



**Planning Advisory Board/Zoning Commission -September 13,  
2022 Agenda  
2 Park Drive South, Great Falls, MT  
Commission Chambers, Civic Center  
September 13, 2022  
3:00 PM**

In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), the City of Great Falls and Planning Advisory Board/Zoning Commission are making every effort to meet the requirements of open meeting laws:

- 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. Please refrain from attending in person if you are not feeling well.
- Provide public comments via email. Comments may be sent via email before 12:00 PM on Tuesday, September 13, 2022, to: [jnygard@greatfallsmt.net](mailto:jnygard@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 Planning Advisory Board/Zoning 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.

**OPENING MEETING**

1. Call to Order - 3:00 P.M.
2. Roll Call - Board Introductions

**Dave Bertelsen - Chair**

**Tory Mills - Vice Chair**

**Lindsey Bullock**

**Kelly Buschmeyer**

**Pat Green**

**Samantha Kaupish**

**Chuck Pankratz**

3. Recognition of Staff
4. Approval of Meeting Minutes - August 23, 2022

**BOARD ACTIONS REQUIRING PUBLIC HEARING**

5. Amendments to Land Development Code removing requirements for locating Casinos – Title 17 OCCGF

## **BOARD ACTIONS NOT REQUIRING PUBLIC HEARING**

### **COMMUNICATIONS**

#### **PUBLIC COMMENT**

*Public Comment on any matter and that is within the jurisdiction of the Planning Advisory Board/Zoning Commission. Please keep your remarks to a maximum of five (5) minutes. Speak into the microphone, and state your name and address for the record.*

#### **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.*

*Planning Advisory Board/Zoning Commission meetings are televised on cable channel 190 and streamed live at <https://greatfallsmt.net>. Meetings are re-aired on cable channel 190 the following Thursday at 7 p.m.*

**MINUTES OF THE MEETING**  
**GREAT FALLS PLANNING ADVISORY BOARD/ZONING COMMISSION**  
**August 23, 2022**

**CALL TO ORDER**

The regular meeting of the Great Falls Planning Advisory Board/Zoning Commission was called to order by Chuck Pankratz at 3:00 p.m. in the Commission Chambers at the Civic Center

**ROLL CALL & ATTENDANCE**

**UPDATES CONCERNING PROCESS OF MEETINGS**

In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), the City of Great Falls and Planning Advisory Board/Zoning Commission are making every effort to meet the requirements of open meeting laws:

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**Planning Board Members present:**

Lindsey Bullock  
Pat Green  
Samantha Kaupish  
Chuck Pankratz

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**Planning Board Members absent:**

Dave Bertelsen, Chair

Tory Mills, Vice Chair

Kelly Buschmeyer

**Planning Staff Members present:**

Craig Raymond, Director Planning and Community Development

Tom Micuda, Deputy Director Planning and Community Development

Andrew Finch, Sr. Transportation Planner

Alaina Mattimiro, Planner II

Jamie Nygard, Sr. Administrative Assistant

**Other Staff present:**

Jeff Hindoien, City Attorney

David Dennis, Deputy City Attorney

Mr. Raymond affirmed a quorum of the Board was present.

**MINUTES**

Chuck Pankratz asked if there were any comments or corrections to the minutes of the meeting held on August 9, 2022. Seeing none, the minutes were approved.

**COMMISSION ACTIONS REQUIRING A PUBLIC HEARING**

**Preliminary Plat for West Ridge Addition Phase X, legally described as Peretti Addition Tract 2, located in the SE ¼ Section 26, Township 21 N, Range 3 East, PMM, City of Great Falls, Cascade County, MT; and an amendment to a Planned Unit Development to allow for multifamily land use**

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Alaina Mattimiro, Planner II, presented to the Board. She stated that 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.

Ms. Mattimiro presented a Zoning Map, a rendering option of one of the proposed 4-Plexes, and an Aerial Map.

Ms. Mattimiro presented a few of the Findings of Fact - PUD:

1. The project is consistent with the City's Growth Policy because it will add housing density and housing diversity to the community.
2. The project will not be injurious to the use and enjoyment of other property in the area. Although 4-plexes are being proposed, the lot layout and street designs are the same as previous phases of the West Ridge project.
3. The project will not impede on normal and orderly development and improvement. The previous phases of West Ridge are either completely constructed or under construction.
4. The designs are compatible with the neighborhood.

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.

Ms. Mattimiro presented a few of the Findings of Fact – Subdivision:

1. No negative effects on local services
  - The developers will pay for the extension of the water and sewer mains and then the City will take over the ownership, per City policy.
  - The tax revenue from the new housing units will cover the added law enforcement and fire protection services.
  - The developer will pay for the new roadways and rights-of-way
2. Easements for utilities. All required easements will be dedicated on the future final plat.
3. Legal and physical public access is being provided through construction of 42<sup>nd</sup> Ave NE, 2<sup>nd</sup> St NE, and 4<sup>th</sup> St NE.

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4. No negative impact on wildlife or agriculture. This area has always been planned for residential development.

## **PUBLIC QUESTIONS**

None.

## **OPPONENTS**

Robin Sainsbury, Choteau Avenue, stated that there is a common area between 41<sup>st</sup> Avenue NE and Choteau Avenue NE and wanted to know if a second common area was going to be added to give a space between the new development and the lots along the north side of Choteau Avenue. She also asked if the developer will be building a fence and planting trees as a buffer between the single family homes and the apartment development.

## **PROPONENTS**

Jake Clark, Great Falls Development Authority, stated that they are in favor of the development, as housing development is a focus area for economic growth and wanted to thank the developer and City staff for the investment in development of creative solutions to keep the production going.

Shawna Rothwell, one of the owners of S & L Development, stated that they have discussed planting trees along the fence line to block the visibility of the 4-plexes to the town homes and fencing will be added. It has been committed to the HOA that both will be done.

## **BOARD DISCUSSION AND ACTION**

Mr. Pankratz asked if the common zone that was being discussed, is where an alley would typically be.

Mr. Micuda responded that there will be 4 units in a dwelling and then there will be a space outside of the building that will be a common area. The purpose of the space is not for an alley to go

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through. It is a development that is loaded off a street, so 42<sup>nd</sup> will run east to west and the development will get its access off of 42<sup>nd</sup> and there will be common space on the back of the 4 unit dwellings. Mr. Micuda also stated that landscaping is required for the development by the City.

MOTION: That the Zoning Commission recommend the City Commission approve the Planned Unit Development amendment for West Ridge Phase X as legally described in the Staff Report, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicants.

Made by: Ms. Kaupish

Second: Ms. Bullock

VOTE: All in favor, the motion carried 4-0

MOTION: That the Planning Advisory Board recommend the City Commission approve the preliminary plat of West Ridge Phase X as legally described in the Staff Report, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicants.

Made by: Mr. Green

Second: Ms. Kaupish

VOTE: All in favor, the motion carried 4-0

**COMMISSION ACTIONS NOT REQUIRING A PUBLIC HEARING**

**Federal Fiscal Year (FFY) 2023 Unified Planning Work Program (UPWP)**

Andrew Finch, Sr. Transportation Planner, presented to the Board. He gave a brief overview of the program. He stated that the Unified Planning Work Program is a cooperative process, as partners in the transportation planning process for the Great Falls Urban area are all involved.

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There is a Technical Advisory Committee (TAC) that advises the Policy Coordinating Committee (PCC) that is staffed and coordinated by the Planning and Community Development Department.

Mr. Finch stated that there are three main products that are approved by the TAC and PCC:

1. Long Range Transportation Plan (LRTP)
2. Transportation Improvement Program (TIP)
3. Unified Planning Work Program (UPWP)

Mr. Finch stated that annually, the Great Falls Planning & Community Development Department, as the host agency for the Great Falls Metropolitan Planning Organization (MPO), prepares a Unified Planning Work Program (UPWP), as required by federal transportation planning requirements. The UPWP outlines the various work activities to be performed during the next federal fiscal year by the Department and the Great Falls Transit District, as well as projects staff hours and funding levels and sources. Covering the period from October 1 to September 30, the UPWP includes activities to be conducted primarily by staff members from the Planning & Community Development Department, as well as consulting or contracted activities and activities funded with Federal Transit Administration pass-through funds to the Great Falls Transit District. The Program will use Federal Highway Administration (FHWA) Planning (PL) funds, Federal Transit Administration (FTA) Section 5303 funds, and local/other funds.

Overall, the proposed Work Program is a continuation of current and past year Programs, with the addition of a major update to the Long Range Transportation Plan and a Transit Development Plan that will be prepared by the Great Falls Transit District. Although the major work activities have not been modified significantly, there have been changes to staffing and modifications to staff hours dedicated to the various Work Elements. Adjustments will likely be made in future Work Programs as further refinements to job duties in the Department occur and as new hirings continue.

## **BOARD DISCUSSION AND ACTION**

**MOTION:** That the Planning Advisory Board approve the Federal Fiscal Year 2023 Unified Planning Work Program, inclusive of any minor changes necessary to respond to State and Federal agency comments.

**Made by:** Ms. Kaupish

**Second:** Mr. Green

**VOTE:** All in favor, the motion carried 4-0



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**COMMUNICATIONS**

Mr. Raymond stated that there will be an item coming forward to the Board for a request to amend regulations pertaining to locations of casinos and the distance provisions.

**PUBLIC COMMENTS**

None.

**ADJOURNMENT**

There being no further business, Chair Bertelsen adjourned the meeting at 3:24 p.m.

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CHAIRMAN

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SECRETARY



Meeting Date: September 13,  
2022

**CITY OF GREAT FALLS  
PLANNING ADVISORY BOARD / ZONING COMMISSION AGENDA REPORT**

**Item:** Amendments to Land Development Code removing requirements for locating Casinos – Title 17 OCCGF

**From:** Tom Micuda, Deputy Director, Planning & Community Development Department

**Initiated By:** Bill Heisler, 3 High Inc.

**Presented By:** Tom Micuda, Deputy Director, Planning & Community Development Department

**Action Requested:** Review & Recommendation to City Commission re Adoption of Text Amendments to Land Development Code

**Suggested Motion:**

1. Board Member moves:
 

“I move that the Planning Advisory Board recommend the City Commission (approve / deny) the proposed amendments to the Land Development Code as described in the Staff Agenda Report”
2. Chairman calls for a second, public comment, Board/Commission discussion, and calls for vote.

**Background for the Proposed Text Amendment:**

The applicant for the proposed text amendment owns the property located at 2416 11<sup>th</sup> 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 meets with 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 25<sup>th</sup> Street and 11<sup>th</sup> 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 establish a Type I Casino on the property would be to allocate 20% of the existing property towards landscaping, with 50% of that landscaping being 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 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 directed the applicant to submit the proposed text amendment.

### **Overview of the Proposed Text Amendment:**

The proposed text amendment represents a significant change in the way gaming land uses would be regulated in the Land Development Code. The amendment is being submitted because staff has faced great difficulties in administering the current regulations in the zoning code. As a result, 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 5 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. It 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 5 and 6 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 other property owners wishing to establish casinos. It is important to note that the State of Montana distance requirements would still be applicable to anyone seeking a gaming license. Staff recommends not duplicating the State's review process.
- 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 3 of Exhibit A as well as the revised definition on Page 1. Under this proposal, there would only be one type of casino permitted in 5 different zoning districts: C-2, C-4, Airport, I-1, and I-2.

- 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 1 on Exhibit A, staff proposes a minor change to the Casino definition to make this distinction more clear.

**Concurrences:** Staff from the City’s Legal and Planning and Community Development Departments have worked in tandem to develop the proposed amendment. The amendment also addresses the applicant’s request.

**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.

**Staff Recommendation:** Staff recommends approval of the proposed text amendment to the City’s Land Development Code.

**Attachments/Exhibits:**

Exhibit “A”: Bold / Strikethrough Copy of Proposed Code Amendment  
Text Amendment Application

**17.8.120 General definitions.**

"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~~
- b. 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.~~

**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
<b>Agricultural Uses</b>																				
Agriculture, horticulture, nursery	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	17.20.6.005
<b>Residential Uses</b>																				
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	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	P	-	-	-	-	-	
<b>Special Care Facilities</b>																				
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	-	-	-	-	

Created: 2022-04-24 21:23:00 [EST]

(Supp. No. 15)

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	P	C	-	P	-	-	
Commercial kennel	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	P	P	-	17.20.6.090
Financial services	-	-	-	-	-	-	-	P	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	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	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	-	17.20.6.120
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	P	17.20.6.130
Freight terminal	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	P	P	P		
Warehouse	-	-	-	-	-	-	-	-	-	C	-	-	-	C	-	-	P	P	P	
<b>Indoor Recreation/Sports/Entertainment</b>																				
<b>Casino</b>									P		P					P	P	P		
Casino, type I	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	P	P	P	17.20.6.140	
Casino, type II	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	P	P	17.20.6.150	
Indoor entertainment	-	-	-	-	-	-	-	-	P	-	P	C	C	C	C	-	P	-	-	
Indoor sports and recreation	-	-	-	-	-	-	-	-	P	-	P	C	C	C	C	P	P	-		
<b>Outdoor Recreation/Sports/Entertainment</b>																				
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		
<b>Community Services/Uses</b>																				
Administrative governmental center	-	-	-	-	-	-	-	P	P	P	P	P	P	P	C	P	-	-		
Animal shelter	-	-	-	-	-	-	-	-	C	C	-	-	C	C	C	-	P	P	-	17.20.6.160
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	P	-		
Worship facility	C	C	C	C	C	C	C	P	P	-	C	P	P	P	-	-	P	-	-	17.20.6.180
<b>Health Care</b>																				
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	-	-	-	-	-	
<b>Education</b>																				
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	P	-	P	-	-	
Instructional facility	-	-	-	-	-	-	-	P	P	-	P	P	P	P	-	-	P	P	-	
<b>Solid Waste, Recycling and Composting</b>																				
Composting facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C	P	17.20.6.210	
Recycling center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C	P	17.20.6.220	
Solid waste transfer station	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C	P	17.20.6.230	
<b>Telecommunications</b>																				



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	P	P	P	P	C	P	P	P	C	P	P	P		
Unconcealed facility	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C	C	P	P	P	
Co-located facility	-	-	-	-	-	-	-	P	P	P	P	C	C	C	C	C	C	P	P	P	
<b>Utilities</b>																					
Utility installation	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	P	
<b>Transportation</b>																					
Airport	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	
Bus transit terminal	-	-	-	-	-	-	-	-	P	P	P	-	C	C	C	-	-	P	P	-	
Heli-pad	-	-	-	-	-	-	-	-	C	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	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	-	
<b>Contractor Yards</b>																					
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	
<b>Industrial/Manufacturing</b>																					
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

(Ord. No. 3056, § 1, 8-17-2010; Ord. No. 3068, § 2, 4-5-2011; Ord. No. 3087, § 1(Exh. A), 6-19-2012, eff. 7-19-2012; Ord. 3166, 2017; Ord. 3221 , 2020)

**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. 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.**~~

~~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.~~

~~(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.~~

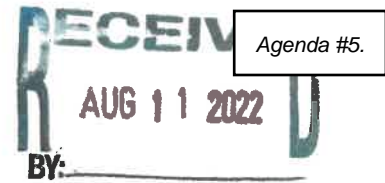
~~G. Signage must meet zoning district requirements for the premises.~~

~~(Ord. 3139, 2016)~~

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**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.~~



CITY OF GREAT FALLS  
PLANNING & COMMUNITY DEVELOPMENT DEPT.  
P.O. BOX 5021, GREAT FALLS, MT, 59403 5021  
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ZONE-000003-2022

### DEVELOPMENT APPLICATION

Casino LANDSCAP Reevirnat Text Adm

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

Mark/Lot:

18

Section:

20N/13

Township/Block:

4E/Lincoln Heights

Range/Addition:

2412 11<sup>th</sup> Ave So

Street Address:

### LAND USE:

### ZONING:

G-2

Current:

Same

Proposed:

Vacant

Current:

Casino

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:

6/30/22

Date:

Representative's Signature:

Date: