land, excluding the acreage used for parks or which will not be further developed. For example, a development of twenty (20) houses on a forty-acre parcel of land, with twenty (20) acres in a floodplain or a conservation easement, has a net density of 1 dwelling units per net acre ($40 - 20 / 20 = 1$).

"Department Director" means a City of Great Falls official designated as the head of a specific City Department, or his/her designee, authorized to act on his/her behalf.

(Ord. 2950, 2007)

"Design review" means an evaluation of a project's design features as enumerated in this Title including architecture, site layout, and landscaping.

"Design Review Board" means that board created by the City Commission to administer the design review process consistent with this Title.

"Design wavier" means a grant of relief from the strict application of the adopted regulations that will avoid unintended and unwanted results and therefore result in a better development.

"Detention" means the temporary storage of storm runoff in a stormwater management practice with the goals of controlling peak discharge rates and providing gravity settling of pollutants.

"Detention facility" means a detention basin or alternative structure designed for the purpose of temporary storage of stream flow or surface runoff and gradual release of stored water at controlled rates.

"Development" See: land development.

"Development exaction" means money, land (on-site or off-site), or infrastructure (on-site or off-site) that a developer provides to a local unit of government to alleviate a specified impact created by the proposed development. The nature of the mitigation is determined on a case-by-case basis.

"Deviation, major" means a deviation from the terms of a permit or other approval other than a minor deviation.

"Deviation, minor" means a deviation from the terms of a permit or other approval issued pursuant to this Title that is necessary in light of technical or engineering considerations first discovered after the permit issuance or other approval and not reasonably anticipated during the review process and if had been known during the review process would not have materially altered the decision to issue the permit or approval.

"Diameter at breast height (DBH)" means a tree measured four and one-half (4½) feet above the ground surface on the uphill side of the tree. For a multi-trunk tree, DBH is the sum of the diameter of the three (3) largest trunks.

"Directional sign" means a sign that designates the location or direction of a place or area.

"Discourage" means to avoid or hinder an event or some occurrence.

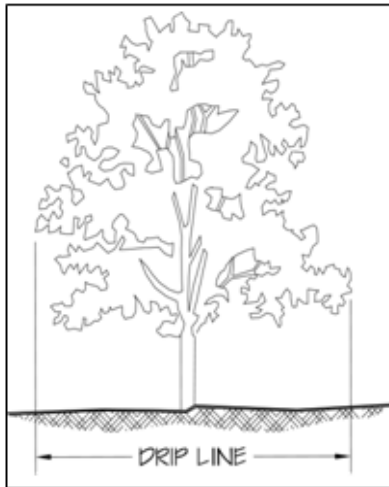
"Display surface" means the area of a sign structure that displays the advertising message.

"District" See: zoning district.

"Division of land" means the segregation of one (1) or more parcels of land from a larger tract held in single or undivided ownership by transferring or contracting to transfer title to or possession of a portion of the tract or properly filing a certificate of survey or subdivision plat establishing the identity of the segregated parcels pursuant to the Montana Subdivision and Platting Act. The conveyance of a tract of record or an entire parcel of land that was created by a previous division of land is not considered a division of land. (Source: 76-3-103(4), MCA)

"Drainage way" means any channel that conveys surface runoff throughout the site.

"Drip line" means a vertical line that extends from the outermost edge of the tree canopy to the ground. (Exhibit 8-3)

Exhibit 8-3. Drip line

"Dwelling unit" means a single building or portion thereof providing complete, independent living facilities for one (1) family, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

E

"Easement" means a less than fee interest to use the property of another for specific purposes.

"Easement, private road and public utility easement" means an easement shown on a plat where private roads are located and where public utility companies may place utility service for customers.

"Easement, public road and public utility easement" means an easement shown on a plat where public roads are located and where public utility companies may place utility service for customers.

"Educational facility (K—12)" means a place and/or building, or portion thereof, that is used or is intended for use as a preschool, elementary, junior high, or high school.

"Educational facility (higher education)" means any place and/or building, or portion thereof, that offers or is intended to provide secondary education. The term includes colleges, universities, community colleges, and vocational schools. On campus housing and dormitories to accommodate enrolled students are considered an accessory use.

"Electric sign" means a sign containing electrical wiring.

"Electronic message board" See: changeable copy sign.

"Electronic message display" means a sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. (Ord. 3139, 2016)

"Emergency shelter" means a place and/or building, or portion thereof, that is used or is intended to provide temporary housing and ancillary services to primarily indigent, needy, homeless, or transient individuals.

"Encourage" means to stimulate, foster, or help advance an event or some occurrence.

"Engineer" See: registered professional engineer.

"Engineering department" means the Engineering Department for the City of Great Falls.

"Enhance" means to improve or increase in value or attractiveness.

"Ensure" means to guarantee or make sure something will happen.

"Environmental assessment" means a written report that documents the environmental, social, and cultural impacts and consequences of a proposed development project.

"EPA's Menu of BMPs" means the manual prepared by the Environmental Protection Agency.

"Erosion" means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

"Erosion and sediment control plan" means a plan that is designed to minimize the accelerated erosion and sediment runoff at a site during construction activities.

"Erosion control" means a measure that prevents erosion.

"Erosion control permit" means a permit issued by the municipality for the construction or alteration of ground improvements and structures for the control of erosion, runoff, and grading.

"Establish" means to construct, place, insert, or excavate.

"Exaction" See: development exaction.

"Examining land surveyor" means a registered land surveyor appointed by the City to review surveys and plats submitted for filing.

"Existing manufactured home park or subdivision" means a manufactured home park or subdivision where the construction of facilities for servicing the manufactured home lots is completed before the effective date of the floodplain management regulations. This includes, at a minimum, the installation of utilities, the construction of streets, and either final site or grading, or pouring of concrete pads.

"Ex parte communication" means any form of communication (e.g., written, verbal), whether voluntary or occurring inadvertently, that occurs prior to and outside of the public hearing between an individual who will vote on an adjudicative matter pending before the decision-making body on which he/she serves and another individual and which relates to the matter pending.

F

"Factory-built home" See: Residence, manufactured/factory built.

"Family" means an individual, or two (2) or more individuals related by blood, marriage or adoption or other legal means, or a group of not more than five (5) individuals who are not related by blood, marriage or adoption, living together as a single housekeeping unit within a dwelling unit.

"Family day care home" means a private residence in which day care (meaning care is less than twenty-four (24) hours per day) is provided to three (3) to six (6) children from separate families on a regular basis. (Source: 52-2-703, MCA)

"Family, immediate" means a person who is a natural or legally defined offspring, spouse, sibling, parent, grandchild, grandparent, mother-in-law or father-in-law.

"Feather pole banner" means a sign with or without characters, letters, illustrations, or ornamentations applied to cloth, paper, flexible plastic, or fabric of any kind with only such material for backing. Feather flags are generally a single sign attached to a support post and typically having a dimensional ratio of 4 feet high to 1 foot wide and less than fifteen (15) feet height. This definition also applies to tear drop flags, windfeather flags, bow flags, and other similar type signs. (Ord. 3139, 2016)

"Fee in lieu" means a payment of money in place of meeting all or part of the storm water performance standards required by this ordinance.

"Fence" means a structure around the perimeter of a space that provides privacy, aesthetics, or security.

"Financial services" means a place and/or building, or portion thereof, that is used or is intended for providing financial and banking services. The term includes banks, savings and loan institutions, other lending institutions, and check cashing facilities. The term does not include automated teller machines, which are considered an accessory use to commercial enterprises.

"Finding" means a written conclusion or determination that is considered in reaching a decision.

"Fish habitat structure" means any structure that is designed to create fish habitat. Examples include random instream boulder cover and bank cover. This term is to be narrowly construed to exclude any structure which may offer fish habitat as a secondary benefit.

"Flag" means a square, rectangular, or triangular piece of fabric that is mounted along one (1) side upon a pole, cable, or rope.

"Floor area" means the total horizontal area contained within the outside perimeter of a building.

"Foot-candle" means a measure of light falling on a given surface. One (1) foot candle is equal to one (1) lumen per square foot.

"Foundation planting" means plant material placed in planting beds along and near a foundation of a building. Intended to complement the building and connect the building to the site.

"Freestanding sign - a.k.a. pole sign" means a sign supported wholly by a pole or poles, I-beam, or a structure in the ground with no part of itself attached to a building.

"Freight terminal" means a place and/or building, or portion thereof, that is used or is intended for unloading, loading or storage of freight for routing or reshipment.

(Ord. 2950, 2007)

"Frontage" means a side of a building that faces a public right-of-way or provides off-street parking, or provides a customer entrance, or any side of a lot or parcel that borders on a public right-of-way.

"Frontage road" See: road, frontage.

"Fuel tank farm" means a place and/or building, or portion thereof, that is used or is intended for commercial bulk storage of petroleum products or any other fuel.

"Fugitive dust" means solid airborne particulate matter resulting from any activity conducted on a parcel zoned, or used, for industrial purposes.

"Full-cutoff luminaire" means a luminaire where no light occurs above the horizontal plane and no more than ten (10) percent of the lamp lumens occur above eighty (80) degrees.

"Funeral home" means a place and/or building, or portion thereof, used or intended for the care and preparation of human dead for burial. The term includes funeral homes and mortuaries.

G

"Gaming, accessory" means a portion of a hotel, motel, restaurant or tavern with legalized gambling authorized under Title 23, Chapter 5, part 1, et seq., MCA, permitted with specific development and use standards.

"Garage, attached private" means a private garage sharing and attached to all or a portion of one or more walls of the primary residence, or included as an integral part of the residence. A private garage attached by a breezeway or similar connection to a primary residence is considered a detached private garage.

"Garage, detached private" means a private garage that is physically separated from the principal residence, or attached to the principal residence by means of a breezeway or similar connection.

"Garage, private" means a building that is intended to house vehicles and household items belonging to the owner or occupant of the principal residence.

(Ord. 2950, 2007)

"Garage sales" means the occasional non-business public sale of secondhand household goods and other goods incidental to household uses. The term also includes yard sales, patio sales, and the like. The term does not include any sales defined as itinerant outdoor sales.

(Ord. 2950, 2007)

"General repair" means a place and/or building, or portion thereof, that is used or is intended for the repair of consumer goods such as shoes, bicycles, appliances, business equipment, small engines, and the like. The term does not include repair of vehicles or industrial equipment.

"General sales" means a place and/or building, or portion thereof, that is used or is intended for retail sale of goods, commodities, or products to the end consumer.

"General services" means a place and/or building, or portion thereof, that is used or is intended for providing services not otherwise included in any other service type category. The term includes photography studios, weight loss centers, commercial postal services, beauty shops, pet grooming shops, photocopying and printing services, linen services, dry cleaning services, diaper services, and the like.

"Geological hazard" means the potential for geological instability arising from geologic features or conditions, including faults, landslides, avalanches, stream channel movement, fluvial erosion, and the like.

"Glare" means luminance in excessive of what the human eye is accustomed to resulting in annoyance, discomfort, or loss of visual performance and visibility.

"Golf course/driving range" means a place, whether organized for profit or not, that is used or is intended for playing golf.

"Grade control structure" means a structure consisting of stones, rocks, or analogous material that is placed on the bed of a stream to control or otherwise influence the grade of the stream.

"Grading" means the excavation or fill of soil material, including the resulting conditions thereof.

"Groundcover" means a low-growing plant material (other than turf grass) that characteristically does not grow higher than eighteen (18) inches and forms a more or less continuous cover over the ground surface.

"Groundwater" means water occupying the voids within a geologic stratum and within the zone of saturation.

"Group day care home" means a private residence in which day care (meaning care is less than twenty-four (24) hours per day) is provided to seven (7) to twelve (12) children on a regular basis. (Source: 52-2-703, MCA)

"Growth policy" means that document the City Commission has adopted consistent with 76-1-601, MCA.

H

"Hazard" means any condition, whether man-made or natural, which presents a tangible danger to the public health, safety, and general welfare.

"Hazard to air navigation" means an obstruction determined to have a substantial adverse effect of the safe and efficient utilization of the navigable airspace.

"Hazardous substance" means any material regulated by the "Emergency Planning and Community Right-to-Know Act of 1986" 42 USC 1101-11050, as may be amended.

"Hazardous waste" means a waste or combination of wastes that because of its quantity, concentration, or physical, chemical, or infectious characteristics, may (1) cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of or otherwise managed. The term does not include substances governed by Title 82, Chapter 4, Part 2, MCA. (Source: 75-10-403, MCA)

"Health care clinic" means a place and/or building, or portion thereof, that is used or is intended for providing medical services including prevention, diagnosis, treatment, or rehabilitation. The term includes dental clinics, doctor's offices, and sports medicine facilities. The term does not include those uses as classified as a health care facility.

(Ord. 2950, 2007)

"Health care facility" means a place and/or building, or portion thereof, whether public or private, excluding federal facilities, whether organized for profit or not, that is used or is intended to provide health services, medical treatment, or nursing, rehabilitative, or preventative care to any person or individuals. The term does not include offices of private physicians or dentists. The term includes ambulatory surgical facilities, hospitals, kidney treatment centers, long-term care facilities, medical assistance facilities, mental health centers, outpatient facilities, public health centers, rehabilitation facilities, residential treatment facilities, and adult day-care centers as defined in State law. (Source: 50-5-101, MCA)

"Health care sales and services" means a place and/or building or portion thereof, that is used or intended to provide for the sale of health care products and services. The term includes pharmacies, vision care facilities, hearing aid facilities, prosthetic facilities, etc.

(Ord. 2950, 2007)

"Height" means a line of measurement between two (2) given points contained in a plane that is perpendicular to horizontal ground level. See Section 17.8.090 for definition of "building height." (Ord. 2950, 2007)

"Heli-pad" means a place that is used or intended to land helicopters.

"Historic district" means a geographically defined area that possesses a significant concentration, linkage or continuity of sites, buildings, structures or objects united historically or aesthetically by plan or physical development.

"Historic Preservation Advisory Commission (HPAC)" means the commission created jointly by the Great Falls City Commission and Cascade Board of County Commissioners to administer its local preservation program consistent with State and local requirements and/or guidelines.

"Historic Preservation Officer" means the individual so designated by the City.

"Historic structure" means any structure that is a contributing or a primary structure or any structure individually listed on the National Register of Historic Places.

"Home occupation" means any occupation, profession, enterprise, or similar activity that is conducted on the premises of a single-family residence as an accessory use and that would be compatible in size and scope in an urban residential setting. The term does not include hobbies or similar non-commercial activities or any activity that would meet the definition of heavy industry.

"Homeowners association" means a corporation consisting of homeowners and created pursuant to State law for the purpose of owning, operating, and maintaining various common properties.

"Horizontal surface" means a horizontal plane one hundred fifty (150) feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

"Hotel/motel" means a building that is used, intended, kept, maintained as, advertised as, or held out to the public to be a hotel, motel, inn, motor court, tourist court, public lodging house, or place where sleeping accommodations are furnished for a fee to transient guests (as defined in State law) with or without meals. (Source: 50-51-102, MCA)

"Hotspot" means an area where land use or activities generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater.

"Household" means one (1) or more individuals (related or unrelated) that usually occupy a dwelling unit.

I

"Illuminance" means the amount of light falling on a surface. Illuminance may be measured in lux or in foot-candles.

"Illuminating Engineering Society of North America (IESNA)" means a professional organization that was created to advance knowledge and disseminate information for the improvement of the lighted environment to the benefit of

society. Its membership includes engineers, architects, designers, manufacturers, contractors, distributors, utility personnel, educators, students, and scientists.

"Immediate family" means a spouse, children by blood or adoption, and parents.

"Impervious surface" means that portion of a lot that substantially reduces or prevents the infiltration of stormwater into the ground. It includes areas of compacted soil and surfaces such as buildings, sidewalks, parking lots, driveways, and similar features.

"Incidental sign" means a sign indicating services, credit cards, hours of operation, or other similar information that pertains to the premises where the sign is located.

"Indoor entertainment" means a place and/or building, or portion thereof, that is used or is intended for indoor entertainment of all types. The term includes theaters, movie theaters, dance halls, theaters for performing arts, and the like.

"Indoor sports and recreation" means a place and/or building, or portion thereof, that is used or is intended for indoor recreation of all types. The term includes bowling alleys, skating rinks, billiard and pool halls, arcades, athletic clubs, indoor racquetball courts, athletic training centers, gyms, and the like.

"Industrial, heavy" means a place and/or building, or portion thereof, that is used or is intended for the following or similar uses: processing or manufacture of materials or products predominantly from extracted or raw materials; storage of or manufacturing processes using flammable or explosive materials; or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. The term includes motor vehicle assembly, oil refineries, textile production, sawmills, post and pole plants, log yards, asphalt and concrete operations, primary metal processing, and the like.

"Industrial, light" means a place and/or building, or portion thereof, that is used or is intended for the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, but excluding basic industrial processing. The term includes furniture production, metal fabrication, apparel manufacturing, printing, publishing, and the like.

"Industrial park" means a planned and coordinated development designed to accommodate a variety of and more than two (2) industrial uses.

"Industrial zoning district" means any zoning district established by this Title that has an "I" followed by a number as its abbreviation (e.g., I-1).

"Infill development" means the construction of new structures on one (1) or more vacant lots within a previously established or approved development or area.

"Inhabited area" means any residence, any other structure regularly occupied by people, or any outdoor area used by people on a regular basis.

(Ord. 2950, 2007)

"Institutional use" means a public and/or quasi-public land use typically engaged in community service, health care, or educational land uses including but not limited to: governmental facilities, worship facilities, community centers, K—12 and higher education facilities, and health care facilities.

"Instream structure" means any structure that is placed within the ordinary high water mark for irrigation purposes, for controlling lateral or horizontal stream movement. Examples include bank stabilization, grade control structures, headgates, and the like.

"Instructional facility" means any place and/or building, or portion thereof, that is used or is intended to offer instruction, training, or tutelage in such areas as gymnastics, dance, art, music, martial arts, and the like.

"International Building Code" current, adopted edition of the International Building Code published by the International Codes Council.

"Interstate highway" means a roadway intended to carry vehicles over long distances with access restricted to interchanges. This is one (1) level in the City's functional classification system for roads within its jurisdiction.

"Itinerant outdoor sales" means a place that is used or is intended for retail sales over a limited duration. The term includes seasonal sales such as fireworks and Christmas trees, flea markets, and the like. The term does not include private yard or garage sales or the sale of agricultural products produced on the premises.

"Irrigation ditch" means a man-made structure to carry water for irrigation purposes.

"Irrigation system" means a permanent, artificial watering system designed to transport and distribute water to landscape plants.

J

"Junk vehicle" means a discarded, ruined, wrecked, or dismantled motor vehicle, including component parts, which is not lawfully and validly licensed and remains inoperative or incapable of being driven. (Source: 75-10-501, MCA)

"Junk yard" means a place and/or building, or portion thereof, that is used or is intended for selling, exchanging, storing, cleaning, packing, processing, or otherwise handling salvage materials.

L

"Land clearing" means the removal of trees, understory, shrubbery, brush, groundcover, and/or topsoil from any part of the land. The term does not include standard maintenance practices including lawn mowing, pruning, and the like.

"Land development" means any activity that must comply with the provisions of this Title.

"Landscape architect" See: registered landscape architect.

"Landscape plan" means a scaled plan that shows the areas of a site to be landscaped and provides design, planting, and irrigation specifications.

"Landscaping" means living material (e.g., turf grass, ground cover, shrubs, vines, hedges) and nonliving durable material commonly used in landscaping (e.g., bark, rocks, pebbles, decorative walls, fences, art and benches).

"Landslide" means a natural movement of a large mass of soil and/or rock moving down slope under gravitational forces.

"Land use" means, as the context would indicate, (1) the development that has occurred on the land (2) development that is proposed on the land, or (3) the use that is permitted on the land under an adopted and legally enforceable regulatory framework.

"Land use, accessory" means any land use that is clearly incidental and subordinate to and customarily found with a principal land use.

"Land use, beneficial" means any use of a parcel of land that is common in the region, on similarly situated properties, even if it does not involve development.

"Land use, conditional" means a land use that would not be appropriate generally or without restriction throughout a specified area but which, if controlled as to the number, area, location, or relation to the neighborhood, could promote the public health, safety, or general welfare.

"Land use, permitted by right" means a land use that is allowed throughout a specified area. Land uses permitted by right shall be reviewed to ensure that all provisions of local, State, or federal regulations are met.

"Land use, principal" means the dominant land use of a parcel of land.

"Land use, water-dependent" means any land use that is by necessity dependent upon access to a water body for water-borne transportation including ports or marinas, recreation, electrical generating facilities, or water supply.

"Land use, water-related" means any land use that is not by necessity dependent upon access to a water body, but which predominantly provides goods and services that are directly associated with water-dependent land uses.

"Large equipment rental" means a place and/or building, or portion thereof, that is used or is intended for renting large equipment that is normally stored out of doors. Typical items would include trucks, vertical lifts, fork lifts, back hoes, other types of heavy equipment, and modular buildings.

"Larger than utility runway" means a runway that is constructed for and intended to be used by propeller-driven aircraft of greater than twelve thousand five hundred (12,500) pounds maximum gross weight and jet powered aircraft.

"Lattice tower" means a self supporting support structure, erected on the ground, which consists of metal crossed strips or bars to support antennas and related equipment.

"Legislative decision" means a decision generally discretionary in nature, made by elected governmental officials, that creates a new law or that repeals or modifies a previously adopted law. The adoption of a local comprehensive plan or a zoning code is an example of a legislative decision.

"Levee" means a manmade structure, usually earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

"Levee system" means a flood protection system which consists of a levee, or levees, and associated structures, such as drainage and closure devices, which are constructed and operated in accordance with sound engineering practices.

"Local street" means a roadway intended to predominantly provide access to adjoining properties. Traffic speeds are characteristically lower and access to and from driveways is frequent. This is one (1) level in the City's functional classification system for roads within its jurisdiction.

"Light manufacturing and assembly" means a place and/or building, or portion thereof, that is used or is intended for manufacturing and/or assembly of goods where no air contaminants or potentially offensive odors are emitted outside of the building or area of manufacture/assembly; no radioactive materials or hazardous substances or hazardous wastes or regulated substances are handled or produced. Such uses do not produce offensive noises outside of the building or area of manufacturing/assembly. Such uses typically have relatively small volumes of products shipped in and out, so as to not adversely impact neighboring uses (such as residential, office or commercial in mixed use zones). Typical uses include assembly of computers; testing, producing and/or packaging software; packaging of pre-made goods; etc. This term does not include any uses specifically listed under the definition of "industrial, light".

"Light meter" means a device that measures the amount of light energy falling on a given surface.

"Light trespass" means light emitted by a lighting installation that falls outside the boundaries of the property on which the installation is sited.

"Lighting fixture" See: luminaire.

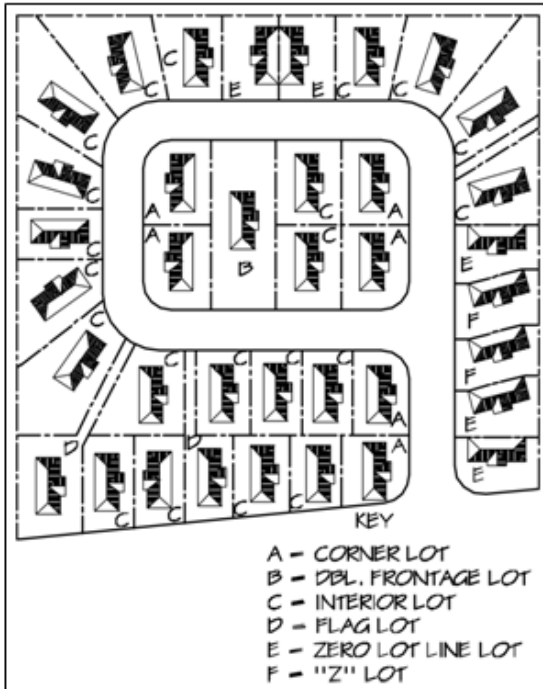
"Loading area" means an off-street area set aside for the purpose of unloading or loading a motor vehicle, trailer, or truck.

"Local services" means any and all services or facilities the City is authorized to provide.

"Logo" means a graphic design representing an activity, service, or business.

"Lot" means a parcel of ground with a definable location based on a recorded survey or similar instrument. (Exhibit 8-4)

Examples of lot types



"Lot, corner" means a lot situated at the junction of and fronting on two (2) or more roadways. A lot abutting on a curved street shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five degrees.

"Lot, flag" means a lot with access provided by a corridor from a street to the bulk of the lot.

"Lot, interior" means a lot that abuts only one (1) road.

"Lot, through" means a lot having a frontage on two (2) more or less parallel streets.

"Lot, Z" means a type of interior lot that is generally situated on an angle to the street.

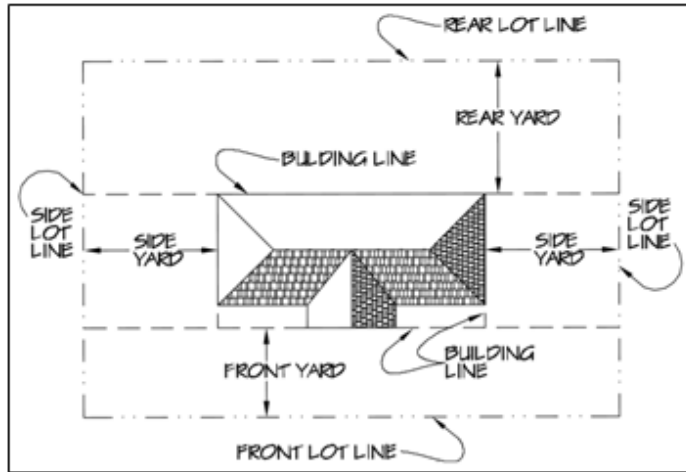
"Lot, zero lot line" means a lot where the building is placed on or near one (1) of the side lot lines.

"Lot area" means the area of the horizontal plane bound by the vertical planes through front, rear, and side lot lines.

"Lot coverage" is a measure of land use intensity. It compares the portion of a site that is covered by impervious surfaces with the overall area of the site. For example, a two-acre site with one-half of one (0.5) acres of impervious surface has a lot coverage of 0.25 or twenty-five (25) percent ($0.5 / 2 = 0.25$).

"Lot line" means a line dividing one (1) lot from another lot or from a street or alley.

Exhibit 8-5. Lot lines and types of yards



"Lot line, front" means a lot line described for each of the following types of lots: on an interior lot, the lot line abutting a street; or, on a corner lot, the shorter lot line abutting a street; or, on a through lot, the lot line abutting the street providing the primary access to the lot; or, on a flag lot, the interior lot line most parallel to and nearest the street from which access is obtained (Exhibit 8-5).

"Lot line, rear" means a lot line that does not intersect a front lot line and that is most distant from and most closely parallel to the front lot line (Exhibit 8-5).

"Lot line, side" means a lot line not a front or rear lot line (Exhibit 8-5).

"Low-profile sign" means a freestanding pole or monument sign with a height limit of 8 feet from finished grade to the top of the sign structure.

"Lowest floor" means any floor used for living purposes, storage, or recreation or that could be converted to such a use.

"Lumen" means a measure of light energy generated by a light source. Manufacturers list ratings for all their lamps. Average lumen ratings are slightly lower than initial lumen ratings.

"Luminaire" means a complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts.

M

"Maintain" means to support, keep, and continue in an existing State or condition without decline.

"Manufactured home" See: Residence, manufactured/factory-built.

"Manufactured home park or subdivision" means a parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale.

"Manufactured housing sales" means a place and/or building, or portion thereof, that is used or is intended for on-site display and sales of mobile homes, modular homes, or other forms of manufactured housing.

"Market value" means the value as reported on Cascade County Assessor's roll.

"Marquee" means a permanent, roofed structure that projects over public property and is attached to and supported by a building.

"Marquee sign" means a sign attached to a marquee.

"Mean sea level" means the National Geodetic Vertical Datum (NGVD) of 1929 or other datum to which base flood elevations are referenced.

"Micro-brewery" means a place and/or building, or portion thereof, which is used or is intended for (1) the manufacture of malt beverages and (2) the sale and on-site consumption of those beverages, along with other beverages and food.

"Mini-storage facility" means a place and/or building, or portion thereof, that is divided into individual spaces and that is used or is intended as individual storage units that are rented, leased, or owned. The term includes a tract of land used to store vehicles that are not for sale or trade.

"Miniature golf" means a place and/or building, or portion thereof, that is used or is intended for playing miniature golf.

"Minimize" means that no other alternative would result in a lesser impact.

"Minor arterial" means a roadway that is designed to carry vehicles quickly from place to place, but access to adjacent land use has a high priority. This is one (1) level in the City's functional classification system for roads within its jurisdiction.

"Mitigate" means to take an action designed to offset or rectify a negative effect.

"Mixed-use building" means a building that contains two (2) or more of the following uses: residential, retail, office, employment, or civic.

"Mixed-use zoning district" means any zoning district established by this Title that has an "M" followed by a number as its abbreviation (e.g., M-1).

"Mobile home" means a dwelling unit that is: (1) constructed off-site; and (2) equipped with the necessary utility service connections; and (3) made so as to be readily movable as a unit or units on its (their) own running gear; and (4) designed to be used with or without a permanent foundation.

"Mobile home pad" means the area of a mobile home space which has been prepared for the placement of a mobile home.

"Mobile home park" means a place providing two (2) or more mobile home lots for lease or rent to the general public. (Source: 50-52-101 MCA)

"Mobile home space" means a designated portion of a parcel of land designed for the accommodation of one (1) mobile home and its accessory buildings or structures for the exclusive use of the occupants.

"Mobile home subdivision" means a tract of land specifically designed, improved and maintained for locating mobile homes, which is platted into lots, blocks and streets and the lots then sold or rented to the occupant.

"Modular home" See: Residence, manufactured/factory-built.

"Monopole" is a wireless communication facility which consists of a monopolar structure, erected on the ground to support wireless communication antennas and connecting appurtenances.

"Monument" means any structure of masonry, metal, or other permanent, durable material placed in the ground, which is exclusively identifiable as a monument to a survey point, expressly placed for surveying reference.

"Monument sign" means a low-profile, freestanding sign whose entire structure consists of solid material. Monument signs, in their entirety, are limited to a total height of eight (8) feet.

"Motor vehicle graveyard" means a place and/or building, or portion thereof, that is maintained and operated by a county and that is used or is intended as a collection point for junk motor vehicles prior to their disposal. (Source: 75-10-501, MCA)

"Motor vehicle wrecking facility" means a place and/or building, or portion thereof, that is used or is intended for buying, selling, or dealing in four (4) or more vehicles per year, of a type required to be licensed, for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of the motor vehicle; or a facility that

buys or sells component parts, in whole or in part, and deals in secondhand motor vehicle parts. A facility that buys or sells component parts of a motor vehicle, in whole or in part, is a motor vehicle wrecking facility whether or not the buying or selling price is based upon weight or any other type of classification. The term does not include a garage where wrecked or disabled motor vehicles are temporarily stored for a reasonable period of time for inspection, repairs, or subsequent removal to a junkyard. (Source: 75-10-501, MCA)

"Mulch" means nonliving organic and synthetic materials customarily used in landscape design to retard erosion and retain moisture, and that provide a protective covering around plants to reduce weed growth and to maintain even temperatures around plant roots. Examples include bark, wood chips, and coffee bean hulls.

N

"National Register of Historic Places" means the official list of the Nation's historic places worthy of preservation. Authorized under the National Historic Preservation Act of 1966 and administered by the National Park Service, it is part of a national program to coordinate and support public and private efforts to identify, evaluate and protect our historic and archaeological resources. Properties listed in the National Register include districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture.

"Native material revetment" means bank stabilization using root wads, logs, boulders, vegetation plantings, and sod mats. This type of design improves visual and biological values as opposed to some of the more "hard" approaches such as rip-rap.

"Neighborhood council" means the elected body for one (1) of the neighborhood districts within the City.

"Neighborhood district" means the geographic area established pursuant to the City's Charter.

"Neighborhood plan" means a plan for a geographic area within the boundaries of the jurisdictional area that addresses one (1) or more of the elements of the growth policy in more detail. (Source: 76-1-103, MCA)

"New construction" means structures for which the start of construction, substantial improvement, or alteration commences on or after the effective date of these regulations.

"NIER" means non-ionizing electromagnetic radiation, which is electromagnetic radiation primarily in the visible, infrared, and radio frequency portions of the electromagnetic spectrum.

(Ord. 2950, 2007)

"Noncombustible material" means material that does not ignite at or below a temperature of one thousand two hundred (1,200) degrees Fahrenheit during a five-minute exposure and that does not continue to burn or glow at that temperature, as specified in the current, adopted edition of the International Building Code.

"Nonconforming building" means any building that at the time of construction conformed to existing rules and regulations, but is now inconsistent with this Title.

"Nonconforming structure" means any structure that at the time of construction or placement conformed to existing rules and regulations, but is now inconsistent with this Title.

"Nonconforming use" means any use of land that at the time of establishment conformed to existing rules and regulations, but is now inconsistent with this Title.

"Noncontributing structure, building or property" means a structure, building or property within a historic district that does not contribute to the historic integrity of the district.

"Non-cutoff luminaire" means a luminaire where a considerable amount of light occurs above the horizontal plane.

"Non-ionizing electromagnetic radiation (NIER)" means electromagnetic radiation primarily in the visible, infrared, and radio frequency portions of the electromagnetic spectrum.

"Non-precision instrument runway" means runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.

"Nonstructural trim" means molding battens, caps, nailing strips, latticing, walkways, cutouts, or letters attached to a sign structure.

"Noxious weed" means any exotic plant species established or that may be introduced in the State which may render land unfit for agriculture, forestry, livestock, wildlife, or other beneficial uses or that may harm native plant communities and that is designated by the Montana Department of Agriculture or by a weed management district.

"Nursing home" means a place that provides twenty-four-hour services including room and board to unrelated residents who because of their mental or physical condition require nursing care.

O

"Occupancy" means the purpose for which a building, or part thereof, is used or intended to be used.

"Off-premise sign" means a sign that directs attention to a business, commodity, service, activity, or product not sold, conducted, or offered for sale on the premise where the sign is located.

"Off-site facility" means any facility located outside of the subject property.

"Off-site liquor sales" means a place and/or building, or portion thereof, that is used or is intended for retail sales of alcoholic beverages for off-site consumption. The term includes package liquor stores.

"On-premise sign" means a sign that directs attention to a business, commodity, service, activity, or product sold, conducted, or offered for sale on the premise where the sign is located.

"On-site construction office" means a building placed on a construction site that is used by the contractor as a field office and removed when construction is complete.

"On-site facility" means any facility located inside of the subject property.

"On-site real estate sales office" means a residential dwelling in a residential development that is temporarily used as a sales office for other on-site residential dwellings.

"Open space" means a vacant, undeveloped or unimproved parcel or area of land that is intended to remain free of development. Such lands typically include undeveloped park lands or other public lands, private lands in high hazard areas or with conservation easements, open water bodies, etc.

"Ordinary high-water mark" means the line that water impresses on land by covering it for sufficient periods to cause physical characteristics that distinguish the area below the line from the area above it. Characteristics of the area below the line include, when appropriate, but are not limited to deprivation of the soil of substantially all terrestrial vegetation and destruction of its agricultural value. A floodplain adjacent to surface waters is not considered to lie within the surface waters' high-water mark. (Source: 23-3-301, MCA)

"Outdoor entertainment" means a place and/or structure, or portion thereof, that is used or is intended for outdoor, spectator-type uses or events. The term includes race tracks, motocross courses, sports arenas, concerts, religious assemblages, and the like.

"Outdoor entertainment, temporary" means a short-term outdoor event such as concerts, performances, religious assemblages and the like. The term does not include sporting events such as motocross, auto racing and the like.

(Ord. 2950, 2007)

"Overall development plan" means the master site plan for a single tract of land showing the proposed project submitted for review and the conceptual layout of land excluded from the project. It is intended to show how the entire property will likely be developed over time.

"Overlay district" means a geographic area that is placed over land use districts that adds additional requirements to those of the underlying district.

"Owner of record" means the person, or persons, that are listed in the official county records as the legal owners of a tract of record.

P

"Parapet" means a low protective wall or railing along the edge of a raised structure such as a roof.

"Parcel of land" means a unit of land all parts of which are contiguous, including contiguous lots, in the possession of, owned by, or managed by the same person.

"Park" means a place and/or building, or portion thereof, that is used or is intended for recreational activities for use by the general public or by a homeowners' association. The term includes developed and undeveloped areas and neighborhood recreation centers.

"Park dedication" means land set aside by the developer for park purposes.

"Park dedication, cash-in-lieu of" means a cash payment that is equal to the assessed value of the land that would have been dedicated for park dedication purposes.

"Parking garage" means an off-street building used to temporarily park vehicles.

"Parking lot" means an off-street area, located beyond the right-of-way or easement of a street, used to temporarily park vehicles.

"Parking lot, principal use" means an off-street parking facility intended to temporarily store vehicles, not accessory to any principal use.

(Ord. 2950, 2007)

"Parking structure" means a multilevel structure that is used or is intended for parking motor vehicles for a short duration. The term does not include underground parking.

"Pedestrian pass-through" means a walkway that provides unconstrained pedestrian access through a building.

"Pedestrian scale (human scale)" means the proportional relationship between the dimensions of a building or building element, street, outdoor space, or streetscape element and the average dimensions of a human body, taking into account the perceptions and walking speed of a typical pedestrian.

"Perimeter control" means a barrier that prevents sediment from leaving a site by filtering sediment-laden runoff or diverting it to a sediment trap or basin.

"Permanent foundation" means a continuous foundation wall around the perimeter of a building.

"Permit" means a written governmental authorization allowing the holder to take action not otherwise allowed.

"Permitted use" means a use which may be lawfully established in a particular district or districts provided it conforms with all requirements, regulations, and standards of such district.

"Person" means any individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two (2) or more persons having a joint or common interest, or any other legal entity.

"Planned unit development (PUD)" means a land development project consisting of residential clusters, industrial parks, shopping centers, or office building parks that comprise a planned mixture of land uses built in a prearranged relationship to each other and having open space and community facilities in a common ownership or use. (Source: 76-3-103, MCA)

"Planning Board" means the Great Falls Planning Advisory Board.

"Plat" means a graphical representation of a subdivision showing the division of land into lots, blocks, streets, alleys, and other divisions and dedications.

"Plat, amended" means a plat showing adjustments to a final plat that has been recorded with the County Clerk and Recorder.

"Plat, concept" means a drawing of a proposed subdivision that is general in nature and shows the essential elements of the project.

"Plat, final" means a plat to be filed with the County Clerk and Recorder and that contains all of the elements and requirements set forth in this Title and the Montana Subdivision and Platting Act.

"Plat, preliminary" means a plat that is submitted for review and that contains the minimum information required in this Title and the Montana Subdivision and Platting Act.

"Pole sign - a.k.a. freestanding sign" means a sign supported wholly by a pole or poles, I-beam or structure in the ground and not a part of or attached to a building at any point.

"Pollution or pollutants" means the presence in the outdoor atmosphere, ground, or water of any substance, contaminant, noise, or any other manmade or man-induced alteration of the chemical, physical, biological, or radiological integrity of air, soils, or water, in quantities or at levels which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property, or unreasonably interfere with the enjoyment of life or property.

"Pollution, nonpoint source" means a diffuse source of pollution resulting from the activities of man over a relatively large area, the effects of which normally must be addressed or controlled by a management practice rather than by an engineered containment or structure. (Source: 16.20.1001, ARM)

"Pollution, point source" means a single, discernable source of pollution resulting from the activities of man, the effects of which normally must be addressed or controlled by an engineered system.

"Porch" means a part of a building with a roof of its own that covers an entrance.

"Portable sign" means a sign that is not permanently affixed to a building, structure, or the ground.

"Precision instrument runway" means a runway having an existing instrument approach procedure utilizing an instrument landing system or a precision approach radar. It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

"Premise" means a single tract of land; whether described by metes and bounds, certificate of survey, and/or by lot or lots and block designation as in a recorded plat, which at the time of application for a building permit or for taxation is designated by its owner or developer as the tract to be used, developed or built upon as a unit of land under single ownership or control.

"Preserve" means to save from change or loss and reserve for a special purpose.

"Primary structure, building or property" means a structure, building or property within a historic district that contributes to the historic integrity of the district.

"Principal arterial" means a road that carries vehicles efficiently from place to place. Access to adjacent land uses is a minor function for this classification. This is one (1) level in the City's functional classification system for roads within its jurisdiction.

"Principal building" means the primary building on a lot or a structure that houses a principal use.

"Principal land use" See: land use, principal.

"Private stable/barn" means a place and/or building, or portion thereof, that is used or is intended for noncommercial activities relating to rearing, training, and riding horses or raising other permitted livestock. This term includes pole barns.

"Professional engineer" See: registered professional engineer.

"Professional services" means a building, or portion thereof, that is used or is intended to house services involving predominantly professional, clerical, or similar operations where customers come on a regular basis. The term includes law offices, real estate offices, insurance offices, travel agencies, and the like.

"Prohibited lawn signs" include, yard signs, bandit signs, placards, and road signs, among other names used for advertising, products, businesses, services, and charities, educational, political, ideological, or religious advertisement that are temporary in nature and placed in landscaped areas of a premise. (Ord. 3139, 2016)

"Projecting signs" means those signs which project over the public rights-of-way at any point. All other signs projecting from the building face are designated as "free standing signs" provided they are contained upon private property entirely. (Ord. 3139, 2016)

"Projection" means the distance by which a sign extends over public property or beyond the building.

"Public improvement" means any structure or facility constructed to serve the residents of a subdivision or development project or the general public.

"Public notice" means that way in which a government uses or is required to use to formally notify people of a proposed governmental hearing or action.

"Public safety facility" means any place and/or building, or portion thereof, whether public or non-public, that is used or is intended for housing public safety services. The term includes ambulance services, fire stations, police stations, and the like.

"Public service use or facility" means a use operated or used by a public body or public utility in connection with any of the following services: water, waste water management, public education, parks and recreation, fire and police protection, solid waste management, transportation or utilities.

"Public view" means a point six (6) feet above the surface of the center of any adjacent public right-of-way including but not limited to avenues, streets and alleys.

"Public way" means and includes all public streets and utility easements, now and hereafter owned by the City, but only to the extent of the City's right, title, interest or authority to grant a license to occupy and use such streets and easements for telecommunications facilities.

Q

"Quasi-public use" means a use serving the public at large, and operated by a private entity under a franchise or other similar governmental authorization, designed to promote the interests of the general public or operated by a recognized civic organization for the benefit of the general public.

R

"Railroad yard" means a place and/or building, or portion thereof, that is used or is intended for switching train cars, loading and unloading cars, and where train cars and engines are serviced and stored while not in use.

"Readily visible" means an object that stands out as a prominent feature of the landscape when viewed with the naked eye.

"Real estate sign" means a sign pertaining to the sale, lease or rental of land or buildings.

"Recharge" means the replenishment of underground water reserves.

"Recreation trail" means a linear path which may be dedicated to a single use or multiple uses. Examples include hiking trails, bike trails, x-country ski trails, and horse trails.

"Recreational vehicle" means a vehicular type unit primarily designed as a temporary living quarters for recreational, camping, or travel use that either has its own motor power or is mounted on or drawn by another vehicle.

"Recreational vehicle park" means a tract of land available to and principally used by the public for camping, where people can park recreational vehicles for camping and sleeping purposes.

"Recreational vehicle space" means a designated portion of a recreational vehicle park designed for the placement of a single recreational vehicle and the exclusive use of its occupants.

"Recycling center" means a place and/or building, or portion thereof, that is used or is intended for collecting and/or processing recoverable materials prior to shipment to others who use those materials to manufacture new products. Typical types of recoverable materials include glass, newspaper, metal, and plastic. The term shall not include a junk yard.

"Redevelopment" means the development of a site where the site was at one (1) time developed and has been, or will be, cleared in whole or in part, to allow new construction.

"Registered architect" means an individual licensed to practice architecture in Montana.

"Registered land surveyor" means an individual licensed to practice surveying in Montana.

"Registered landscape architect" means an individual licensed to practice landscape architecture in Montana.

"Registered professional engineer" means an individual licensed to practice engineering in Montana.

"Regulated substance" means any hazardous substance as defined in 75-10-602, MCA, or petroleum, including crude oil or any fraction thereof, which is liquid at standard conditions of temperature and pressure. This term does not include hazardous wastes as regulated by State law.

"Related equipment" means all equipment ancillary to the transmission and reception of voice and data via radio frequencies. Such equipment may include, but is not limited to cable, conduit, and connectors.

"Remainder" means that part of an original tract which is not created for transfer, but which is left after parcels are segregated for transfer. (See letter of opinion from Montana Attorney General to Robert M. McCarthy, April 22, 1987)

"Remodel" means to only change the interior and/or exterior appearance of a structure, where there is not a change in the footprint and does not constitute alteration or substantial improvement.

"Residence, accessory" means a place and/or building, or portion thereof, that is used, or is intended to provide housing, as a single-family residence for a caretaker, employee or owner of the non-residential principal use and the like. This residence is accessory to a non-residential principal use. (Ord. 2950, 2007; Ord. ~~No. 3087, § 1(Exh. A), 6-19-2012, eff. 7-19-2012~~)

"Residence, condominiums" means separately owned single-family dwelling units with common elements located on property submitted to the provisions of the Montana Unit Ownership Act, Title 70, Chapter 23, MCA.

"Residence, manufactured/factory-built" means a single-family dwelling unit built in a factory in accordance with the United States Department of Housing and Urban Development code or approved by the Montana Department of Labor and Industry Building Codes Bureau.

"Residence, multi-family" means a single building situated on one (1) lot and that contains three (3) or more separate dwelling units. Entrances to the dwelling units may be separate or combined. The units may be rented or owned as in a condominium. (Ord. ~~No. 3087, § 1(Exh. A), 6-19-2012, eff. 7-19-2012~~)

"Residence, single-family detached" means a single building that is situated on one (1) lot, contains one (1) dwelling unit, and is not attached to any other dwelling unit by any means. The term includes factory-built homes, manufactured homes, and stick-built homes, but excludes mobile homes.

"Residence, townhouse" means a building containing multiple dwelling units where they are adjacent to one another on separate lots each having separate entrances.

"Residence, two-family" means a building or buildings that are situated on one (1) lot and that contains a total of two (2) dwelling units. (Ord. ~~No. 3087, § 1(Exh. A), 6-19-2012, eff. 7-19-2012~~)

"Residence, zero lot line" means a single building that is situated on one (1) lot, contains one (1) dwelling unit, and is not attached to any other dwelling unit by any means. The side wall of the building is placed directly on or very close to one (1) of the adjoining side yard property boundary lines. The term includes factory-built homes, manufactured homes, and stick-built homes, but excludes mobile homes.

"Residential zoning district" means any zoning district established by this Title that has an "R" followed by a number as its abbreviation (e.g., R-1).

"Restaurant" means a place and/or building, or portion thereof, that is used or is intended for the preparation and sale of food and beverages for consumption on or off site, and where consumption of beer, wine, or other liquors, if any, is clearly secondary and subordinate to the sale of food and beverages. The term does not include a grocery or convenience store with a food service section. Such establishments may include a drive-through window, and may or may not include on-site seating.

(Ord. 2950, 2007)

"Retirement home" means a place and/or building, or portion thereof, that is used or is intended to provide living quarters for individuals generally sixty-two (62) years of age or older. Limited commercial and medical facilities constructed and used for the exclusive use of residents shall be an accessory use of the retirement home. The term includes assisted living facilities wherein skilled or intermediate nursing care is not provided on a full time basis.

"Rezoning" See: zoning map amendment.

"Right-of-way" means that land which the Montana Department of Transportation, county, or City has title to, or right of use, for public roads and appurtenances, including utilities.

"Right-of-way" means a strip of land dedicated or acquired for public use.

"Riprap" means a structure consisting of stone and or rocks (not concrete or other cement product) that is placed along the bank or bed of a stream for the purpose of alleviating lateral bank erosion.

"Riverfront Corridor" means the area along River Drive and Giant Springs Road extending between the southern and northeastern limits of the City.

"Road" See: street.

"Road maintenance agreement" means a written instrument recorded with the County Clerk and Recorder that defines how a private road will be maintained in perpetuity, or until such time as the City, county, or the State accepts it as a public road, and the rights and obligations of the parties to the agreement.

"Roadside farmer's market" means a place and/or building, or portion thereof, that is used or is intended for the retail sale of produce grown exclusively on the premises.

"Roof sign" means a sign attached to roof structure - including parapet, fascia and rake framing, walls and/or columns of a building so that a portion of the advertising display is at or above roof level.

"Rotating sign" means a sign or portion of a sign that revolves or rotates.

"Runway" means a defined area on an airport prepared for landing and takeoff of aircraft along its length.

S

"Salvage material" means material or fragments of material discarded as waste in manufacturing operations, or machines, tools, equipment or parts of these, no longer in serviceable condition, or such items and materials no longer used for their original intent or purpose or such items or materials which are valuable only as raw material for reprocessing. Examples include metal, rubber, textiles, rope, paper, leather, lumber, plastics, and equipment made of these.

"Sandwich board sign a.k.a. A-type sign" means a portable sign that rests on the ground and is not permanently attached to anything.

"Satellite earth station" means a telecommunication facility consisting of more than a single satellite dish smaller than ten (10) feet in diameter that transmits to and/or receives signals from an orbiting satellite.

"Screening" means a feature, such as a wall, fence, hedge, berm, or similar feature, used to shield or obscure elements of a development from adjacent sites.

"Secondhand sales" means a place and/or building, or portion thereof, that is used or is intended for retail sale of goods and merchandise which are not being sold for the first time. The term includes secondhand stores, thrift stores, consignment shops, and the like.

"Security lighting" means outdoor lighting used for, but not limited to, illumination for walkways, roadways, equipment yards, parking lots, and outdoor security where general illumination for safety or security of the grounds is of primary concern.

"Sediment control" means any measure that prevents eroded sediment from leaving the site.

"Semi-cutoff luminaire" means a luminaire where less than five (5) percent of the lamp lumens occur above the horizontal plane and no more than twenty (20) percent of the lamp lumens occur above eighty (80) degrees.

"Setback" means a specified horizontal distance between two (2) actual or imaginary objects (e.g., property lines, ordinary high water mark, buildings, wells, septic systems, etc.)

"Sexually-oriented business" includes the following types of uses: adult arcades, adult book stores/adult video stores, adult cabarets, adult motels, and adult motion picture theaters.

"Shared parking" means one (1) or more parking spaces that, partially or entirely, meet the parking requirements of two (2) or more uses.

"Shopping center" means more than one (1) sales or service use built on a single site which is planned, developed, and managed as an operating unit and has an accumulated gross floor area exceeding thirty-five thousand (35,000) square feet on a site at least two (2) acres in size. Typical features include one (1) or more anchor tenant(s), freestanding buildings containing restaurants or other commercial uses, and on-site employee and customer parking.

"Shrub" means a self-supporting woody perennial plant that characteristically grows to a height of twelve (12) feet at maturity. It typically has multiple stems and branches continuous from the base.

"Sidewalk café" means an outdoor dining area located upon public property, including a sidewalk, and operated as an integral part of an adjacent restaurant where food and beverages are sold or served primarily for consumption on the premises.

"Sidewalk food vendor" means the sale of food and beverage from a mobile cart located on public property or within the public right-of-way.

"Sign" means a notice bearing a name, direction, warning, or advertisement that is displayed or posted for public view.

"Sign structure" means the supports, uprights, braces and framework of a sign.

"Silhouette" means a representation of the outline of a structure, especially a tower and antenna associated with a telecommunication facility, as seen from an elevation perspective.

(Ord. 2950, 2007)

"Site-built home" means a dwelling unit that is constructed on the site on which it will be located.

"Site plan" means a plan drawn to scale that shows the layout of existing and proposed features including property lines, easements, structures, uses, utilities, parking areas, streets, signs, buffers, landscaping, adjacent land uses and other information as may be required.

"Small equipment rental" means a place and/or building, or portion thereof, that is used or is intended for renting small equipment and supplies that typically are stored indoors. Typical rentals include hand tools, party equipment, lawn care and yard equipment.

"Soil amendment" means organic and inorganic materials added to soil to improve texture, nutrients, moisture holding capacity, and infiltration.

"Soil stabilization" means the use of practices that prevent exposed soil from eroding.

"Solid waste" means all putrescible and nonputrescible wastes. (Refer to: 75-10-103, MCA)

"Solid waste transfer station" means a place and/or building, or portion thereof, that is used or is intended for temporary collection of solid waste prior to transport to a processing plant or to final disposal. (Refer to: 16.14.403, ARM)

"Special event" means a promotional or community event, e.g. a bazaar, street fair, show, exhibition, sporting event or fun run.

"Special exception" See: conditional use.

"Special improvement district (SID)" means a geographic area established by a local governing body where property owners pay a special assessment to finance public improvements (e.g., sidewalks, lighting).

"Specified anatomical areas" means the male genital in the state of sexual arousal and/or the vulva or more intimate parts of the female genitals.

"Specified sexual activity" means and includes any of the following: (1) the fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts; (2) sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; (3) masturbation, actual or simulated; or (4) excretory functions as part of or in connection with any of the activities set forth in parts 1 through 3 of this definition.

"Start of construction" means the first land-disturbing activity associated with a development, including land preparation such as land clearing, grading, and filling; installation of streets and walkways; excavation for basements, footings, piers, or foundations; erection of temporary forms; and installation of accessory buildings such as garages.

"State" means the State of Montana.

"Stoop" means a raised platform in front of an entrance to a building with one (1) or more steps.

"Stop work order" means an order issued by the City which requires that any activity found in violation of this Title cease.

"Storage container" means an enclosed metal container exceeding ninety (90) cubic feet that is typically used to temporarily store merchandise.

"Stormwater" means water from a rainfall event or melting snow that flows over the ground surface.

"Stormwater detention structure" means a structure designed to collect and temporarily store stormwater with subsequent gradual release.

"Stormwater management" means the use of structural or non-structural practices that are designed to reduce storm water runoff pollutant loads, discharge volumes, peak flow discharge rates and detrimental changes in stream temperature that affect water quality and habitat.

"Stormwater retention structure" means a structure designed to collect and prevent the release of a given volume of stormwater by complete on-site storage.

"Stormwater retrofit" means a stormwater management practice designed for an existing development site that previously had either no stormwater management practice in place or a practice inadequate to meet the stormwater management requirements of the site.

"Stormwater runoff" means flow on the surface of the ground, resulting from precipitation.

"Stormwater treatment practices" means measures, either structural or nonstructural, that are determined to be the most effective, practical means of preventing or reducing point source or non-point source pollution inputs to stormwater runoff and water bodies.

"Stream" means a natural body of running water flowing continuously or intermittently in a channel on or below the surface of the ground.

"Street" means a public access way within a public right-of-way or private easement.

"Structural alteration" means any change or addition to a structure that increases its external dimensions and/or increases its potential flood hazard.

"Structure" means any permanent or temporary object that is constructed, installed, or placed by man, the use of which requires a location on a parcel of land. It includes buildings of all types, bridges, instream structures, storage tanks, fences, swimming pools, towers, poles, pipelines, transmission lines, smokestacks, signs, and other objects.

"Structure ridgeline" means the line along the top of a roof or top of a structure, if it has no roof.

"Subdivider" means any person which causes land to be subdivided or which proposes a subdivision. (Source: 76-3-103(15), MCA).

"Subdivision" means a division of land or land so divided that it creates one (1) or more parcels containing less than one hundred sixty (160) acres that cannot be described as a one-quarter ($\frac{1}{4}$) aliquot part of a United States government section, exclusive of public roadways, in order that the title to or possession of the parcels may be sold, rented, leased, or otherwise conveyed and includes any re-subdivision and further includes a condominium or area, regardless of its size, that provides or will provide multiple space for recreational camping vehicles or mobile homes. (Source: 76-3-103(16), MCA)

"Subdivision, major" means a subdivision not qualifying as a minor subdivision.

"Subdivision, minor" means a subdivision containing five (5) or fewer lots where proper access to all lots is provided and where no land in the subdivision will be dedicated to public use for parks or playgrounds, and the subdivision is eligible for review under 76-3-505 or 76-3-609, MCA.

"Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either: (1) Before the improvement or repair is started; or (2) If the structure has been damaged, and is being restored, before the damage occurred. For the purposes of this definition, substantial improvement is considered to occur when the first construction to any wall, ceiling, floor, or other structural part of the building commences. The term does not include: (1) Any project for improvement of a structure to comply with existing State or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or (2) Any alteration of a structure listed on the National Register of Historic Places or State Inventory of Historic Places.

"Suitable fill" means material which is stable, compacted, well-graded, pervious, generally unaffected by water and frost, devoid of trash or similar foreign matter, devoid of tree stumps, or other organic material; and is fitting for the purpose of supporting the intended use of and/or permanent structure.

"Surveyor" See: registered land surveyor.

T

"Tavern" means a place and/or building, or portion thereof, that is used or is intended for retail sales of alcoholic beverages for on-site consumption and where food consumption, if any, is clearly secondary to the sale of alcoholic beverages. The term includes bars and lounges.

"Taxi cab dispatch terminal" a place and/or building, or portion thereof, that is used or is intended for dispatching taxi cabs and where taxi cabs are kept while not in use.

"Telecommunication equipment building, shelter or cabinet" means a cabinet or building used to house equipment used by telecommunication providers to house equipment at a facility.

(Ord. 2950, 2007)

"Telecommunication facility" means a facility that transmits and/or receives electromagnetic signals. It includes antennas, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, telecommunication towers or similar structures supporting said equipment, equipment buildings, parking area, and other accessory development.

"Telecommunication facility, co-located" means a telecommunication facility comprised of a single telecommunication tower or building supporting one (1) or more antennas, dishes, or similar devices owned or used by more than one (1) public or private entity.

"Telecommunication facility, commercial" means a telecommunication facility that is operated primarily for a business purpose or purposes.

"Telecommunication facility, concealed" means (1) an antenna that a casual observer would consider it a part of the structure to which it is attached or made a part of, or (2) an antennae and tower structure that is camouflaged to blend into the surroundings (e.g., camouflaged trees).

"Telecommunication facility, multiple user" means a telecommunication facility comprised of multiple telecommunication towers or buildings supporting one (1) or more antennas owned or used by more than one (1) public or private entity, excluding research and development industries with antennas to serve internal uses only.

"Telecommunications facility, noncommercial" means a telecommunication facility that is operated solely for a non-business purpose.

"Telecommunication facility, unconcealed" means an antenna mounted on a tower or mounted on the ground.

"Telecommunications tower" means a mast, pole, monopole, guyed tower, lattice tower, free-standing tower, or other structure designed and primarily used to support antennas. A ground or building mounted mast greater than ten (10) feet tall and six (6) inches in diameter supporting one (1) or more antenna, dishes arrays, etc. shall be considered a telecommunications tower.

"Temporary sign" means a sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard, plywood or other light material, with or without frames, intended for display during a limited period of time.

"Tract of record" means an individual parcel of land, irrespective of ownership, that can be identified by legal description, independent of any other parcel of land, using documents on file in the records of the County Clerk and Recorder's office. (Source: 76-3-103(17)(a), MCA)

"Traffic impact analysis" means a written report that documents the traffic impacts and consequences of a proposed development project. Typical components would address each of the following: (1) existing conditions, (2) on-site traffic circulation (3) impacts on public roads; and (4) recommendations/alternatives to alleviate identified impacts.

"Transit shelter sign" means an off-premise sign painted on or posted within a transit shelter.

"Tree" means a self-supporting woody plant that characteristically grows to a minimum height of fifteen (15) feet at maturity and has a trunk which can be maintained over five (5) feet of clear wood.

"Tree, protected" means a tree on public property that may be threatened with removal or damage during a construction project.

(Ord. 2950, 2007)

"Tree, significant" means a tree that is six (6) inches or larger in trunk diameter when measured at one (1) foot above the ground.

(Ord. 2950, 2007)

"Turf or turfgrass" means hybridized grasses, that when regularly mowed characteristically forms a dense growth of leaf blades and roots.

U

"Uniformity ratio" means the ratio of average illumination to minimum illumination within a given area.

"Use by right" See: land use, permitted by right.

"Utility installation" means a place, building and/or structure, or portion thereof, whether public or private, that is used or is intended for providing basic infrastructure or utility services generally having moderate to high impact on neighboring property. The term includes pipeline pumping stations, sewage treatment plants, electrical substations, water towers and the like. It does not include public water system wells, sewer lift stations, irrigation ditches, or linear electric, communications or natural gas utilities, and the like.

"Utility runway" means runway that is constructed for and intended to be used by propeller-driven aircraft of twelve thousand five hundred (12,500) pounds maximum gross weight and less.

V

"Variance" means a grant of relief from the strict application of a rule or regulation that would permit development in a manner otherwise prohibited.

"Vehicle fuel sales" means a place and/or building, or portion thereof, that is used or is intended for the retail sale of gasoline, kerosene, diesel, or other petroleum-based motor fuels. The term includes the sale of convenience foods and goods, provided it is ancillary to the sale of fuels, and light maintenance activities, such as engine tune-ups, lubrication, minor repairs, and the like.

"Vehicle repair" means a place and/or building, or portion thereof, that is used or is intended for maintenance, service, and repair of vehicles. Typical services include transmission repair, body work and painting, brake repair, vehicle upholstery, tire shop, engine repair and overhauls, and similar activities.

"Vehicle sales and rental" means a place and/or building, or portion thereof, that is used or is intended for buying, selling, exchanging, taking for consignment, renting, or leasing new or used vehicles, including cars, light trucks, snowmobiles, motorcycles, all-terrain vehicles (ATVs), recreational vehicles, personal water craft.

"Vehicle services" means a place and/or building, or portion thereof, that is used or is intended for servicing vehicles where they typically are not left overnight. Examples include quick lube/oil change, car washes, tire stores, vehicle cleaning including cleaning, washing, polishing, waxing, or similar activities.

"Vehicular use area" means those areas of a lot used for vehicle circulation and parking, including loading berths, parking lots, service drives, internal roads, and the like.

"Vendor cart" means a small non-motorized vehicle equipped with all necessary appurtenances to prepare and serve a limited menu and beverages.

"Veterinary clinic" means a place and/or building, or portion thereof, that is used or is intended for the medical care of animals. A veterinary clinic may include office space, medical labs, appurtenant facilities, and kennels and/or enclosures for animals under the immediate medical care of a veterinarian. The term includes pet clinics, dog and cat hospitals, animal hospitals, and the like.

"Veterinary clinic, large animal" means a veterinary clinic that specializes in the care and treatment of large animals and livestock.

"Veterinary clinic, small animal" means a veterinary clinic that specializes in the care and treatment of small animals including dogs, cats, birds, and other small domesticated and semi-domesticated animals.

"Vicinity map" means a map that shows the location of a proposed project relative to other parcels and roads in the area.

"Visual runway" means a runway intended solely for the operation of aircraft using visual approach procedures.

W

"Wall sign" means a sign attached to the wall of a building or structure with the exposed face of the sign in a plane parallel to the plane of the wall. Wall signs include signs painted on awnings and the exterior walls of buildings.

"Warehouse" means a place and/or building, or portion thereof, that is used or is intended for the storage of goods and materials, for wholesale sales, temporary storage, and distribution. The term includes moving and storage facilities. The term does not include fuel tank farms.

"Water quality volume (WQ_v)" means the storage needed to capture and treat ninety (90) percent of the average annual stormwater runoff volume. Numerically (WQ_v) will vary as a function of long term rainfall statistical data.

"Water right" means a legal right to use water that is protected under Montana law.

"Waterbody" includes rivers, streams, creeks, irrigation ditches, lakes, and ponds, both natural and man-made.

"Wind-powered electricity systems" means

"Small wind-powered electricity systems" have a rated capacity of up to and including one hundred (100) kilowatts (kW) and are incidental and subordinate to a permitted use on the same parcel. A system is considered a small wind-powered electricity system only if it supplies electrical power solely for on-site use, except that when a parcel on which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company as may be governed by applicable state statutes.

"Large wind-powered electricity systems" have a rated capacity of over one hundred (100) kilowatts (kW) and are intended to produce electricity for use on-site and/or sale to a rate regulated utility company or other off-site provider of electric power. Such systems may also be termed as "commercial wind-powered electricity systems".

"Tower Height" means the vertical measurement from the base of the tower to the top of the tower itself or the tip of the highest piece of equipment attached thereto. In the case of building-mounted towers the height of the tower does not include the height of the building on which it is mounted.

"Wetland" means those ecological entities so defined by the current edition of the "Federal Manual for Identifying and Delineating Wetlands".

"Wildland fire" means an unplanned and uncontrolled fire spreading through vegetation that may also consume structures or other improvements as well.

"Window sign" means a sign affixed to a window.

"Worship facility" means a place and/or building, or portion thereof, that has tax-exempt status and that is used or is intended as a place where people can regularly assemble for religious worship and associated activities. The term includes sanctuaries, chapels, cathedrals, churches, synagogues, and temples and other onsite accessory buildings such as parsonages, friaries, convents, fellowship halls, Sunday schools, rectories, and day care centers within the same structure. The term does not include, community recreation facilities, dormitories, private educational facilities, emergency shelters, health care facilities, and the like.

(Ord. 2950, 2007)

"Written or in writing" means any representation of words, letters, drawings, graphics, or pictures.

Y

"Yard" means the area on the same lot with a building, that is unoccupied and unobstructed from the ground upward, except by trees or shrubbery or as otherwise provided herein.

"Yard, front" means a yard that extends across the front of a lot between the side lot lines from the front line of the building (excluding the front steps) to the front lot line.

"Yard, rear" means a yard that extends across the rear of a lot between the side lot lines from the rear line of the building (excluding steps) to the rear lot line.

"Yard, side" means a yard that extends from the side line of the building (excluding steps) to the side lot line between the front and rear yards.

"Year" means a calendar year.

Z

"Zoning district" means a geographic area as delineated on the zoning map that identifies a base zoning district.

"Zoning permit" means a permit that is issued prior to the issuance of a building permit to ensure that the proposed use is consistent with the allowable uses within the district in which it is to be located.

17.20.3.060 Certain land uses shown as permitted may be a conditional use.

A permitted land use (as shown in Exhibit 20-1, 20-2, 20-3) that emits air contaminants or potentially offensive odors outside of the building, or that handles radioactive materials, hazardous substances, hazardous waste, or regulated substances shall be considered a conditional use in every circumstance.

Exhibit 20-1. Principal Uses by District

Use	R-1	R-2	R-3	R-5	R-6	R-9	R-10	C-1	C-2	C-3	C-4	C-5	M-1	M-2	PLI	POS	GFIA	I-1	I-2	Special Standards
Agricultural Uses																				
Agriculture, horticulture, nursery	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	17.20.6.005
Residential Uses																				
Mobile home/park	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	17.20.6.010
Residence, single-family detached	P	P	P	P	P	P	-	P	-	-	-	P	P	P	-	-	-	-	-	
Residence, zero lot line	-	-	P	P	P	P	-	-	-	-	-	P	P	P	-	-	-	-	-	17.20.6.020
Residence, two-family	-	C	C	P	P	C	-	P	-	-	-	P	P	P	-	-	-	-	-	
Residence, multi-family	-	-	-	P	P	C	-	P	-	-	-	P	P	P	-	-	-	-	-	17.20.6.040
Residence, townhouse	-	C	C	P	P	C	-	-	-	-	-	P	P	P	-	-	-	-	-	17.20.6.050
Residence, manufactured/factory-built	P	P	P	P	P	P	-	P	-	-	-	P	P	P	-	-	-	-	-	17.20.6.060
Retirement home	-	C	C	P	P	C	-	P	-	-	-	P	P	P	-	-	-	-	-	
Special Care Facilities																				
Community residential facility, type I	P	P	P	P	P	P	-	-	-	-	-	P	P	P	-	-	-	-	-	
Community residential facility, type II	C	C	C	P	P	P	-	-	-	-	-	-	C	C	-	-	-	-	-	
Day care center	C	C	C	C	C	C	-	P	P	-	P	P	P	P	P	-	-	-	-	
Emergency shelter	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C	-	-	-	
Family day care home	P	P	P	P	P	P	-	P	-	-	-	C	P	P	P	-	-	-	-	
Group day care home	P	P	P	P	P	P	-	P	-	-	-	C	P	P	P	-	-	-	-	
Nursing home	-	-	C	C	C	C	-	P	C	-	P	P	P	P	P	-	-	-	-	
Overnight Accommodations																				
Campground	-	-	-	-	-	-	-	-	C	P	-	-	-	-	-	-	P	-	-	17.20.6.070
Hotel/motel	-	-	-	-	-	-	-	P	P	P	P	C	P	P	-	-	P	-	-	
Food and Beverage Sales																				
Micro-brewery	-	-	-	-	-	-	-	-	P	-	P	C	C	C	-	-	P	P	-	17.20.6.080
Restaurant	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	P	P	P	17.20.6.080
Tavern	-	-	-	-	-	-	-	P	P	P	P	C	C	C	-	-	P	P	P	17.20.6.080
General Sales																				
Agriculture sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	
Auction sales	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	P	P	P	
Construction materials sales	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	P	P	P	
Convenience sales	C	-	-	-	-	-	-	P	P	P	P	C	-	-	-	-	P	P	P	
General sales	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	P	P	P	
Manufactured housing sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	
Off-site liquor sales	-	-	-	-	-	-	-	P	P	P	P	C	C	C	-	-	P	P	P	
Secondhand sales	-	-	-	-	-	-	-	P	P	-	P	P	-	-	-	-	P	P	P	
Shopping center	-	-	-	-	-	-	-	C	P	-	-	-	-	-	-	-	P	P	P	
General Services																				

Administrative services	-	-	-	-	-	-	-	P	P	P	P	P	P	C	-	P	-	-	
Commercial kennel	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	P	P	-	17.20.6.090
Financial services	-	-	-	-	-	-	-	P	P	-	P	P	P	-	-	P	-	-	
Funeral home	-	-	-	-	-	-	-	P	P	-	P	C	P	P	-	-	-	-	
General services	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	P	P	P	
Professional services	-	-	-	-	C	C	-	P	P	-	P	P	P	P	-	-	P	-	-
Sexually-oriented business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	17.20.6.100
Veterinary clinic, large animal	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	P	P	P	
Veterinary clinic, small animal	-	-	-	-	-	-	-	C	P	-	-	-	P	P	-	-	P	P	17.20.6.110
Rental and General Repair																			
Large equipment rental	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-	P	P	P	
Small equipment rental	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	P	P	P	
General repair	-	-	-	-	-	-	-	P	P	-	P	P	-	-	-	P	P	P	
Vehicle Trade and Service																			
Vehicle fuel sales	-	-	-	-	-	-	-	C	P	P	P	P	-	-	-	-	P	P	-
Vehicle repair	-	-	-	-	-	-	-	-	P	P	C	P	-	-	-	-	P	P	-
Vehicle sales and rental	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	P	P	-
Vehicle services	-	-	-	-	-	-	-	C	P	P	P	P	C	P	-	-	P	P	-
General Storage																			
Agricultural commodity storage facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	
Climate controlled indoor storage	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	P	P	P	
Fuel tank farm	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	
Mini-storage facility	-	-	-	-	-	-	-	-	-	C	-	-	-	C	-	-	P	P	17.20.6.130
Freight terminal	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	P	P	P	
Warehouse	-	-	-	-	-	-	-	-	-	C	-	-	-	C	-	-	P	P	P
Indoor Recreation/Sports/Entertainment																			
Casino, type I	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	-	P	P	17.20.6.140
Casino, type II	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	P	P	17.20.6.150
Casino	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	P	P	P	
Indoor entertainment	-	-	-	-	-	-	-	-	P	-	P	C	C	C	C	-	P	-	-
Indoor sports and recreation	-	-	-	-	-	-	-	-	P	-	P	C	C	C	C	C	P	P	-
Outdoor Recreation/Sports/Entertainment																			
Golf course/driving range	C	C	C	C	C	-	-	-	-	-	-	-	-	-	P	P	-	-	
Miniature golf	-	-	-	-	-	-	-	-	P	C	-	-	-	C	-	-	P	C	-
Outdoor entertainment	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P	C	-	
Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Recreational trail	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Community Services/Uses																			
Administrative governmental center	-	-	-	-	-	-	-	P	P	P	P	P	P	P	C	P	-	-	
Animal shelter	-	-	-	-	-	-	-	-	C	C	-	-	C	C	C	-	P	P	-
Cemetery	C	C	C	C	C	C	C	-	-	-	-	-	-	P	P	P	-	-	17.20.6.170
Civic use facility	C	C	C	C	C	C	C	-	P	-	P	P	P	P	C	-	-	-	
Community center	C	C	C	C	C	C	C	C	P	-	P	P	P	P	C	-	-	-	
Community cultural facility	C	C	C	C	C	C	C	P	P	-	P	P	P	P	C	-	-	-	
Community garden	P	P	P	P	P	P	P	C	C	C	C	P	P	P	P	P	C	C	17.20.6.175
Public safety facility	C	C	C	C	C	C	C	C	P	C	P	P	P	P	-	-	P	-	
Worship facility	C	C	C	C	C	C	C	P	P	-	C	P	P	P	-	-	P	-	17.20.6.180
Health Care																			
Health care clinic	-	-	-	-	-	-	-	P	P	-	P	P	P	P	P	-	-	-	
Health care facility	-	-	-	-	-	-	-	-	P	-	P	P	C	C	P	-	-	-	
Health care sales and services	-	-	-	-	-	-	-	P	P	-	P	P	P	P	-	-	-	-	
Education																			
Commercial education facility	-	-	-	-	-	-	-	P	P	-	P	P	P	P	-	-	P	P	-
Educational facility (K—12)	C	C	C	C	C	C	C	C	-	-	-	C	C	C	P	-	-	-	17.20.6.200
Educational facility (higher education)	-	-	-	-	-	-	-	-	C	C	-	-	C	C	C	-	-	-	
Instructional facility	-	-	-	-	-	-	-	P	P	-	P	P	P	P	-	-	P	P	-
Solid Waste, Recycling and Composting																			
Composting facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C	P
Recycling center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C	P
Solid waste transfer station	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C	P
Telecommunications																			
Amateur radio station	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	17.20.6.240

Telecommunication facility																						17.20.6.250
Concealed facility	C	C	C	C	C	C	C	C	P	P	P	P	C	P	P	C	C	P	P	P		
Unconcealed facility	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C	P	P	P		
Co-located facility	-	-	-	-	-	-	-	-	P	P	P	P	C	C	C	C	C	P	P	P		
Utilities																						
Utility installation	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	P		
Transportation																						
Airport	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-		
Bus transit terminal	-	-	-	-	-	-	-	-	-	P	P	P	-	C	C	C	-	P	P	-		
Heli-pad	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	P	P	P	17.20.6.260	
Parking lot, principal use	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P		
Parking structure	-	-	-	-	-	-	-	-	-	P	-	P	P	P	P	P	-	P	P	P		
Railroad yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P		
Taxi cab dispatch terminal	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P	-	-	P	P	-		
Contractor Yards																						
Contractor yard, type I	C	-	-	-	-	-	-	-	-	C	-	-	-	P	P	-	-	P	P	-	17.20.6.270	
Contractor yard, type II	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	P	P	P	17.20.6.280	
Industrial/Manufacturing																						
Artisan shop	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	P	P	-		
Industrial, heavy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P		
Industrial, light	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P		
Industrial park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P		
Junkyard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C	P	17.20.6.290	
Light manufacturing and assembly	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	P	P	P	17.20.6.300	
Motor vehicle graveyard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	17.20.6.310	
Motor vehicle wrecking facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	17.20.6.320	

- The use is not permitted in the district

C The use is allowed through the conditional use process

P The use is permitted in the district by right, consistent with the development standards contained in Article 6 of this chapter, as appropriate

Exhibit 20-2. Accessory uses by district

Use	R-1	R-2	R-3	R-5	R-6	R-9	R-10	C-1	C-2	C-3	C-4	C-5	M-1	M-2	PLI	POS	GFIA	I-1	I-2	Special Standards
Accessory living space	P	P	P	P	P	P	-	P	P	P	P	P	P	P	P	-	-	-	-	17.20.7.010
Agriculture, livestock	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	17.20.7.080
ATM, exterior	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	P	P	P	17.20.7.020
Bed and breakfast	C	C	C	C	C	C	-	C	-	-	-	P	P	P	-	-	-	-	-	17.20.7.030
Fences	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	17.20.7.040
Gaming, accessory	-	-	-	-	-	-	-	-	P	P	P	-	-	P	-	-	P	P	P	17.20.7.050
Garage, private	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	P	P	17.20.7.060
Home occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	P	P	17.20.7.070
Private stable/barn	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	17.20.7.080
Residence, accessory	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	P	P	P	17.20.7.085
Roadside farmer's market	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	17.20.7.090
Storage containers	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	P	P	P	17.20.7.100

Wind-powered electricity systems	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	17.20.7.110
----------------------------------	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	-------------

- The use is not permitted in the district

C The use is allowed in the district through the conditional use process

P The use is permitted in the district by right, consistent with the development standards contained in Article 7 of this chapter, as appropriate

Exhibit 20-3. Temporary uses by district (see 17.20.8.010 for Special Standards)

Use	R-1	R-2	R-3	R-5	R-6	R-9	R-10	C-1	C-2	C-3	C-4	C-5	M-1	M-2	PLI	POS	GFIA	I-1	I-2	Special Standards
Garage sales	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	P	P	17.20.8.015
Itinerant outdoor sales	-	-	-	-	-	-	-	-	P	P	-	-	-	P	-	-	C	C	-	17.20.8.020
On-site construction office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	17.20.8.030
On-site real estate sales office	P	P	P	P	P	P	-	-	-	-	-	-	P	P	-	-	-	-	-	17.20.8.040
Outdoor entertainment, temporary	-	-	-	-	-	-	-	-	P	P	-	-	-	-	P	P	P	P	P	
Sidewalk café	-	-	-	-	-	-	-	P	P	-	P	P	P	P	C	C	-	-	-	17.20.8.050
Sidewalk food vendor	-	-	-	-	-	-	-	-	P	-	P	P	P	P	P	P	-	-	-	17.20.8.060

- The use is not permitted in the district

C The use is allowed in the district through the conditional use process

P The use is permitted in the district by right, consistent with the development standards contained in Article 8 of this chapter, as appropriate

~~17.20.6.140 – Casino, type I.~~

~~A. – Purpose. This section is intended to allow the location of new casinos or the relocation of existing casinos in certain zoning districts provided they meet more stringent development and~~

~~appearance standards than type II casinos.~~

~~(Ord. 3251, 2022; Ord. 2950, 2007)~~

~~B. – Classification. A casino shall be identified by definition in Chapter 8 of this Title.~~

~~C. – Proximity to residentially zoned properties. There is no minimum distance requirement from residential uses or between casinos.~~

~~D. – Proximity to other specified uses.~~

~~I. – Casinos shall not locate within six hundred (600) feet of an education facility (K through post-secondary), worship facility, park or playground. The distance shall be measured by direct line, without regard to intervening~~

~~structures or streets, between closest property boundaries; and,~~

~~2.—Casinos shall not locate on premises operating a sexually oriented business.~~

~~E.—Design Review Board approval. The Design Review Board shall review and approve the exterior building design and finishes; and landscaping, signage, lighting and parking plan for any new or~~

~~relocated casino, or an expansion or exterior renovation of an existing casino.~~

(Ord. 3251, 2022; Ord. 2950, 2007)

~~F.—Special landscaping. Casinos must comply with all applicable landscaping requirements in~~

~~Chapter 44 Landscaping. Additional or special landscaping requirements for type I casinos include the following:~~

~~1.—Minimum square footage of interior landscaping, inclusive of landscaping in vehicular use areas and foundation planting areas, shall be twenty (20) percent of the gross property area to be developed.~~

~~2.—Fifty (50) percent of said landscaping shall be located between the front lot line and the building.~~

~~G.—Signage must meet zoning district requirements for the premises.~~

(Ord. 3251, 2022; Ord. 3139, 2016)

17.20.6.150—Casino, type II.

~~A.—Purpose. This section is intended to prohibit casino gambling in certain zoning districts in the City of Great Falls to promote public health, safety and welfare by preserving aesthetic appearances~~

~~within the City and by reducing the public exposure to casino gambling, thereby promoting moral, social and cultural values within the City.~~

~~B.—Classification. A casino shall be identified by definition in Chapter 8 of this Title.~~

~~C.—Proximity to residentially zoned properties. Casinos shall not be located within three hundred fifty (350) feet of any residentially zoned property. The distance shall be measured by direct line, without regard to intervening structures or streets, between closest property boundaries.~~

~~D.—Proximity to other specified uses.~~

~~1.—Casinos shall not locate within six hundred (600) feet of an education facility (K through post-secondary), worship facility, park or playground. The distance shall be measured by direct line, without regard to intervening structures or streets, between closest property boundaries; and,~~

~~2.—Casinos shall not locate within three hundred fifty (350) feet of any other casino. The distance shall be measured by direct line, without regard to intervening structures or streets, between closest property boundaries; and,~~

~~3. Casinos shall not locate on premises operating a sexually oriented business.~~

~~E. Design Review Board Approval. The Design Review Board shall review and approve the exterior building design and finishes; and landscaping, signage, lighting and parking plan for any new or relocated casino, or an expansion or exterior renovation of an existing casino.~~

(Ord. 3251, 2022; Ord. 2950, 2007)

CITY OF GREAT FALLS
PLANNING & COMMUNITY DEVELOPMENT DEPT.
P.O. BOX 5021, GREAT FALLS, MT, 59403 5021
406.455.8430 • WWW.GREATFALLSMT.NET

ZONE-000003-2022

DEVELOPMENT APPLICATION

Casino LANDSCAP Revirtual Text Ad

Name of Project:

3 High Inc.

Owner Name:

PO Box 7028

Mailing Address:

406 799 3810

Phone:

billyheisler2@hotmail.com

Email:

Bill Heisler

Representative Name:

Phone:

Email:

PROPERTY DESCRIPTION / LOCATION:

Lots G-14

18

20N/13

4E/Lincoln Heights

Mark/Lot:

Section:

Township/Block:

Range/Addition:

2412 11th Ave So

Street Address:

ZONING:

G-2

Same

Vacant

Casino

Current:

Proposed:

Current:

Proposed:

LAND USE:

I (We), the undersigned, understand that the filing fee accompanying this application is not refundable. I (We) further understand that the fee pays for the cost of processing, and the fee does not constitute a payment for approval of the application. I (We) further understand that public hearing notice requirements and associated costs for land development projects are my (our) responsibility. I (We) further understand that other fees may be applicable per City Ordinances. I (We) also attest that the above information is true and correct to the best of my (our) knowledge.



Property Owner's Signature:

6/30/22

Date:

Representative's Signature:

Date:



Commission Meeting Date: October 4, 2022

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Appointments, Great Falls Citizen’s Council
From: City Commission
Initiated By: City Commission
Presented By: City Commission
Action Requested: Appoint two members of the City Commission to serve on the Great Falls Citizen’s Council for October 25, 2022.

Suggested Motion:

1. Mayor moves:

“I move that the City Commission appoint _____ and _____ to serve on the Great Falls Citizen’s Council also known as Council of Councils for the October 25, 2022 meeting.”

2. Mayor calls for a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation: It is recommended that the Mayor appoint two members from the City Commission to serve as the Commission’s representatives for the Great Falls Citizen’s Council in accordance with Title 2, Chapter 19, Section 090 the Official Code of the City of Great Falls (OCCGF).

Summary: Pursuant to the Charter of the City of Great Falls, the Neighborhood Council program was established by Ordinance 2727 in 1997. There are nine separate Council districts throughout Great Falls.

Background: The Great Falls Citizen’s Council was created to act as a forum to address issues of community wide concern and resolve disputes among the individual neighborhood councils. The members are comprised of one member from each neighborhood council and two members of the City Commission who shall be appointed by the Mayor. The council meets three times a year, usually in January, May and October. The Commission appointed Bob Kelly and Susan Wolff as their representatives for the January 25, 2022 meeting and Rick Tryon and Joe McKenney for the May 24, 2022 meeting. The last 2022 meeting is scheduled for October 25, 2022 at 7:00 pm in the Gibson Room of the Civic Center.