



**Planning Advisory Board/Zoning Commission
February 25, 2025 Agenda
2 Park Drive South, Great Falls, MT
Commission Chambers, Civic Center
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, February 25, 2025 to: 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

Tory Mills - Chair

Julie Essex - Vice Chair

David Cantley

Michael Gorecki

Lindsey Gray

Pat Green

Jim Wingerter

3. Staff Recognition
4. Approval of Meeting Minutes - January 28, 2025

BOARD ACTIONS REQUIRING PUBLIC HEARING

5. Public Hearing – Request for a Conditional Use Permit (CUP) for a “Contractor Yard, Type I”, land use with an additional allowance of up to 2,500 square feet of temporary storage containers upon the property addressed as 3104 Upper River Road legally described as Lot 22

of McLean Garden Tracts, Section 23, T20N, R3E, P.M.M., City of Great Falls, Cascade County, Montana.

BOARD ACTIONS NOT REQUIRING PUBLIC HEARING

COMMUNICATIONS

6. Growth Policy Update

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
January 28, 2025

CALL TO ORDER

Chair Dave Bertelsen called the regular meeting of the Great Falls Planning Advisory Board/Zoning Commission to order at 3:00 p.m. in the Commission Chambers at the Civic Center.

ROLL CALL & ATTENDANCE

Planning Board Members present:

Dave Bertelsen, Chair
Tory Mills, Vice Chair
Julie Essex
Samantha Kaupish

Planning Board Members absent:

Lindsey Gray
Pat Green
Jake Schneiderhan

Planning Staff Members present:

Brock Cherry, Director of Planning and Community Development
Lonnie Hill, Deputy Director of Planning and Community Development
Tracy Martell, Assistant City Planner
Jamie Nygard, Sr. Administrative Assistant

Other Staff present:

Rachel Taylor, Deputy City Attorney

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

MINUTES

Chair Bertelsen asked if there were any comments or corrections to the meeting minutes on October 8, 2024. Seeing none, Mr. Mills motioned to approve, which was seconded by Ms. Kaupish. All in favor, the minutes were approved.

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BOARD ACTIONS REQUIRING A PUBLIC HEARING

Request for a Conditional Use Permit (CUP) to expand a nonconforming use to construct a building addition onto the existing church located in the R-2 zoning district upon the property addressed as 800 Sacajawea Drive, located in Lots 1, 16-18 of Block 6, N Riverview Terrace Addition Section 5 Part 1, Section 36, T21N, R3E

Tracy Martello, Assistant City Planner, presented to the Board. She stated the applicant, Mountain View Evangelical Church, has requested a conditional use permit for the property located at 800 Sacajawea Drive, which is approximately 1.45 acres. The land use classification is a "Worship Facility" and is zoned R-2, Single-family medium density.

Ms. Martello presented a location map, zoning map, site photos, and preliminary site plan.

Ms. Martello stated that the development proposal is for a 2,334-square-foot addition, including a fellowship hall and pastor's office on the first floor, transitional space for congregational meals, and dedicated classrooms in the basement.

Ms. Martello stated that the proposed development is intended to increase the functionality of the current congregation of 40-60 and not accommodate a growing membership. The current parking arrangement provides adequate capacity. She also stated the applicant has said that the building addition is anticipated to commence in the spring of 2025.

Ms. Martello stated that the church was established in 1966 before the current codes were in effect and is classified as a nonconforming use within the R-2 zoning district. Per the current code, OCCGF 17.634.020—Nonconforming uses, a nonconforming use may be increased or expanded through a conditional use permit procedure. Ms. Martello stated that the approval would have no adverse fiscal impacts on the City of Great Falls.

Ms. Martello stated that the Neighborhood Council #3's January meeting was canceled due to the holiday, but the Council Chair responded to the email and indicated there were no concerns. The request is on the agenda to be presented at the February 6, 2025, Neighborhood Council meeting.

Ms. Martello presented the Findings for the Basis of Decision.

1. The zoning and conditional use is consistent with the City's Growth Policy and applicable neighborhood plans, if any.
 - Social Goals – To recognize the many societal inter-relationships that contribute to an individual's well-being and advancement.
 - Physical Goals—Foster a development pattern that encourages infill development, adaptive reuse, and the use of existing infrastructure as opposed to sprawl, low density, and haphazard development. Promote and incentivize infill development compatible with the scale and character of established neighborhoods.

- Implementation Goals – Encouraging social connectivity in neighborhood design and lay-out. Supporting mixed land use and densities that support connections between uses.
- 2. The establishment, maintenance, or operation of the zoning and conditional use will not be detrimental to or endanger the health, safety, morals, comfort, or general welfare.
 - The establishment, maintenance, or operation of the proposed conditional use will not be detrimental to or endanger the health, safety, morals, comfort, or general welfare of the community. The worship facility is established and fits into the context of the surrounding area.
- 3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood.
 - The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted. It is not anticipated that this project would diminish and impair property values within the neighborhood.
- 4. The conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
 - The proposed project will not impede the normal and orderly development and improvement of surrounding properties. To the west of the subject property is the City of Great Falls Parkland, known as Riverside Baseball Field. To the south, the zoning designation is R-5 Multi-family medium density, which contains existing fourplex multi-family units. To the east and north is the R-2 Single-family medium density district, consisting of single-family homes. The area has a diverse mix of zoning designations and for this reason the Conditional Use fits well onto the subject property and within the context of the surrounding properties.
- 5. Adequate utilities. Access roads, drainage and/or necessary facilities have been or are being provided.
 - Utilities, access roads, drainage and other necessary facilities currently exist around the subject property. The proposed addition will continue to use these existing facilities including existing roads and utility connections.
- 6. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
 - The church has existed since 1966 and does not propose to modify any existing ingress or egress. The church experiences peak traffic on Sundays, which coincides with low traffic flow. As a result, there is not concern of additional congestion resulting from the approval of the Conditional Use Permit.
- 7. The conditional use shall, in all other respects, conform to the applicable regulation of the district in which it is located, except as such regulations may, in each instance, be modified by the City Commission.
 - The proposed CUP will conform to all applicable Title 17 – Land Development Code regulations, included in the dimensional standards of the R-12 zoning district. In addition, the building expansion project will require a building permit. It will be required to comply with all codes and ordinances of the City of Great Falls, The State of Montana, and all other applicable regulatory agencies.

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Ms. Martello stated that Staff recommended the Planning Advisory Board approve the Conditional Use Permit with the following conditions:

1. **Modifications:** It is understood that minor changes are often necessary during the development and operation of a conditional use. The Administrator (city employee assigned by the City Manager to administer conditional uses) is hereby authorized to permit minor changes.
2. **Changes in Use:** Conditional uses are regulated as such because the use presents the possibility of significant impacts on the community. Therefore, changes in conditional uses must be strictly limited. A significant change in the type or level of activity may void the conditional use permit. Proposed changes shall be submitted to the Administrator, who may require that the permit be amended following the same public process used for its adoption.
3. **Expiration:** The conditional use permit shall expire one year after the date of issuance if the operation has not been established for the applicants' request. The Administrator may extend the expiration date if substantial work is ongoing.
4. **Abandonment:** If a conditional use ceases to operate for more than six months, the conditional use permit is void.
5. **General Code Compliance:** The proposed project shall be developed consistent with the conditions of approval adopted by the City Commission and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
6. **Acceptance of Conditions:** No zoning or building permits shall be issued until the property owner acknowledges in writing that it has received, understands, and agrees to comply with the conditions of approval.

BOARD QUESTIONS

None.

PUBLIC QUESTIONS

None.

PROPONENTS

None.

OPPONENTS

Laramie Smovir, a neighborhood resident, stated that she is not an opponent of the project but is concerned about its expansion towards 8th Street Northeast. The church is located on a

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corner between North Middle School and Sacajawea Elementary, where children walk regularly. As people come around the corner, it is hard to see, and the expansion towards 8th Street Northeast will reduce visibility. Ms. Smovir also provided photos that will be included in the presentation to the City Commission.

Mr. Hill responded that when requests are processed, Staff ensures that applicants meet the zoning district's minimum setback standards, including the clear vision triangle, and stated that the subject property will meet the minimum requirements.

PUBLIC COMMENT

None.

BOARD DISCUSSION AND ACTION

Mr. Bertelsen stated that the project will be a good addition to the neighborhood.

MOTION: That the Zoning Commission recommend the City Commission approve the Conditional Use Permit for the subject property 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. Mills

Second by: Ms. Essex

Vote: All in favor, the motion passed 4-0

BOARD ACTIONS NOT REQUIRING PUBLIC HEARING

Mr. Cherry stated that Chair Bertelsen, Jamie Nygard, and he interviewed seven applicants for the three open positions on the Planning Advisory Board/Zoning Commission, since Dave Bertelsen and Samantha Kaupish are termed out, and Jake Schneiderhan has requested to step down from the Board. He mentioned that all the comment sheets from the interviews were included in the agenda packet. Mr. Bertelsen recommended recruiting Jim Wingerter, Michael Gorecki, and David Cantly. Mr. Cherry noted that the Board can recommend any candidates to the City Commission and emphasized that all the applicants were highly qualified.

Mr. Mills expressed his trust in Chair Bertelsen's recommendation. Ms. Essex agreed with Mr. Mills.

MOTION: That the Planning Advisory Board/Zoning Commission recommend the City Commission appoint Jim Wingerter, Michael Gorecki and David Cantly to the Planning Advisory Board/Zoning Commission.

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Made by: Mr. Mills

Second by: Ms. Kaupish

Vote: All in favor, the motion passed 4-0

Election of Officers for 2025

Mr. Bertelsen asked about waiting to elect officers for 2025, as there are three new members that will be at the next meeting. Mr. Cherry responded that in looking at administrative efficiency he was hoping that existing board members would take on the duties and not thrust it upon a new member.

MOTION: That Tory Mills be elected as Chair of the Planning Advisory Board/Zoning Commission for 2025.

Made by: Mr. Bertelsen

Second by: Ms. Essex

Vote: All in favor, the motion passed 4-0

MOTION: That Julie Essex be elected as Vice Chair of the Planning Advisory Board/Zoning Commission for 2025.

Made by: Mr. Bertelsen

Second by: Ms. Kaupish

Vote: All in favor, the motion passed 4-0

Growth Policy Update Presentation

Allison Mauch from Orion Planning and Design presented a slideshow on the Growth Policy Update Roadmap to the Board, noting that the Growth Policy is currently in Phase 2. The website futuregreatfalls.com went live less than a week ago and has received over 750

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responses. She also shared some comments from the community stakeholders.

1. Phase 1 – Visions and foundations
 - Project identity
 - Stakeholder roundtables
 - Existing Conditions Report
2. Phase 2 – Broad Engagement and Scenario Planning – Quarter 1-2 2025
 - Planning week - workshops
 - Community survey
 - Building consensus
 - Aligning feedback with planning scenarios
3. Phase 3 - Draft and Review – Quarter 2-4 2025
 - Drafting the growth policy itself
 - Checkpoints for review by the Steering Committee, stakeholders and public
4. Phase 4 – Adoption – Early 2026

Ms. Mauch stated that the workshop input will be reviewed to identify themes, priorities, and specific concerns raised by the community. Growth scenarios will be developed using available data and workshop input to determine an ideal scenario for planning. She mentioned that community input will guide them as they draft recommendations and implementation strategies to support the city's long-term growth and development goals.

COMMUNICATIONS

Mr. Cherry encouraged the Board Members to take the survey and go to a workshop for the Growth Policy Update.

PUBLIC COMMENT

None.

ADJOURNMENT

There being no further business, Chair Bertelsen adjourned the meeting at 3:44 p.m.

CHAIRMAN TORY MILLS

SECRETARY BROCK CHERRY



Meeting Date: February 25,
2025

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

- Item:** Public Hearing – Request for a Conditional Use Permit (CUP) for a “Contractor Yard, Type I”, land use with an additional allowance of up to 2,500 square feet of temporary storage containers, upon the property addressed as 3104 Upper River Road legally described as Lot 22 of McLean Garden Tracts, Section 23, T20N, R3E, P.M.M., City of Great Falls, Cascade County, Montana.
- Initiated By:** Matthew McDonald, McD LLC, Owner
- Presented By:** Kayla Kryzsko, Assistant City Planner, Planning & Community Development
- Action Requested:** Recommendation to the City Commission

Public Hearing:

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

Suggested Motion:

1. Board Member moves:

“I move that the Planning Advisory Board recommend the City Commission (approve/deny) the Conditional Use Permit as legally described in the Staff Report, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicants.”

2. Chairman calls for a second, board discussion, and calls for the vote.

Summary: In April of 2024, the City received a complaint regarding activities on the property. In response, the City notified the property owner to remove all items related to the business operations. Following the complaint, City staff met with the applicant to discuss the necessary CUP and property improvements to ensure the activity would be compatible with the surrounding neighborhood.

The applicant and property owner, Matthew McDonald, is requesting a Conditional Use Permit (CUP) to allow a Type I Contractor Yard land use upon the property located at 3104 Upper River Road. The applicant purchased the property, legally described as Lot 22 of McLean Garden Tracts, in January of 2024. The subject property is approximately 4.95 acres and has an existing single-family residence with a detached garage.

The applicant requests to establish a Type I Contractor yard for his construction business, McD LLC, with an additional allowance of up to 2,500 square feet of temporary storage containers until he is able to construct a building to store his equipment and materials. The CUP will require all other standards of a Type I Contractor Yard listed within the Official Code of the City of Great Falls (OCCGF) 17.20.6.270 provided below:

"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.

- A. **Generally.** These standards do not apply to contractor yards in Industrial zoning districts
- B. **Lot size requirements.** The minimum lot size shall be one (1) acre.
- C. **Limitations on equipment.** No more than two (2) pieces of heavy equipment exceeding three (3) tons may be stored on the premises.
- D. **Storage of material.** Exterior storage of construction materials, wastes, or any other material related to the operation of the contractor yard is prohibited.
- E. **Buildings.** A building(s) not exceeding a cumulative total of three thousand (3,000) square feet shall be constructed on the premises to accommodate the contractor's operations.

A "Contractor Yard" is defined as "a place and/or building, or portion thereof, that is used or is intended to be used by a contractor/builder with one (1) of more of the following: construction material storage, machinery storage or repair, including truck and heavy equipment, shops, and office space." Without a CUP, the owner is unable to establish a Type I Contractor Yard within the R-1 Single-family Suburban zoning district, as this use is only permitted in such districts through a Conditional Use Permit.

Background:

The subject property is located within Upper and Lower River Road Water and Sewer Districts (ULRRWSD) No. 3. Properties within the area are located within ULRRWSD No. 2 and No. 3, which were annexed into the City in 2009 and 2010. As part of this process, Ordinance 3033 and Ordinance 3061 were adopted to establish new zoning classifications for the area, including R-1 (Single-Family Suburban), R-2 (Single-Family Medium Density), R-3 (Single-Family High Density), R-10 (Mobile Home Park), M-2 (Mixed-Use Transitional), and I-1 (Light Industrial). Existing legal land uses that did not conform to the new zoning designations were allowed to continue as legal nonconforming uses.

The existing neighborhood contains a mix of land uses. City records indicate that the property directly to the south (3128 Upper River Road) has been used as a residence and a Type II Contractor Yard since 2015. Multiple properties to the east, across Upper River Road, are identified as having commercial components to their land use designations. Additionally, properties north of the subject property along Upper River Road were annexed with M-2 and I-1 zoning classifications. Notably, these properties include contractor yards for Montana Lines (2802 Upper River Road) and the former Hall Transit Bus Barn (2625 Upper River Road).

Conditional Use Request: The property owner has submitted an application for a CUP to establish a Type I Contractor Yard, with an additional allowance of up to 2,500 square feet of temporary storage containers at 3104 Upper River Road. Approval of the CUP is required to establish the use of a Type I Contractor Yard within the existing R-1 zoning district.

As part of the request, the applicant seeks approval for an additional allowance to what is allowed as part of a Type I Contractor Yard. Specifically, the applicant requests the following:

Temporary use of storage containers located on site. City code permits storage containers in Industrial zoning districts. The applicant proposes to temporarily place storage containers on-site for the storage of tools and materials related to McD LLC business operations. These containers will be removed from the property upon construction of a permanent structure OR after forty-eight (48) months of from the approval of the conditional use permit

The proposed project includes modifications to the site to accommodate the proposed use. The applicant will be required to make site improvements to bring the property into conformance with all applicable codes, including Title 17 of the OCCGF. These requirements are intended to mitigate the impact of the contractor yard on the surrounding residential area. Planning staff reviewed these requirements such as screening and setbacks with the applicant, which are listed within the Conditions of Approval.

Growth Policy Compliance: Staff has reviewed the City's 2013 Growth Policy Update and has concluded the policy supports the proposed conditional use to establish a Type I Contractor Yard upon the subject property. Specifically, on page 157 regarding the "Economic Goals" to Promote a "business friendly" attitude and support the use of an ombudsman role in all facets of business development. Additionally, within the "Physical Goals", the policy advised Promoting and incentivizing infill development that is compatible with the scale and character of established neighborhoods and to encourage and incentivize the redevelopment or adaptive reuse of vacant or underutilized properties so as to maximize the City's existing infrastructure on page 165.

Public Posting & Scheduling: Notice of this Public Hearing was originally published in the Great Falls Tribune on January 12, 2025. Due to concerns from nearby residents regarding the content of the notice and the need for additional information, the public hearing was postponed. The applicant's original request included additional allowances, such as a larger shop, as part of his request. After learning of the concern from the neighbors, the applicant met with City staff and modified the request to only include the allowance of temporary storage containers until he is able to construct a shop to store his equipment and materials. As previously stated, if the CUP is approved, the use and operations will be held to all other standards of a Type I Contractor Yard listed within OCCGF.

The public hearing for this request was noticed again on February 9, 2025 for the rescheduled public hearing to be held on February 25, 2025. Notice was additionally mailed to all property owners within 150 feet of the subject property, and a sign was posted on the property. As of the submission of this report, staff has not received any written comments, but staff has discussed the request with neighbors on the phone.

The basis of decision for a conditional use permit is listed in OCCGF §17.16.36.040. The Conditional Use Permit process prescribes a public decision making process to consider whether a land use not otherwise permitted by City code can fit into its locational setting and identify if any additional conditions are required of the request. The recommended list of additional conditions for this request are listed as "Conditions of Approval" at the end of this report.

Neighborhood Council Input: The subject property is situated within Neighborhood Council #6. The project was presented during the Council's regularly scheduled meeting on February 5, 2025. A nearby neighbor attended the Neighborhood Council meeting and expressed concern about the location of the

originally proposed driveway near their residence. The neighbor and applicant stated they would discuss the matter and create a plan that is acceptable to both parties. The concerned neighbor stated so long as the issue of the driveway was addressed, she could support the request. The current site plan does not show a second access and driveway. However, City code allows the applicant to request a second access from Upper River Road. The Council voted 4-0 in support of the proposed CUP.

Fiscal Impact: Approval of the Conditional Use Permit will allow the applicant to establish a Type I Contractor Yard upon the subject property. The applicant will pay for the cost of site improvements, including the construction buildings, screening, additional approaches and driveways, and improvements to meet stormwater management requirements.

Staff Recommendation: Staff recommends approval of the Conditional Use Permit, subject to the conditions stated within the agenda report.

Conditions of Approval:

1. **Subsequent modifications and additions:** If, after establishment of the conditional use, the owner proposes to expand or modify the use, buildings, and/or structures, the Director of the Planning and Community Development Department shall determine in writing if such proposed change would alter the finding for one or more review criteria found in OCCGF 17.16.36.040. If such proposed change would alter a finding, the proposal shall be submitted for review as a new conditional use application. If such proposed change would not alter a finding, the owner shall obtain all other permits as may be required.
2. **Changes in Use:** Conditional uses are regulated as such because the use presents the possibility of significant impacts on the community. Therefore, changes in conditional uses must be strictly limited. A significant change in the type or level of activity, including changes in the number of employees or operating hours, or changes in the types of materials present on the site, may void the conditional use permit. Proposed changes shall be submitted to the Administrator, who may require that the permit be amended following the same public process used for its adoption.
3. **Expiration:** The conditional use permit shall expire one (1) year after the date of issuance, if the operation has not been established for the applicant's request. The Administrator may extend the expiration date by up to one year if substantial work is ongoing.
4. **Abandonment:** If a conditional use ceases to operate for more than six (6) months, the conditional use permit is void.
5. **Screening:** The applicant is required to screen the contractor yard from the public right-of-way prior to the establishment of the use of the contractor yard. A 6-foot-high, 100% opaque fence running north/south along the Upper River Road frontage shall be installed.
6. **Buffer Between Uses:** In accordance with OCCGF 17.44.3.030(F), a minimum 15-foot landscape buffer shall be maintained where a non-residential use abuts a residential use.
7. **Storage Containers:** Storage containers on site shall be temporary, and may not be located upon the subject property after forty-eight (48) months of approval of the conditional use. The total area of storage containers shall not exceed two thousand and five hundred (2,500) square feet. The containers shall be painted in colors that are natural with the surroundings and screened

from the public right-of-way and shall be removed within 60 days upon final inspection of the shop structure construction.

- 8. Additional Access:** Any proposed additional driveway may be surfaced with gravel, provided that measures are taken to prevent gravel from entering the existing storm inlet and that construction does not negatively affect drainage to the inlet. The applicant must secure all necessary permits and submit an approach application to the Public Works Engineering Department for review and approval. Additionally, to ensure adequate fire department access, the driveway must have a minimum width of 20 feet, be capable of supporting the weight of a fire engine (75,000 lbs.), and be properly maintained.
- 9. Stormwater management:** In accordance with OCCGF 13.24.080 (A), if a phased development plan results in 15,000 square feet or more of impervious surface coverage, or more than one acre of disturbance within the planning area, the applicant must submit a drainage plan for review. The applicant shall submit a stormwater management plan for approval by the City's Public Works Department. Additionally, if the development disturbs more than 10,000 square feet, an erosion control plan for active construction must also be submitted to the City's Environmental Division for review.
- 10. Licensing:** Before commencing operations of the contractor yard, the applicant must secure a business license from the City of Great Falls and ensure adherence to all applicable building, zoning, and fire safety regulations.
- 11. Noise Limitations:** Per OCCGF 8.53.040 the applicant shall ensure that noise levels do not exceed 55dB(A) from 7:00 a.m. to 8:00 p.m. and 50 dB(A) from 8:00 p.m. to 7:00 a.m. at the property line.
- 12. Parking:** The applicant shall provide off-street parking to accommodate employees and business activity.
- 13. Future Development Permitting:** All future development permits shall comply with the codes and ordinances of the City of Great Falls, the State of Montana, and any other applicable regulatory agencies. The required plans and specifications will be reviewed by representatives from the City's Planning Division, Building Division, Engineering Division, and Great Falls Fire Rescue to ensure full compliance with all regulations.
- 14. Acceptance of Conditions:** The amendment will not go into effect until the applicant acknowledges in writing that it has received, understands, and agrees to comply with these conditions of approval.

Alternatives: The Zoning Commission could recommend denial of the Conditional Use Permit. If so, an alternative Basis of Decision would be required to support this action.

Concurrences: Representatives from the City's Public Works and Fire Departments have been involved with this application's review. All comments have been considered for the recommendation and conditions of the project.

Attachments/Exhibits:

- Basis of Decision
- Location Map
- Zoning Map
- Project Narrative
- Preliminary Site Plan

CONDITIONAL USE PERMIT - BASIS OF DECISION

The applicant is requesting the approval of a Conditional Use Permit (CUP) for a “Contractor yard, Type I” upon a property within the R-1 Single-family Suburban zoning district located at 3104 Upper River Road and legally described as Lot 22 of McLean Garden Tracts, Section 23, Township 20 North, Range 3 East, P.M.M., City of Great Falls, Cascade County, Montana.

PRIMARY REVIEW CRITERIA:

The basis for decision for a conditional use permit is listed in OCCGF §17.16.36.040. The Zoning Commission's recommendation and the City Commission's decision to approve, conditionally approve, or deny an application shall be based on whether the application, staff report, public hearing, Zoning Commission recommendation, or additional information demonstrates that the decision of City Commission shall at a minimum consider the following criteria:

1. The zoning and conditional use is consistent with the City’s Growth Policy and applicable neighborhood plans, if any.

The proposed conditional use is consistent with the overall intent and purpose of the 2013 City of Great Falls Growth Policy Update. This project and amendment is strongly supported by the following Economic and Physical portions of the Growth Policy.

- **Economic Goals**

- Promote a “business friendly” attitude and support the use of an ombudsman role in all facets of business development. Page 157

- **Physical Goals**

- Promote and incentivize infill development that is compatible with the scale and character of established neighborhoods. Page 165
- Encourage and incentivize the redevelopment or adaptive reuse of vacant or underutilized properties so as to maximize the City’s existing infrastructure. Page 165
- Support actions that bring properties into conformance with the City’s Land Development Code requirements over time. Page 167

2. The establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the health, safety, morals, comfort or general welfare.

The CUP allows the City to review the proposed project and place appropriate conditions on the specific project to help mitigate or reduce the total off-site impacts a project may have on the surrounding properties and environment. For this request, the Conditions of Approval outline measures such as screening and a landscape buffer, designed to safeguard public health, safety, and welfare. Additionally, the request includes an allowance for up to 2,500 square feet of temporary storage containers to conceal tools and materials from public view.

3. The conditional use 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 project is located within the R-1 Single-Family Suburban zoning district, which is intended to support low-density, single-family residential development on larger lots. Although the contractor yard is intended to meet the operational needs of the property owner's business, it will require specific site improvements – such as screening and a landscape buffer, and appropriate setbacks. These requirements are intended to maintain the neighborhood's character and protect property values. The total allocation of storage units will not exceed 2,500 square feet and will be temporary, as outlined in the Conditions of Approval. The proposed project aligns with surrounding properties that feature similar business-oriented land uses, and as such, the conditional use is not expected to negatively impact the enjoyment or property values of nearby properties.

4. The conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The conditions of approval are proposed to minimize effects on the surrounding area. The proposed project is designed to complement the existing land uses in the surrounding area and will not hinder the potential for future orderly development or the implementation of uses permitted within the area.

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

Adequate utilities, access roads, drainage systems, and other necessary facilities currently exist around the subject property and will be able to support the operation and functionality of the proposed project. This includes ensuring reliable access to public utilities such as City water and sewer services, as well as access roads and stormwater management systems to prevent flooding and ensure environmental protection. These facilities are designed to accommodate the needs of the project while minimizing potential impacts on the surrounding area.

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

The subject property is currently accessed by an approach from Upper River Road. A new access point may be requested to facilitate business operations. Due to the subject property's frontage length, City code allows the applicant to request a second access from Upper River Road. Any new approaches requested by the applicant shall require a permit and review by Public Works Engineering.

- 7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Commission.**

The proposed project will adhere to all relevant regulations outlined in Title 17 – Land Development Code. Prior to commencing any construction activities, the applicant must secure all necessary permits from the Planning and Community Development Office and ensure compliance with all applicable codes, ordinances, and requirements set forth by the City of Great Falls, the State of Montana, and any other relevant regulatory agencies.

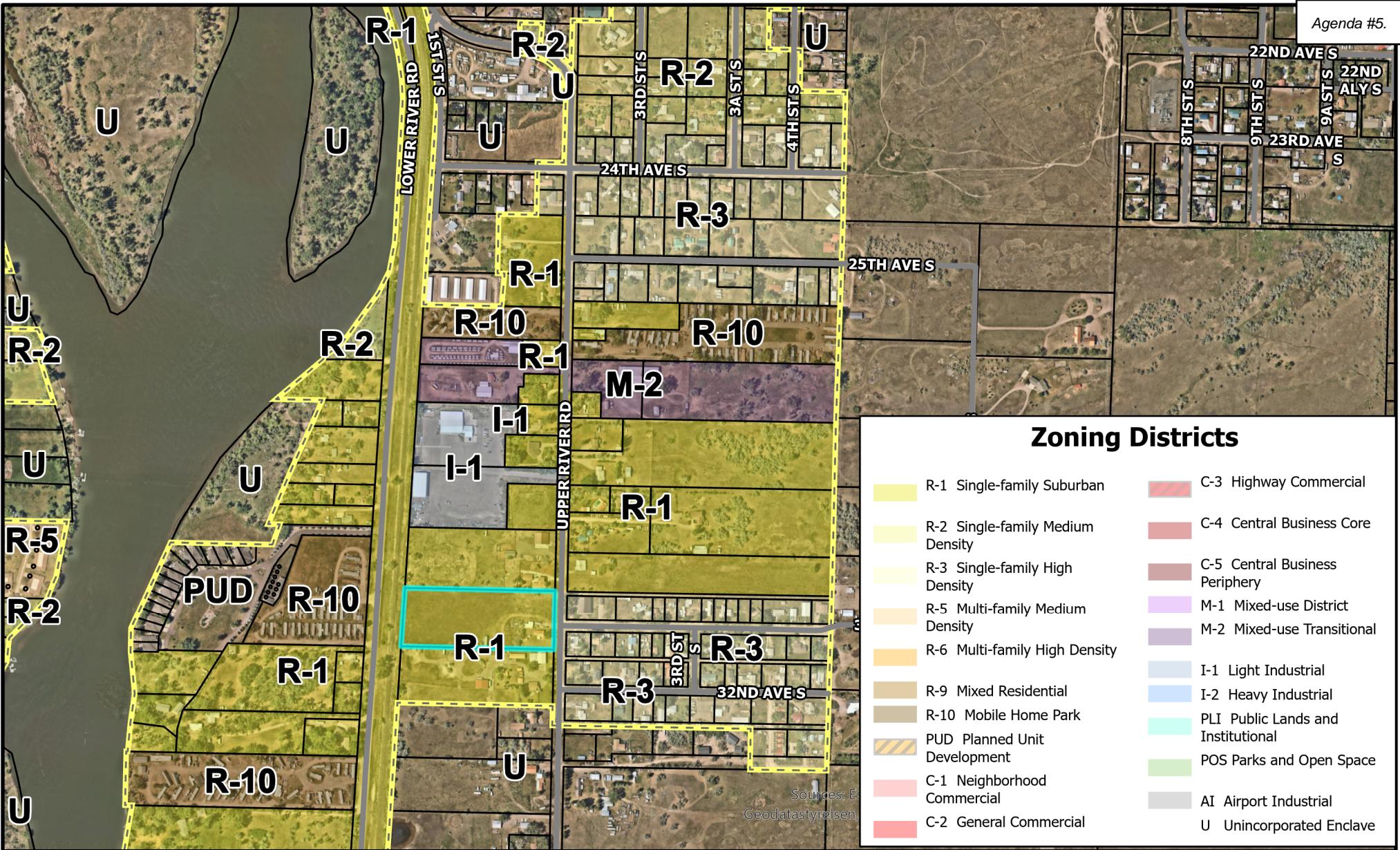


Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastwelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Contributors, Montana State University, City of Great Falls, Montana State Library, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS



Location Map

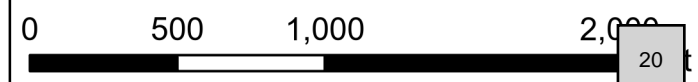
ADDRESS: 3104 UPPER RIVER RD



Zoning Map

ADDRESS: 3104 UPPER RIVER RD

- City Addresses
- City Limit
- Parcels



Project Overview

I, Matthew McDonald and my brother Gerald McDonald are partners in the construction business known as McDonald Construction and Design LLC, also referred to as McD LLC. We are Great Falls locals who have worked hard to create a life and career that we wake up every day excited and motivated to innovate for our clients. To clarify, all log homes we manufacture will be at the job site. We would not manufacture log homes at this property.

To continue, we genuinely want to help wherever we can. Both of us have goals to continue our education in our respective interests—electricity and plumbing. Our combined skill sets encourage us to constantly achieve more, create more, learn more, and, most of all, give back to the community.

When the Great Falls and surrounding residents are hit with the temperamental weather, we all know so well, McD LLC often tells clients that when unfortunate, unpredictable circumstances such as damaged roofs, siding, or floods happen, McD LLC is more than eager to work with clients and their insurance for assistance and coverage on the necessary renovations.

McD LLC acquired the property at 3104 Upper River Road through a family friend. I, Matthew McDonald, had always had my eye on this plot of land. I would visit it frequently in high school with my peers and I always knew I wanted to one day own it. When Kathy Lakey decided to sell after the passing of her husband Thomas Lakey, she knew that I had big plans and had always envisioned making the property worth something more for myself. She graciously passed the deed and the plans began.

The main purpose of McD LLC is to complete remodeling/construction requests across Montana. Including home remodels, but mostly log cabin construction, usually from the ground up on private land and ranches. Our crew is made up of subcontractors who choose to travel to with the business wherever our specialties are needed. The property will be used to store materials, tools, and equipment. Contractors will appear at the property on scarce occasions since their contracted hours are spent serving clients throughout the State.

Business operations:

1. Equipment in Contractor Yard
 - a. Skid Steer, Mini Excavator, Telehandler, Boom lift, Dump Trailers, Enclosed trailers, Flatbed Trailer
2. Materials stored on Contractor Yard
 - a. Siding Material, Roofing Material, and Tools, they will be stored in shipping containers until garage is built.
 - b. Stored at the South East side of the back of the property transported by log truck.
3. Hours of business operation
 - a. 7am-4:30pm
4. There will be less than 10 contractors.

- a. Work is done on site. When contractors are at the property it is to haul materials to the job site and that will not be daily but only when necessary. 10 contractors max may come and go at a given day due to any circumstances, however, most days it will be an average of 3 contractors a day.
5. Our contractors carpool in as little vehicles as possible to conserve gas. Since they carpool around 1-2 vehicles may be at the property at any given time due to this situation. All vehicles that are driven to the job sites are driven by the licensed title owners and there are no “company designated” trucks.

Proposed Fence:

1. Residential style fence running along the east and west border of the property where the front of the house begins, just as described, to screen the visibility.
 - o Goal is to look residential and conform with the neighboring areas
 - This would be constructed first

Proposed Shipping Containers:

1. Would like to use shipping containers for storage while the shop is being constructed. Containers are intended for temporary use and will be removed once the shop is constructed.
2. Storage containers will be limited to a total area of 2,500 square feet on the property.
3. Located out of view from the main road.
 - The Storage container will meet setbacks of 15 feet from the side property lines.

The City has expressed interest in acquiring a water and sewer easement.

We will gladly allow the easement if we can attach to city water and sewer.

Proposed Structures:

1. Residential type 3,000 sq ft garage
 - o Shop will hold business tools and materials..
 - o Residential garage would be constructed fourth.

Site Plan:

1. Yellow: Fence
2. Red: Connex
3. Blue: 3,000 sq ft

Agenda #5.

2,000 sq ft of temporary storage containers



15 ft set back

3,000 sq ft shop



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