



**Board of Adjustment / Appeals : Special Meeting Agenda
Civic Center 2 Park Drive South, Great Falls, MT
Commission Chambers, Civic Center
July 09, 2020 - 3:00 PM**

UPDATES CONCERNING PROCESS OF MEETINGS

Due to the COVID-19 health concerns, the format of the Board of Adjustment meeting may be modified to accommodate Board member attendance in person, via a remote location/virtual meeting method, or to appear telephonically. In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), modifications have also been made for public participation. Public participation is welcome in the following ways:

- Attend in person. Refrain from attending in person if you are not feeling well. The City will require social distancing at the meeting, and may limit the number of persons in the Commission Chambers according to applicable health guidelines.
- Provide public comments via email. Comments may be sent via email before 12:00 PM on Thursday, July 9, 2020, to: craymond@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name and address of the commenter. Written communication received by that time will be shared with the Board of Adjustment 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-in. The public may call in during specific public comment periods at 406-761-4786. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to customary time limits. We ask for your patience in the event there are technical difficulties.
- 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 comment will be taken during the meeting as indicated on the agenda with an asterisk.

OPEN MEETING

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

Jule Stuver - Chair
Krista Smith - Vice Chair
Joe McMillen
Aspen Northerner
Kyle Palagi

- 3 Recognition of Staff
- 4 Approval of Meeting Minutes - June 4, 2020

CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS

BOARD ACTIONS REQUIRING PUBLIC HEARING

- 5.** 2000 21st Ave S, Lot 1, Block 2 of the Meriwether Crossing Subdivision - Variance from the Official Code of the City of Great Falls (OCCGF) § 17.20.4.010 regarding the required side yard setback allowed in the underlying R-3 Single-family high density zoning district for the Meriwether Crossing Planned Unit Development.

BOARD ACTIONS NOT REQUIRING PUBLIC HEARING

COMMUNICATIONS

PUBLIC COMMENT

Public Comment on any matter and that is within the jurisdiction of the Board of Adjustment/Appeals. 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.

Board of Adjustment/Appeals meetings are televised on cable channel 190 and streamed live at <https://greatfallsmt.net>. Meetings are re-aired on cable channel 190 the following Friday morning at 10 a.m.

**MINUTES OF THE MEETING
GREAT FALLS BOARD OF ADJUSTMENT/APPEALS
June 4, 2020**

CALL TO ORDER

The meeting of the Great Falls Board of Adjustment/Appeals was called to order by Chair Jule Stuver at 3:00 p.m. via Zoom, in the Gibson Room, at the Civic Center.

ROLL CALL & ATTENDANCE

Great Falls Board of Adjustment/Appeals members present:

Mr. Jule Stuver, Chair
Ms. Krista Smith, Vice Chair
Mr. Joe McMillen
Ms. Aspen Northerner
Mr. Kyle Palagi

Great Falls Board of Adjustment/Appeals members absent:

None

Planning Staff members present:

Mr. Thomas Micuda, Deputy Director, Planning & Community Development
Ms. Erin Borland, Planner III
Ms. Shelley Francis, Permit Technician
Mr. Lonnie Hill, Planner I

Others present:

Ms. Cassidy Blomgren, Deputy Prosecutor
Mr. Joe Cik, Assistant City Attorney joining at 3:21 p.m.
Ms. Lisa Kunz, City Clerk

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

MINUTES

Chair Stuver asked if there was a motion to approve the meeting minutes as stated for January 9, 2020. Mr. Palagi moved to approve the minutes, seconded by Ms. Smith. All in favor, the minutes were approved.

BOARD ACTIONS REQUIRING PUBLIC HEARING

3004 Lower River Road - Variance to Section 17.20.7.060 of the official Code of the City of Great Falls (OCCGF) that would allow the total maximum garage area to exceed code requirements.

Lonnie Hill, Planner I, presented the variance being requested by the applicants, Lewis and Kandy Zanto. The lot is zoned as R-1, Single-Family Suburban, on 1.85 acres. The request is to increase the total maximum garage area allowed on the property to 5,000 square feet instead of the maximum of 1,800 square feet allowed for a lot size of 1 acre and higher. Mr. Hill did show the board, slides of the property map, zoning map, and a floodplain map and stated that the property is located wholly within the floodplain. He stated that access to the site is provided through the Riverside Townhome property. The lot is currently vacant with the exception of the trees. Mr. Hill stated that the applicant proposes to build a single-family residence with an attached 1,500 square foot garage and then build an additional 3,500 square foot detached garage. Mr. Hill showed the board members a preliminary site plan provided by the applicant that was designed by NCI Engineering. Mr. Hill also presented a video of the preliminary renderings of the project. Mr. Hill stated that the Land Development Code only allows a maximum of 1,800 square feet of garage on an acre or more of property. Therefore, a variance is needed for the additional 3,200 square feet beyond the provision.

Mr. Hill presented the findings for the basis of decision listed in the Land Development Code. He stated that the decision of the Board of Adjustment shall consider the three Basis of Decision criteria. First is the variance is not contrary to the public interest. The second is a literal enforcement would result in unnecessary hardship, owing to conditions unique to the property. Third is the spirit of this Title would be observed and substantial justice done by granting the variance.

The first criteria is that the variance is not contrary to the public interest. The purpose of the total maximum garage area provision is to ensure that large garages are not dominating over the houses on a property and to help prohibit large garages from being turned into businesses or additional dwelling units in residentially zoned areas. He stated that the staff finds that the request would be contrary to public interest. Staff often receives inquiries about larger garages. There was a previous variance request at 2400 6th St NW that was denied last year by the Board. The request was for 2,400 square feet rather than the allowed 1,600 square feet. This request is more than 2.5 times the allowed square footage, which is significantly more than a minor deviation from the code.

The second criteria is that a literal enforcement would result in unnecessary hardship, owing to conditions unique to the property. Hardship is defined as a unique condition on the property that would prohibit the owner from complying with the 1,800 square foot code standard for cumulative garage area. The applicant has stated that due to the location within the floodplain, the lot is unable to receive utilities, which makes it extremely difficult to subdivide. Staff also notes that the property has a remote location and lacks street frontage, which would make a larger garage easier to incorporate into the area's built environment. However, Mr. Hill stated that staff cannot find enough unique conditions to justify such a large deviation from regulations. He stated that staff appreciates the fact that the applicant would like to build a large detached garage, but the amount that the applicant is requesting is 3,200 square feet more than the total

amount allowed for the lot size. Additionally, there are no other single-family detached garages of this size in the immediate area. The Riverside Townhomes shared storage/garage structure for the entire development is 4,872 square feet and was reviewed and permitted through a Planned Unit Development. He also stated that the floodplain implications that prevent subdivision should have been understood by the applicant.

The third criteria for the basis of decision is that the spirit of the Title would be observed and substantial justice done by granting the variance. Staff finds the spirit of the title would not be observed if the variance is granted. Mr. Hill stated that the applicant's request is such a large deviation from the code that it represents an objection to the code provision itself more than a variance based on unique conditions and a hardship. He stated that granting such a variance would be inconsistent with past action from the Board and create uncertainty for handling future requests for larger garages.

Mr. Hill stated that based on the findings, staff recommends denial of the increase of total garage area allowed. He stated that the alternative could be for the Board to approve the variance if sufficient finding of facts are developed to support an approval. If the Board does vote to approve the variance, a condition of approval is that the proposed garage area must be constructed as proposed.

Mr. Hill read a summary of some phone inquiries that the Planning and Community Development office received regarding the project. He stated that there was some concerns about the project being so large in scale that it seemed as large as a commercial project. There were also concerns with the project being in the floodplain, and if the variance was approved now, it would go with the land and affect surrounding properties.

PETITIONER'S PRESENTATION

Lewis Zanto, 3000 Lower River Road #2, Riverside Townhomes, stated that he didn't have anything more to add factually as the application packet did cover the request, but would be open to questions. He stated that he has a lot that is landlocked and the City does not have a way to provide water and sewer to the lot. He stated that there is no easement available and no access available. He made an agreement with the Townhome Association a number of years ago to join their system, which is a private system, and that agreement was to build two homes on the property. He started the process for subdividing the property. With all of the difficulties with the floodplain, he decided that it did not make sense to pursue that anymore. They need the storage for a boat, utility trailer, jet skis and motorhome that are currently out in the elements. He stated that he knows that a garage of this size has never been requested before, but there are some lots across from him where the land was rezoned to allow 3,200 square foot garages. He said that he does not have the option to rezone this property because it is a single lot. So, he thought his only option to get a larger garage would be to seek a variance

OPPORTUNITY FOR BOARD MEMBERS TO ASK QUESTIONS

There were no questions.

PROPOSERS OPPORTUNITY TO SPEAK

Jim Auth, 3000 Lower River Road, Lives six doors down from Mr. Zanto, in the Riverside Townhomes. He states he has seen the artist's rendition of the project and finds it very pleasing. He lives approximately 200 yards from where the garage would be placed and thinks that it would be an improvement to the property that he lives on and an improvement to Lewis Zanto's property. It would clean up all of the trailers, boats, ski-do's, etc. that Mr. Zanto has parked on his property right now. He is in favor of the erection of the garage.

Robert Symes, 3000 Lower River Road, stated that he believes that this project would be a benefit to the neighborhood as it would clean up Mr. Zanto's belongings and not look like a scrapyard. He is in favor of it.

Mr. Zanto stated that he did get some signatures from other residences at the Riverside Townhomes. He has three plus himself.

OPPONENTS OPPORTUNITY TO SPEAK

Steve Palmer on behalf of his mother who is a residence of the Riverside Townhomes, 3000 Lower River Road Unit #4. His address is 50 Woodside Plaza Redwood City, CA and he does have Power of Attorney for his mother. He stated that the variation is 2.8 times larger than what the code allows, which seems quite excessive and does not seem that there has been any variances like this approved. He also thinks that in the artist renderings they depict ten roll up garage doors by his count. Two of them are double height doors that is likely indicative of markedly increased vehicular traffic on the Riverside access road and that will undoubtedly have wear and tear on the road. It was noted by several people in the meeting that there is access but only through the Riverside Townhomes, and the majority of the cost of maintenance and repairs of that road is borne to the 16 members of the HOA. The owners of the subject property where the variance is applied will only be responsible for 1/17th of the maintenance and repair costs of the road. Lastly, he pointed out that there is no guarantee that the artist's rendering will actually be built and concurs with the staff recommendation for denial of the variation and encouraged the board to deny.

OPPORTUNITY FOR BOARD MEMBERS TO ASK QUESTIONS

There were no questions.

BOARD DISCUSSION AND ACTION

MOTION: That the Board of Adjustment, based on the Findings for the Basis of Decision, deny the variance request from OCCGF Title 17, Chapter 20, Article 7, Section 060, total maximum garage area to allow an additional 3,200 square feet.

Made by: Mr. Palagi
Second: Ms. Northerner

Mr. Palagi stated that he agrees with the City staff's findings. He thinks that the argument here is against the code and does not feel it is the job of the Board of Adjustment to change the code.

He does not see the three conditions for a variance as being met. The renderings look very nice and would be an improvement to the site; it is just not how the code was written.

Mr. McMillen agreed and stated that it is a very excessive sized shop and he has done a lot of work in the townhomes there and it is a real residential area. There are condos that have small residential garages that are attached that only have enough room for their vehicles.

Mr. Stuver asked City staff about the number of inquiries of people wanting to construct larger garages than allowed by code and if it is more prevalent in this area and if there is any intention of future changes to the code that would accommodate larger garages in this area. Mr. Micuda responded that the staff get between 3 and 5 serious inquiries a year, regarding deviating garage sizes. There is not one specific neighborhood. The requests are spread out all over the city. The staff has talked about changing the code on and off for several years, but there has been no formal proposal brought forth.

VOTE: All in favor, the motion passed. 5-0 (Denial of the variance)

COMMUNICATIONS

Mr. Micuda let the board members know that there will be another application coming in any day, so there will be another Board of Adjustment meeting allotted for July 2, 2020, which will be back in the Commission Chambers.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

There being no further business, Chair Stuver adjourned the meeting at 3:42 p.m.



- Item:** 2000 21st Ave S, Lot 1, Block 2 of the Meriwether Crossing Subdivision - Variance from the Official Code of the City of Great Falls (OCCGF) § 17.20.4.010 regarding the required side yard setback allowed in the underlying R-3 Single-family high density zoning district for the Meriwether Crossing Planned Unit Development.
- Applicant:** Judith Nesmith, Owner
- Representative:** Keith Nelson, NeighborWorks Great Falls
- Presented By:** Erin Borland, Planner III, Planning and Community Development
- Action Requested:** Consideration of a reduced side yard setback from the standard 6 feet in the underlying R-3 Single-family high density zoning district of the Meriwether Crossing Planned Unit Development (PUD) contained in Ordinance 3193 and Title 17, Chapter 20, Article 4, Exhibit 20-4 of the OCCGF.

Public Hearing:

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

Suggested Motion:

1. Board Member moves:
 - I. "I move that the Board of Adjustment, based on the Findings for the Basis of Decision, (approve/deny) the variance request from OCCGF Title 17, Chapter 20, Article 4, Exhibit 20-4, *maximum side yard setback of principal and accessory buildings*, subject to the conditions of approval."
2. Chairman calls for a second, discussion, and calls for the vote.

Summary:

The Meriwether Crossing Subdivision was approved by the City Commission to be designated as a Planned Unit Development (PUD) with an underlying R-3 Single-family high density zoning district. Due to an error on the plat, Lot 1 of Block 2 of the subdivision is too narrow to build a single-family home with the required setbacks in accordance with the PUD zoning of the subdivision. Minor deviations to a PUD can be approved administratively, but because the 6-foot side yard standard is based on R-3 zoning district rather than the special standards of the PUD, a side setback variance is needed in order for the

applicant to move forward with the request to construct a new single family home on the very narrow lot.

Background:

In September of 2018, NeighborWorks Great Falls (NWGF), gained the City Commission’s approval to allow annexation, establishment of a Planned Unit Development (PUD), and a major subdivision for two parcels of land that totaled approximately 20.5 acres. In order to create a development that is feasible for the affordable homes being proposed, the applicant proposed lots that ranged from 5,948 square feet to 6,989 square feet. The proposed lot sizes, as well as minimum lot widths and front and rear setbacks, were reduced below R-3 Single-family high density district standards through the approval of a Planned Unit Development zoning designation.

During construction of the first phase, an error was discovered in the platting of the lots in Block 2 on 21st Avenue South. Lot 7 of Block 2 was platted wider than planned which affected the width of Lot 1. Due to the construction of the nine other houses already being underway, there is no way to adjust the lot lines on the plat in advance of the requested development of Lot 1. In order to fit the house on the lot, a side yard setback variance is requested.

Requested Variance:

The PUD for this subdivision utilizes the R-3 Single-family high density side yard setback which is six (6) feet. This can be seen in the attached Ordinance for the PUD and Exhibit 20-4 from Title 17 of the OCCGF. When NWGF was working with the applicant on the layout for her single-family home, the error in the plat was discovered and the size of the house simply cannot fit on the narrow, approximately 42-foot wide lot while meeting the six (6) foot side setbacks on both sides. NWGF worked with staff to request a variance that would address the best case scenario based on the placement of the house on the lot adjacent to the east and the eighty (80) foot right-of-way adjacent to the west. The end result is a request for a 5’-4” side yard setback on the east property line and a 6” setback on the west property line. Due to the fact that the lots stay under County jurisdiction until the houses are built, the variance can be granted but will not be in full effect until the Resolution for this phase is recorded.

Notice of the Board of Adjustment hearing was published in the Great Falls Tribune on Sunday, June 21, 2020. Additionally, notices were sent to adjoining property owners per code requirements. Staff has received no inquiries to date.

Findings for the Basis of Decision:

The basis for decision for a variance request is listed in § 17.16.32.040 of the OCCGF Land Development Code. The decision of the Board of Adjustment shall consider the three Basis of Decision criteria. Staff provides the following Basis of Decision for consideration by the Board:

1. The variance is not contrary to the public interest.

The intent of setbacks in the Land Development Code of the OCCGF is to develop lots with structures that have adequate spaces between each other and also to buffer certain land uses. Due to the PUD that was created for the purposes of the program, the lots that were created were strategically sized and the appropriate setbacks were established. The error that was found in the width of the lots on the plat created lots that did not meet the minimum width standard of the PUD. The applicant is requesting a side yard setback to the east that is just under the minimum six foot requirement and will meet the required setback for fire rating of the structure pursuant to the Building Code. Also based on the location of the adjacent house, the for the west side yard setback would give adequate spacing between structures. The request

for a 6” side yard setback is unusually small but in this case the west property line abuts an eighty (80) foot right-of-way. This means that between the back of curb of 20th Street South and the west property line there is 22.5’ including a public boulevard sidewalk. The granting of the variance would give enough buffer between the house and the road and sidewalk. Therefore the variance is not contrary to the public interest because there will be adequate spacing between structures to protect public safety and use of property.

2. A literal enforcement would result in unnecessary hardship, owing to conditions unique to the property.

As mentioned, the size of the lots for this subdivision were platted strategically to accomplish the intent of the Mutual Self Help Home program and to keep the lots affordable. When the error on the plat was discovered, a literal enforcement of the minimum side yard setbacks on the subject property would restrict the already narrow property to an unfeasible width to build the house that was planned for the lot. Additionally, there is no feasible way to re-plat the lots to fix the error and therefore no feasible way to fit a single-family house that would be consistent with the other houses already under construction. The dimension of the lot does result in unnecessary hardship and restricts the rights for the property owner.

3. The spirit of this Title would be observed and substantial justice done by granting the variance.

Based on the information provided for the previous findings, if the variance was not granted the subject property could not feasibly be developed in a manner consistent with all the other homes in the Mutual Self Help phase. The proposed development does otherwise conform to the approved PUD except with an administrative approval for the reduced lot size. The spirit of the Title would be observed and substantial justice done by granting the variance for the side-yard setback with the various conditions that have been supplied by Staff.

Alternative:

The Board of Adjustment could choose to deny the variance request and strictly enforce the 6 foot side yard setbacks for the underlying R-3 Single-family high density zoning in the established PUD. For such action, the Board of Adjustment must provide separate Basis of Decision findings to support the denial.

Recommendation:

Staff recommends approval of the requested variance, based on the findings for the basis of decision, with the following conditions:

Conditions of Approval:

1. **Amended Plat:** The representative, is required to provide a correctional plat of the subdivision correcting the error and any associated data provided on the plat.
2. **Land Use and Building Code Compliance:** The applicant shall comply with all requirements of the building permit including compliance with all applicable building and fire codes pursuant to the project and must abide by Ordinance 3193 which established all requirements for the PUD.
3. **Establishment of the Variance:** The variance shall take effect upon recording of the Resolution in conjunction with this phase of the subdivision.

Attachments:




- Aerial Map
- Cover Letter from Representative

- Proposed Site Plan with Requested Setbacks
- Meriwether Crossing Plat
- PUD Ordinance 3193
- Exhibit 21-4 Development Standards for Residential Zoning Districts

AERIAL MAP



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

-  Subject Property
-  Tracts of Land
-  LotLines

150 75 0 150 Feet



Keith Nelson
NeighborWorks Great Falls
509 1st Avenue South
Great Falls, MT 59401



June 8., 2020

City of Great Falls
Planning and Community Development

Hello,

NeighborWorks Great Falls is requesting a variance for Judy Nesmith at 2000 21st Ave So.

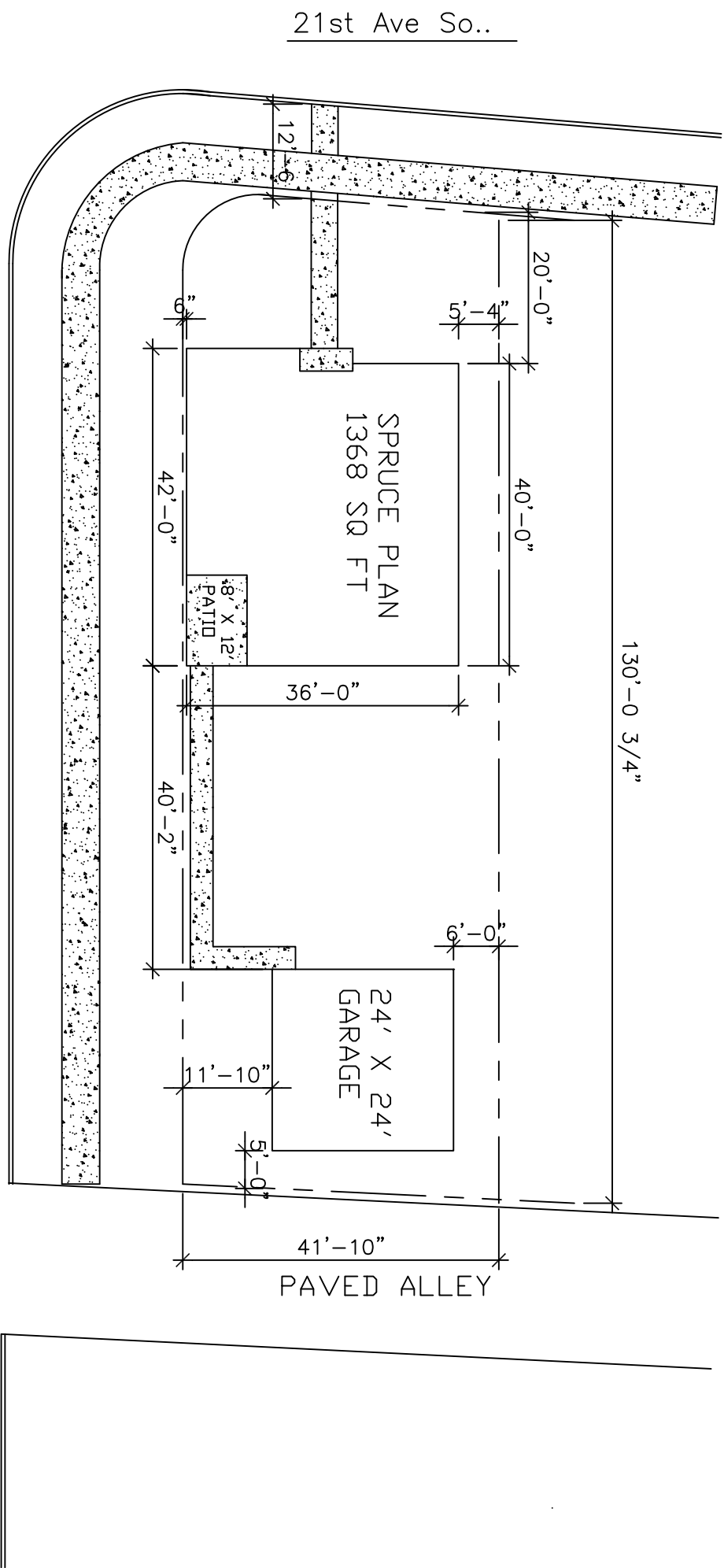
We recently discovered there was a mistake on the Plat for Meriwether Crossing in Block 2. Lot 7 of Block 2 west property line was inadvertently moved 10' which resulted in all the lots being shifted 10'. This made Judy's lot, Lot 1 of Block 2 too narrow to fit the home she has picked with the current set backs. Other homes and foundation are currently built on this block making it impossible to correct.

Please consider this request to enable us to build her home on the West property line, leaving adequate side yard to the east and not effecting Lot 2. This engineering mishap has caused hardship and not many choices for correction.

Sincerely,

A handwritten signature in blue ink that reads "Keith Nelson".

Keith Nelson
Director of Construction, NWGF



21st Ave So..

20th St. So..



NORTH

1 SITE PLAN
C1 SCALE: 1"=20'-0"

NEIGHBORWORKS GREAT FALLS
509 FIRST AVENUE SOUTH
GREAT FALLS, MONTANA 59401
(406)761-5861

Date:
June 5, 2020

Drawings by:
Keith Nelson
of
NeighborWorks
Great Falls

Revisions:

MERIWETHER CROSSING
SITE PLAN for 2000 21ST AVE. SO.

C1

ORDINANCE 3193

AN ORDINANCE ASSIGNING A ZONING CLASSIFICATION OF PUD PLANNED UNIT DEVELOPMENT TO THE PROPERTIES LEGALLY DESCRIBED AS: LOT 4B AND 4C OF THE CORRECTION OF AN AMENDED PLAT OF LOT 4 OF THE MEDICAL TECH PARK MINOR SUBDIVISION LOCATED IN THE SW1/4 SE1/4 OF SECTION 18, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M. CASCADE COUNTY, MONTANA AND THE ADJOINING RIGHT-OF-WAY OF 24TH AVENUE SOUTH.

* * * * *

WHEREAS, the property owner, NWGF Development, LLC, has petitioned the City of Great Falls to annex the subject properties, consisting of ±20.5 acres, as legally described above; and,

WHEREAS, NWGF Development, LLC has petitioned the City of Great Falls to assign a zoning classification of PUD Planned Unit Development to the subject properties, upon annexation to the City; and,

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on August 14, 2018, to consider said assignment of zoning of PUD Planned Unit Development district and, at the conclusion of said hearing, passed a motion recommending the City Commission assign said zoning to the properties legally described as Lot 4B and 4C of the Correction of an Amended Plat of Lot 4 of the Medical Tech Park Minor Subdivision located in the SW1/4 SE 1/4 of Section 18, T20N, R4E, P.M.M., Cascade County, Montana; 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 designation would be held on the 16th day of October, 2018, before final passage of said Ordinance herein; and,

WHEREAS, following said public hearing, it was found and decided that the assignment of PUD zoning on said properties meets the Basis of Decision requirements in the Official Code of the City of Great Falls (OCCGF), Section 17.16.29.050, and that the said zoning designation be made.

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

Section 1. It is determined that the herein requested PUD zoning request meets the criteria and guidelines cited in Mont. Code Ann. §76-2-304, and Section 17.16.29.050 of the OCCGF.


Section 2. That the zoning classification of "PUD Planned Unit Development" be assigned to the properties legally described as: Lot 4B and 4C of the Correction of an Amended Plat of Lot 4 of the Medical Tech Park Minor Subdivision located in the SW1/4 SE 1/4 of Section 18, T20N, R4E, P.M.M., Cascade County, Montana, 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. Except for the development standards in Attachment A, where the OCCGF regulations apply to a specific zoning district, the R-3 Single-family high density district regulations shall apply to the properties within the PUD.

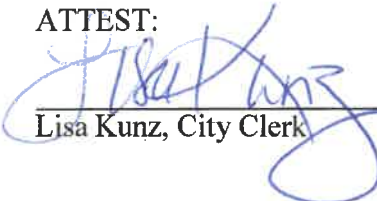
Section 4. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading September 18, 2018.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading October 16, 2018.



Bob Kelly, Mayor

ATTEST:


Lisa Kunz, City Clerk



(SEAL OF CITY)

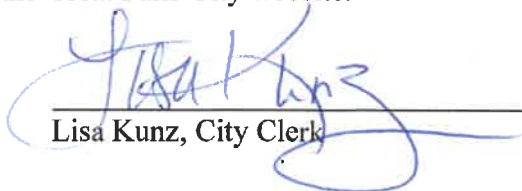
APPROVED FOR LEGAL CONTENT:


Sara Sexe, 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 3193 on the Great Falls Civic Center posting board and the Great Falls City website.





Lisa Kunz, City Clerk

Exhibit A

Med Tech Park Subdivision

PUD ZONING STANDARDS

Standard	PUD	R-3
Residential density	-	-
Minimum lot size for newly created lots	5,800	7,500
Minimum lot width for newly created CUL-DE-SAC lots	27	60
Minimum lot width for newly created MUTUAL SELF-HELP lots	52	60
Minimum lot width for newly created COTTAGE lots	44	60
Lot proportions for newly created CUL-DE-SAC lots (max depth to width)	4.2:1	2.5:1
Lot proportions for newly created MUTUAL SELF-HELP lots (max depth to width)	3.3:1	2.5:1
Lot proportions for newly created COTTAGE lots (max depth to width)	2.7:1	2.5:1
Maximum building height of principal building	35 feet	35 Feet
Maximum building height of detached garage	24 feet but not higher than principal building	24 feet but not higher than principal building
Maximum building height of other accessory structures and buildings	12 feet	12 feet
Minimum front yard setback	20 feet	20 feet
Minimum rear yard set back	10 feet	10 feet for lots less than 150 ft in depth; 15 feet for lots over 150 feet in depth
Minimum rear yard set back - CUL-DE-SAC	5 feet	
Accessory structures and buildings rear yard set back	5 feet	2 feet
Minimum side yard set back	6 feet	6 feet
Minimum WEST side yard set back - LOT 1	1 foot	-
Maximum lot coverage of principal and accessory buildings	CORNER LOT 55%, OTHER 50%	CORNER LOT 55%, OTHER 50%
BOULEVARD TREES REQUIRED	1	2
PARKING REQUIREMENT	1 OFF STREET	2 OFF STREET

**Exhibit 20-4. Development standards for residential zoning districts
(see footnotes [4], [5] & [7] for general standards)**

Standard	R-1	R-2	R-3	R-5	R-6	R-9	R-10
Residential density	-	-	-	1,875 sq. feet of lot area per dwelling unit	500 sq. feet of lot area per dwelling unit	1,200 sq. feet of lot area per dwelling unit	10 dwelling units per acre
Minimum lot size for newly created lots	15,000 sq. feet	11,000 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	n/a
Minimum lot width for newly created lots	90 feet	80 feet	60 feet	50 feet	50 feet	50 feet	n/a
Lot proportion for newly created lots (maximum depth to width)	3:1	3:1	2.5:1	2.5:1	2.5:1	2.5:1	n/a
Maximum building height of principal building	35 feet	35 feet	35 feet	45 feet	65 feet	35 feet, single-family 50 feet, multi-family	12 feet to exterior wall
Maximum building height of detached private garage [1]	24 feet, but may not be higher than the uppermost elevation of the principal building	24 feet, but may not be higher than the uppermost elevation of the principal building	24 feet, but may not be higher than the uppermost elevation of the principal building	24 feet, but may not be higher than the uppermost elevation of the principal building	24 feet, but may not be higher than the uppermost elevation of the principal building	24 feet, but may not be higher than the uppermost elevation of the principal building	16 feet
Maximum building height of other accessory buildings	12 feet	12 feet	12 feet	12 feet	12 feet	12 feet	12 feet
Minimum front yard setback [2]	30 feet	20 feet	20 feet	10 feet	15 feet	10 feet	n/a
Minimum side yard setback [3]	Principal building: 15 feet each side; accessory building: 2 feet each side provided the front of the building is at least 50 feet from the front lot line	Principal building: 8 feet each side; accessory building: 2 feet each side provided the front of the building is at least 40 feet from the front lot line	Principal building: 6 feet each side; accessory building: 2 feet provided the front of the building is at least 40 feet from the front lot line	4 feet; 8 feet if adjoining a R-1, R-2, R-3 district	5 feet; 10 feet if adjoining a R-1, R-2, R-3 district	Principal building: 6 feet each side; accessory building: 2 feet each side provided the front of the building is at least 40 feet from the front lot line	n/a

Minimum rear yard setback [7]	20 feet for lots less than 150 feet in depth; 25 feet for lots 150 feet in depth and over	15 feet for lots less than 150 feet in depth; 20 feet for lots 150 feet in depth and over	10 feet for lots less than 150 feet in depth; 15 feet for lots 150 feet in depth and over	10 feet for lots less than 150 feet in depth; 15 feet for lots 150 feet in depth and over	15 feet	10 feet for lots less than 150 feet in depth; 15 feet for lots 150 feet in depth and over	n/a
Maximum lot coverage of principal and accessory buildings	Corner lot: 40% Other types: 30%	Corner lot: 45% Other types: 35%	Corner lot: 55% Other types: 50%	Corner lot: 60% Other types: 50%	Corner lot: 70% Other types: 60%	Corner lot: 70% Other types: 60%	none

[1] Attached private garages are considered a part of the principal building for application of height and setback development standards.

[2] An unenclosed front porch on a single family residence may extend into the front yard setback up to nine (9) feet, provided the porch does not occupy more than sixty (60) percent of the length of the main part of the house.

(Ord. 2950, 2007)

[3] See Section 17.20.6.020 for side yard requirements for zero lot-line projects and Section 17.20.7.010 for accessory buildings with accessory living spaces.

[4] Smaller lots and reduced setbacks and frontages may be accomplished through a Planned Unit Development (PUD).

[5] An existing structure that does not meet the setback requirements stated above can be rebuilt on its original foundation or the original foundation location.

[6] For townhouses, see Section 17.20.6.050 for additional and superseding requirements.

(Ord. 2950, 2007)

[7] Permitted accessory structures and buildings shall have a minimum rear setback of 2 feet in all residential zoning districts.

(Ord. 2950, 2007)