



**Planning Advisory Board/Zoning Commission**  
**2 Park Drive South, Great Falls, MT**  
**Gibson Room, Civic Center**  
**August 25, 2020**  
**3:00 PM**

**UPDATES CONCERNING PROCESS OF MEETINGS**

Due to the COVID-19 health concerns, the format of the Planning Advisory Board/Zoning Commission meeting will be held in a virtual video-conferencing environment. 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:

- Planning Advisory Board/Zoning Commission members and City staff will attend the meeting via a remote location, using a virtual meeting method.
- 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. 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 Gibson Room according to applicable health guidelines.
  - Provide public comments via email. Comments may be sent via email before 12:00 PM on Tuesday, August 25<sup>th</sup>, 2020, to: [jnygard@greatfallsmt.net](mailto:jnygard@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 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.
  - 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. This is a pilot service to test the feasibility of expanded public participation by phone. We ask for your patience in the event there are technical difficulties

**OPENING MEETING**

1. Call to Order - 3:00 PM
2. Roll Call - Board Introductions
3. Recognition of Staff
4. Approval of Meeting Minutes - August 11, 2020

**BOARD ACTIONS REQUIRING PUBLIC HEARING**

5. Public Hearing - Annexation of Tract 2 of Certificate of Survey No. S-0005156 located in Sec. 3, T20N, R3E, MARK 5A, PMM, Cascade County, MT and the adjoining right-of-way of Stuckey Road; and establishment of M-2 Mixed-use Transitional zoning
6. Public Hearing – Annexation of Tract 1B of Certificate of Survey No. 5077 and the adjoining right-of-way of Jasper Road; establishment of C-3 Highway Commercial zoning for Lots 1-3 and R-2 Single-family Medium Density for Lot 4; and a minor subdivision of Double T Estates.

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

- [7.](#) Federal Fiscal Year (FFY) 2021 Unified Planning Work Program

### **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 11, 2020**

**CALL TO ORDER**

The regular meeting of the Great Falls Planning Advisory Board/Zoning Commission was called to order by Chair Peter Fontana at 3:00 p.m. The meeting was held via Zoom.

**ROLL CALL & ATTENDANCE**

Due to the COVID-19 health concerns, the format of the Planning Advisory Board/Zoning Commission meeting is being conducted in a virtual video-conferencing environment. In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), public participation is welcomed and encouraged as follows:

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- Provide public comments via email. Comments may be sent via email before 12:00 PM on Tuesday, August 11, to: [jnygard@greatfallsmt.net](mailto:jnygard@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 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.
- 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.

Planning Board Members present electronically via Zoom:

Peter Fontana, Chair  
Charles Pankratz, Vice Chair  
Dave Bertelsen  
Kelly Buschmeyer (audio only)

Planning Board Members absent:

Tory Mills  
Samantha Shinaberger  
Laura Vukasin

Planning Staff Members present:

Craig Raymond, Director Planning and Community Development  
Thomas Micuda, Deputy Director, Planning and Community Development  
Brad Eatherly, Planner II  
Alaina Mattimiro, Planner I  
Jamie Nygard, Sr. Admin Assistant

Other Staff present:

Joe Cik, Assistant City Attorney

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

### **MINUTES**

Chair Peter Fontana asked if there were any comments or corrections to the minutes of the meeting held on July 28, 2020. Seeing none, Mr. Pankratz moved to approve the minutes. Ms. Buschmeyer seconded, and all being in favor, the minutes were approved.

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

**Minor Subdivision – Weaver Addition addressed as 1715 Vaughn Road and legally described as Tract 1 of Certificate of Survey 5164, Mark 29, Section 3, T20N, R3E, P.M.M., Cascade County, Montana**

Mr. Eatherly, Planner II, presented to the board. He stated that the applicants are requesting a minor subdivision to create four lots. The property consists of 3.123 acres and is triangular in shape. The property is zoned M-2 Mixed Use. The background for the property was presented. Lot 1 is a single-family residence. The second lot is currently being occupied by the A Jay Concrete Pumping business and is also in a flag lot configuration to allow A Jay Concrete access for large trucks. The third lot is currently vacant and the fourth lot has an office building on it used for A Jay Concrete. Mr. Eatherly presented an aerial map, zoning map and a preliminary plat to the board. Some criteria of the basis of decision on the findings of fact were presented. The services are already existing so there will be no effect on local services. There is already existing storm water infrastructure, so there will be no effect on the natural environment, and there will be no negative effect on public health and safety. City staff does recommend approval of the minor subdivision.

The applicant, Amos Birky, addressed the board members. He stated that he is trying to develop the property and make it a nicer section of the city.

### **BOARD QUESTION AND ANSWER SESSION**

Mr. Fontana commented that the proprietors of the land have cleaned the property up and have made the existing buildings look tremendous so they should be recognized for that as well. It looks a lot better than it used to.

### **BOARD DISCUSSION AND ACTION**

**MOTION:** That the Planning Advisory Board recommend the City Commission approve the minor subdivision of the Weaver Addition as legally described in the Staff Report, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicant.

**Made by:** Mr. Pankratz  
**Second:** Mr. Bertelsen  
**VOTE:** All in favor, the motion carried

### **West Bank Tax Increment Financing (TIF) Funding Application for the Business Improvement District**

Alaina Mattimiro, Planner I, presented to the board. The Business Improvement District (BID) is requesting the use of West Bank TIF funds in the amount of \$5,050.00 to help fund the Wayfinding Signage Plan for the community. She stated that the Wayfinding Plan will include signs that will direct people to West Bank and the many businesses there and will also help connect those places to the Downtown core, across the river. The Wayfinding Plan will increase visitation and economic activity. It meets a unique need and specific community goal. It also supports future development and additional property tax valuation. The request does fall in line with the state regulations.

Ms. Mattimiro did read a couple of emails in support of the request that she received prior to the meeting.

Joan Redeen stated that the Great Falls Business Improvement District (BID) requests that the Planning Board support the TIF application to the West Bank Landing TIF for the citywide Wayfinding Plan that they are working on. The project will benefit the entire city of Great Falls. The BID agreed to take the lead, yet they are unable to use their funding outside of the boundaries of the central business district. The West Bank TIF stands to benefit from the Wayfinding Plan and therefore should be a partner in the project. The board's support of the application is appreciated.

Kellie Piece wrote that on behalf of the Downtown Development Partnership she would encourage the Planning Board to approve the West Bank TIF request of \$5050.00 to support the Great Falls Wayfinding initiative. It will close the gap and provide the funding needed to move forward with the Wayfinding Plan for Great Falls.

### **BOARD QUESTION AND ANSWER SESSION**

Mr. Pankratz asked about what TIF funds can be used for and wanted to know where the Wayfinding Plan fits into the Montana Code Annotated criteria outlined on Page 25 and 26 of the agenda packet. Ms. Mattimiro responded that the proposal is supported by Montana Code Annotated Criterion #4 with public improvement and infrastructure as well as #7 Administrative cost associated with the management of the Urban Renewal Area and targeted developmental district. She stated that the TIF funds will help fund the consultant overseeing the Wayfinding Plan process. The implementation of the plan will happen later, once this piece is completed.

Mr. Fontana did ask if the \$5,050.00 was just going to be used in the BID district, or if it was going to be used outside the district. Mr. Raymond replied that it is to be used just inside the TIF area. Mr. Raymond stated that this is just a small portion, to be used for the consultant.

### **PETITIONER'S PRESENTATION**

Joan Redeen with the BID called in and wanted to reiterate that it is a Citywide Wayfinding Plan that the BID has taken the lead on. The plan's total cost is over \$60,000.00. They have funding from the Downtown TIF of \$25,000.00, funding from the BID and Montana Great Falls Tourism of \$6,500.00 each. They received a \$1,000.00 contribution from the Great Falls Development Authority and Chamber of Commerce. They are still waiting for a contribution from the Downtown Great Falls Association. When all was said and done, they were short \$5,050.00 out of the \$60,000.00 needed for the consultant. She feels that West Bank will benefit from having wayfinding, so that is why they are asking for the funds out of the West Bank TIF.

### **BOARD DISCUSSION AND ACTION**

**MOTION:** That the Planning Advisory Board recommend the City Commission approve the Great Falls Business Improvement District's request for West Bank Tax Increment Financing District funds to assist with the Great Falls Wayfinding Plan.

Made by: Mr. Bertelsen  
 Second: Ms. Buschmeyer  
 VOTE: All in favor, the motion carried

### **Amendment to the Downtown Urban Renewal Plan for the Civic Center Façade Project**

Mr. Raymond, Director of Planning and Community Development, presented to the board an amendment to the Downtown Urban Renewal Plan for the Downtown TIF. The city has been trying to revitalize and restore the Civic Center façade and has been looking for funding for the project. The estimates are about \$5.5 million. The city has clear limitations on how much debt can be taken on without going to the voters for a specific request. The city did some research on being able to utilize the Downtown TIF for funding. Historically, the Downtown TIF did not have a huge balance in it, but it has vastly improved because of how the assessments are being done, particularly with the Energy West property. A contributing factor to a healthier more robust balance in the Downtown TIF is that some of the historical tax abatements have ended, so those property owners are paying the full property tax bill. Utilizing Downtown TIF funds is an option to facilitate the Civic Center façade project, without having to tax the citizens of the community.

Mr. Raymond stated that when staff was planning and going through the steps that would be

needed to consider usage of the Downtown TIF, the Urban Renewal Plan did not have enough specific policy guidance to target the Civic Center for improvement and to be able to use the TIF funds. The Urban Renewal Plan will need to be modified in order to successfully accomplish it. There is an interest in the community for significantly increasing the options for TIF funding for improvements to private buildings. Staff has been talking to the City Commission about this issue on a preliminary level. The Commission is interesting in hearing more about that and willing to have the discussion. They really want staff to stay focused on the Civic Center façade project now, but to also to follow up with a larger Urban Renewal Plan amendment and update to address the possibility of funding improvements to private buildings. This request is keeping in line with what the City Commission is requesting and focusing on the Civic Center façade project. In the Agenda Report there are just a few minor changes proposed for the Urban Renewal Plan. The first one is recognizing the significant update to the Growth Policy. The second one is noting the completion of the Downtown Circulation Access and Streetscape Plan. The most specific amendment is to add the Civic Center façade renovation project goals to the Downtown Urban Renewal Plan. The amendment is consistent with the Growth Policy. After the presentation to the board, the amendment will be taken to the Downtown Development Partnership on August 26<sup>th</sup>, 2020. The plan is to present on September 1<sup>st</sup>, 2020 to the City Commission for the first reading and hopefully present at the public hearing on October 6<sup>th</sup>, 2020 for the amendment. Mr. Raymond stated that there are three elements of the Growth Policy that were pointed out in the Agenda Packet that support the proposed project and amendment to the Downtown Urban Renewal Plan.

1. PHY 4.5 Continue the work of the Historic Preservation Advisory Commission in the identification, evaluation and preservation of historic districts and individual properties in Great Falls and Cascade County.
2. PHY 4.5.2 Establish incentives for the preservation, rehabilitation, and maintenance of historically or architecturally significant properties in a manner closely related to the appearance of the district.
3. PHY 4.5.7 identify financial resources that, may be used to assist in renovation or maintaining qualified properties, resource planning, and tourism related to historic appreciation.

### **BOARD QUESTION AND ANSWER SESSION**

Chair Fontana asked why just the Civic Center was being considered and not the County Courthouse, the Police Department, the Fire Department, or the Federal Post Office, as they are all in the district as well. The county just spent \$4.million dollars on a new roof for the Courthouse and nobody approached them about considering TIF district funds. Mr. Raymond responded that the Civic Center is the single greatest need. He did not believe that any of those other properties had projects that were considering using TIF funds. He stated that they are trying to set a precedence for the Civic Center for a very specific reason to try and find an appropriate mechanism to fund the project and avoid taxing the city community members. Mr. Fontana asked why it has to be specific to the Civic Center and couldn't state public buildings. If someone else applies for another public building project, then the Urban Renewal Plan would have to be amended again. Mr. Raymond responded that it is written that way on the advice of the TIF counsel. She felt it needed to be very specific in order to justify using TIF funds and undertake the activity.

Mr. Bertelsen asked if every other project for a public building would have to go through this same process. Mr. Raymond responded that if it is not specifically listed in the Urban Renewal Plan then they would have to go through the same process to get an amendment. Mr. Pankratz asked if the Rocky Mountain building was an amendment to the plan as well. Mr. Raymond responded that it was originally in the plan. Mr. Fontana asked if there was a termination date to the TIF district if the cost of the obligation is greater than the bonds. Mr. Raymond clarified that the original district did end and then a new one was created. If the project and use of bond funds is approved than time span of the TIF District will be extended to be covered by the life of the bond. Mr. Fontana asked if the whole district gets extended or just the obligation of the bond. Mr. Raymond responded that the entire district would get extended. Mr. Fontana stated that he would have liked to have seen in the packet how much is in the fund and how much is obligated, and would have liked to see the amendment say all public buildings in the district. Mr. Raymond responded that it would be taken into consideration. Mr. Fontana asked how the amendment fits into the Growth Policy.

Mr. Raymond responded that under PHY 4.5 it states to continue the work of the Historic Preservation Advisory Commission in the identification, evaluation and preservation of historic districts and individual properties in Great Falls and Cascade County. It also states under PHY 4.5.2 Establish incentives for the preservation, rehabilitation, and maintenance of historically or architecturally significant properties in a manner closely related to the appearance of the district. Finally, PHY 4.5.7 Identify financial resources that may be used to assist in renovating or maintaining qualified properties, resource planning, and tourism related to historic appreciation.

Mr. Fontana asked if there was a way to add public buildings into the amendment and not be specific. Mr. Cik responded that the specificity was required for very specific tax revenue reporting responsibilities. If it is not specific about what the funds are being spent on, the city and/or the local government agency that is doing the reporting could lose its entitlement share. So, to make sure that the stated tax increment laws were being followed, the amendment has to be specific. He stated that he is not aware of any of the other public entities wanting to be included in the amendment to fund public building projects. Mr. Fontana asked if any of the other public entities knew that there was an ability to ask for the funds. Mr. Cik responded that it is not the city's responsibility to make other government entities aware of this type of financing. Mr. Fontana stated that if the Urban Renewal Plan is required under the statute to cover a public building project, it is not that other government entities didn't know that they could apply for it, it wasn't included in the Urban Renewal Plan so they didn't think it was possible. Now, the Civic Center is being singled out and he feels that it should say all government buildings.

Mr. Pankratz stated that he thinks that it doesn't look like it will be that hard of a process for other government entities to make requests if the Urban Renewal Plan needed to be amended again, to be specific for other projects. The Civic Center request will be a good template to be used. Mr. Bertelsen said that if the amendment is approved, the flood gates will be opened and there may be several more amendments that may need to be made. Mr. Fontana stated that if other governmental agencies start requesting the TIF funds, then it takes away from what the real effort is to renew blighted areas and promote businesses.

### **PUBLIC COMMENT**

Brett Doney, Great Falls Development Authority (GFDA), 405 3<sup>rd</sup> St. N.W. Suite 203, wanted to thank the board for supporting the Wayfinding project. He also wanted to let the board know that the GFDA supports the Civic Center façade project, because it is the only way politically



possible at this time to move forward with renovation of the Civic Center, which is the heart of Great Falls. He stated that the change that is being made in the Urban Renewal Plan goes beyond the façade. It includes three other projects at the Civic Center. It could increase the size of the bond significantly. There were 82 strategies outlined in the Urban Renewal Plan. With the old TIF district, there was the loss in interest in revitalizing the downtown area and many of the funds collected in the TIF fund were not utilized. The GFDA was excited to have the Master Plan approved by the City Commission in 2011 and then the new TIF district with the Urban Renewal Plan approved in 2012. It has been eight years and we have not implemented most of those 82 strategies. While GFDA supports this amendment, they encourage the City to look at the Master Plan and the Urban Renewal Plan and start investing in the 82 strategies that haven't been touched on. They have been advocating to use TIF funds to help downtown revitalization, to build the tax base so when the TIF district does expire, the City, the County and the school district will enjoy a greater private property tax base. Other cities in Montana use tax increment funds to leverage much more in private money. The GFDA doesn't think that requires the creation of an Urban Renewal Authority. They think it can be done within the existing Urban Renewal Plan. He encourages the board to take the time to read the 82 strategies that are in the existing Urban Renewal Plan and wants to get going with some incentives to revitalize the City historical properties, including more housing downtown, more arts and culture, restaurants, and entertainment. All of those are in the 82 strategies that were adopted eight years ago.

Joan Redeen, 318 Central Ave, Business Improvement District (BID), stated that in order for the City to be able to sell bonds, to do the Civic Center project, the Civic Center itself must be specifically noted in the Urban Renewal Plan. The BID would also like to see a change to the Urban Renewal Plan to include items like fire suppression, ADA compliance, and public safety items, so there may be an additional amendment to the Urban Renewal Plan. They are in favor of the Civic Center project, as long as the items that she mentioned about public safety, fire suppression, and ADA compliance can be looked at, to be covered in the future. The Civic Center and all of the federal and public buildings, whether they are federal, county, or city, are non-contributing buildings to the tax increment base, so that is why they have been hesitant to be jumping on board with the Civic Center façade project. They want the Civic Center to be amazing, but they are not huge fans of the proposal, because the Civic Center does not contribute to the tax increment base. Because the project will involve the sale of bonds, we will have a longer Urban Renewal Plan and a longer TIF fund and when all is said and done, hopefully we can invest in some of the projects downtown, for private buildings in the public safety realm, and then the taxing entities are benefiting.

## BOARD DISCUSSION AND ACTION

**MOTION:** In accordance with Montana Code Annotated §7-15-4213, that the Planning Advisory Board recommend to the City Commission that the proposed amendment to the Great Falls Downtown Urban Renewal Plan, as described in the Staff Report is in conformance with the 2013 Growth Policy.

Made by: Mr. Pankratz  
 Second: Mr. Bertelsen  
 VOTE: All in favor, the motion carried

**COMMUNICATIONS**

Mr. Micuda did let the board know that there will be a few Agenda items for the August 25, 2020 meeting. The Little Shell Tribe Annexation, located on Stuckey Road, and Turbo Trucking Annexation, west of Bel-View Palisade Subdivision. The developer is requesting a subdivision for four large lots, one will be developed and all of the lots brought in for annexation. Andrew Finch, Senior Transportation Planner, will be presenting the annual Unified Planning Work Program.

**PUBLIC COMMENT**

None.

**ADJOURNMENT**

There being no further business, Chair Fontana adjourned the meeting at 4:03 p.m.

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
SECRETARY



Meeting Date: August 25,2020

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

- Item:** Public Hearing - Annexation of Tract 2 of Certificate of Survey No. S-0005156 located in Sec. 3, T20N, R3E, MARK 5A, PMM, Cascade County, MT and the adjoining right-of-way of Stuckey Road; and establishment of M-2 Mixed-use Transitional zoning
- Initiated By:** Little Shell Tribe of Chippewa Indians of Montana
- Presented By:** Alaina Mattimiro, Planner I, Planning and Community Development
- Action Requested:** Recommendation of approval 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:**

Board Member moves:

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

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

And;

“I move that the Zoning Commission recommend the City Commission (approve/deny) the establishment of Mixed-use Transitional zoning 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 applicant.”

Chairman calls for a second, commission discussion, and calls for the vote.

**Background:**

The applicant, Little Shell Tribe of Chippewa Indians of Montana, is proposing the annexation and establishment of M-2 Mixed-use transitional zoning on a parcel of land that is 2.10 acres. The subject

property houses an event center located in Cascade County along Stuckey Road, north of the Montana Eggs property. The Little Shell Tribe is requesting annexation into city limits for the benefit of the use of City water and sewer services. Currently, the lot is served by a 1-inch City water service line, and any sanitary sewer produced from the existing event center enters a drain field on the property to the north. The Tribe would like to discontinue the use of the drain field, and extend both water and sewer mains to their northern property line. In order to accommodate the Tribe's desire to increase usage of the event center, proactive measures to meet greater water and sewer demands will need to be taken. Annexation into the City and the extension of public utility mains will meet this need.

Presently, the utility mains end at the City limit adjacent to the Montana Eggs property, and in order to receive these services at the Subject Property, both water and sewer would need to be extended approximately 600 feet within the right-of-way of Stuckey Road. Because Stuckey Road is slated to be reconstructed starting in August 2021, the extensions of the utilities must be completed before the road improvement begins.

Public Notice for the Planning Advisory Board/Zoning Commission Public Hearing was published in the *Great Falls Tribune* on August 9, 2020. To date, staff has received no correspondence regarding the project.

***Annexation by Petition Request:***

The subject property is comprised of a 2.10 acre parcel along Stuckey Road, starting approximately a half mile north of the Northwest Bypass. The property is not contiguous to city limits, however, the Montana Eggs property that was annexed in 2010 also was not contiguous, but was able to be annexed based on the simultaneous annexation of Stuckey Road. Therefore, the subject property can be annexed in the same fashion.

The basis for decision for an annexation by petition request is listed in OCCGF §17.16.7.050 of the Land Development Code. The recommendation of the Planning Advisory Board and the decision of City Commission shall at a minimum consider the criteria which are attached as Findings of Fact/Basis of Decision – Annexation by Petition.

***Establishment of Zoning Request: Mixed-use Transitional***

The current use of the property is an event center that is used for tribal meetings and events. Once annexed, the Tribe would continue the current use on the parcel. This land use is classified as a "Community center". The purpose of the Mixed-use transitional zoning district is to promote a transition over time to a predominately mixed-use land use pattern. The adjoining zoning district of the Montana Eggs property along Stuckey Road is I-1 Light Industrial. Even though establishing the zoning district of M-2 Mixed use transitional could be considered a spot zone, Staff recommends this designation based on the current use of the property and the City's past actions to create more flexible Mixed Use zoning areas along other roadway corridors in the City.

The basis for decision on zoning map amendments is listed in OCCGF §17.16.40.030. The recommendation of the Zoning Commission and the decision of City Commission shall at a minimum consider the criteria which are attached as Findings of Fact/Basis of Decision.

**Improvements**

*Utilities*

The applicant is responsible for the installation of all public utilities in order to serve the subject property. These public utilities include: 1) the extension of a public water main including the water

service lines stubbed to the lot, and 2) extension of the public sanitary sewer main and installation of the sewer service lines stubbed to the lot. These improvements are to be installed consistent with City standards and submitted plans approved by the City of Great Falls Public Works Department. Details on the utilities to be installed are outlined in the attached Improvement Agreement.

#### *Roads*

The applicant is responsible for the remaining approximately thirty (30) feet of road improvement after the Montana Department of Transportation's Stuckey Road improvement project. This improvement will be installed to extend the MDT project to the north property line of the annexed parcel, and the owner will be eligible for reimbursement from future annexations.

#### **Neighborhood Council Input:**

The subject property is located in Neighborhood Council #3. Due to the timing of the scheduled meetings, the applicant will present the development to the Council after the Public Hearing at the Planning Advisory Board/Zoning Commission, but before the Public Hearing at the City Commission.

#### **Concurrences:**

Representatives from the City's Public Works, Legal, and Fire Departments have been involved throughout the review and approval process for this project, and will continue throughout any permit approval processes. Both Engineering and Environmental Divisions of Public Works have collaborated on the submitted Improvement Agreement as well as the design of the proposed infrastructure improvements.

#### **Fiscal Impact:**

Services will be provided by the City, and the cost of infrastructure improvements will be borne by the applicant pursuant to the agreed upon terms of the attached Improvement Agreement. The annexation will provide one new lot. This will increase the City's tax base and increase revenue.

#### **Staff Recommendation:**

Staff recommends approval of the annexation of both the 2.10 acre property and adjoining right of way, and the assignment of Mixed-use transitional zoning.

#### *Conditions of Approval for Annexation:*

1. **General Code Compliance.** The proposed project shall be developed consistent with the conditions in this report, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
2. **Improvement Agreement.** The applicant shall abide by the terms and conditions as well as pay all fees and reimbursements specified in the attached Improvement Agreement for the Subject Property. The Improvement Agreement must be signed by the applicant and recorded for the Subject Property.

#### *Conditions of Approval for Establishment of Zoning:*

1. **General Code Compliance.** The proposed project shall be developed consistent with the conditions in this report, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
2. **Land Use & Zoning.** Development of the property shall be consistent with the allowed uses and specific development standards for the M-2 Mixed use transitional district designation.

3. **Utilities and Road Improvements.** The final engineering drawings and specifications for public improvements for the subject property shall be submitted to the City Public Works Department for review and approval.

**Alternatives:**

The Planning Advisory Board/Zoning Commission could recommend denial of the annexation and establishment of zoning request to the City Commission. For these actions, the Planning Advisory Board/Zoning Commission must provide separate Findings of Fact/Basis of Decision for the annexation and establishment of zoning.

**Attachments/Exhibits:**

Aerial Map

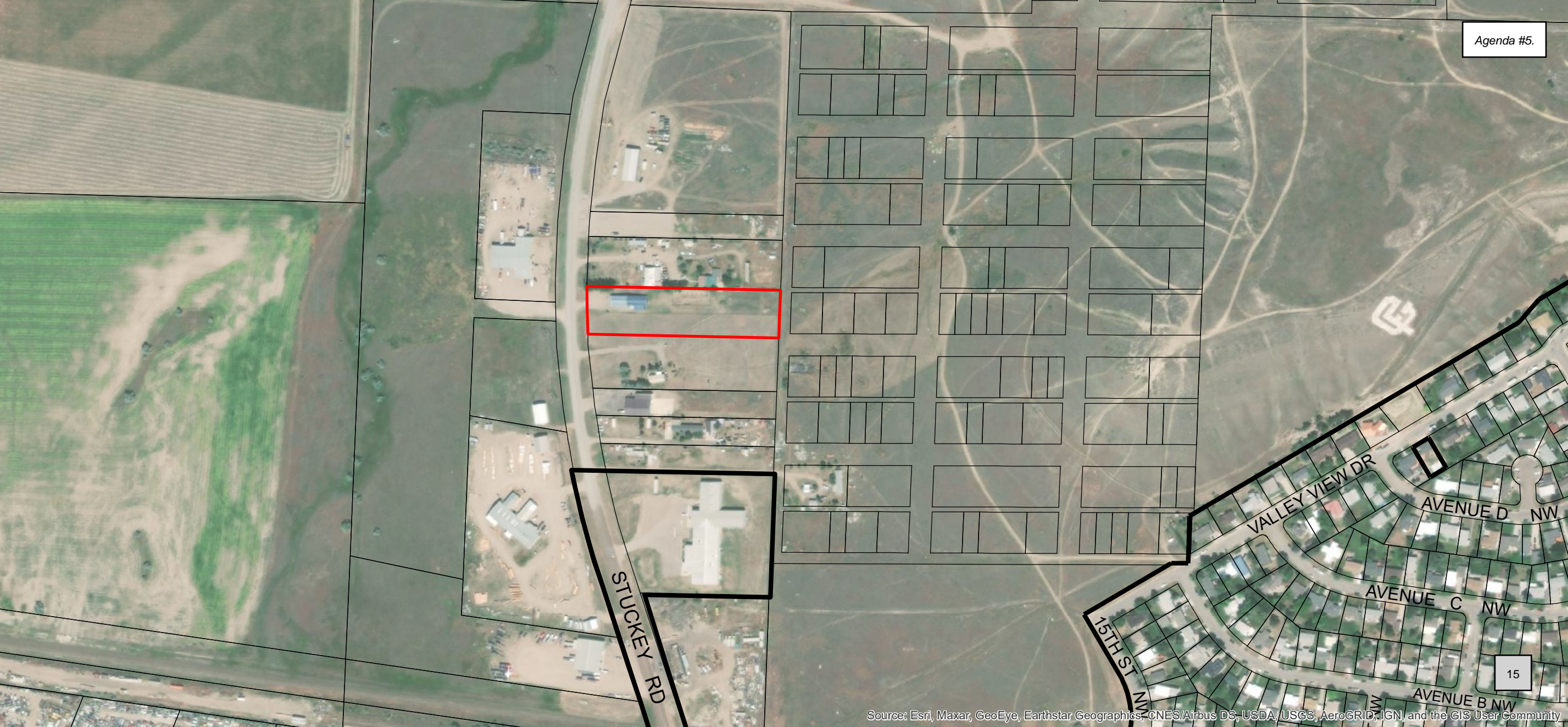
Zoning Map

Project Narrative

Findings of Fact/Basis of Decision – Annexation

Findings of Fact/Basis of Decision – Mixed-use Transitional

Draft Improvement Agreement



STUCKEY RD

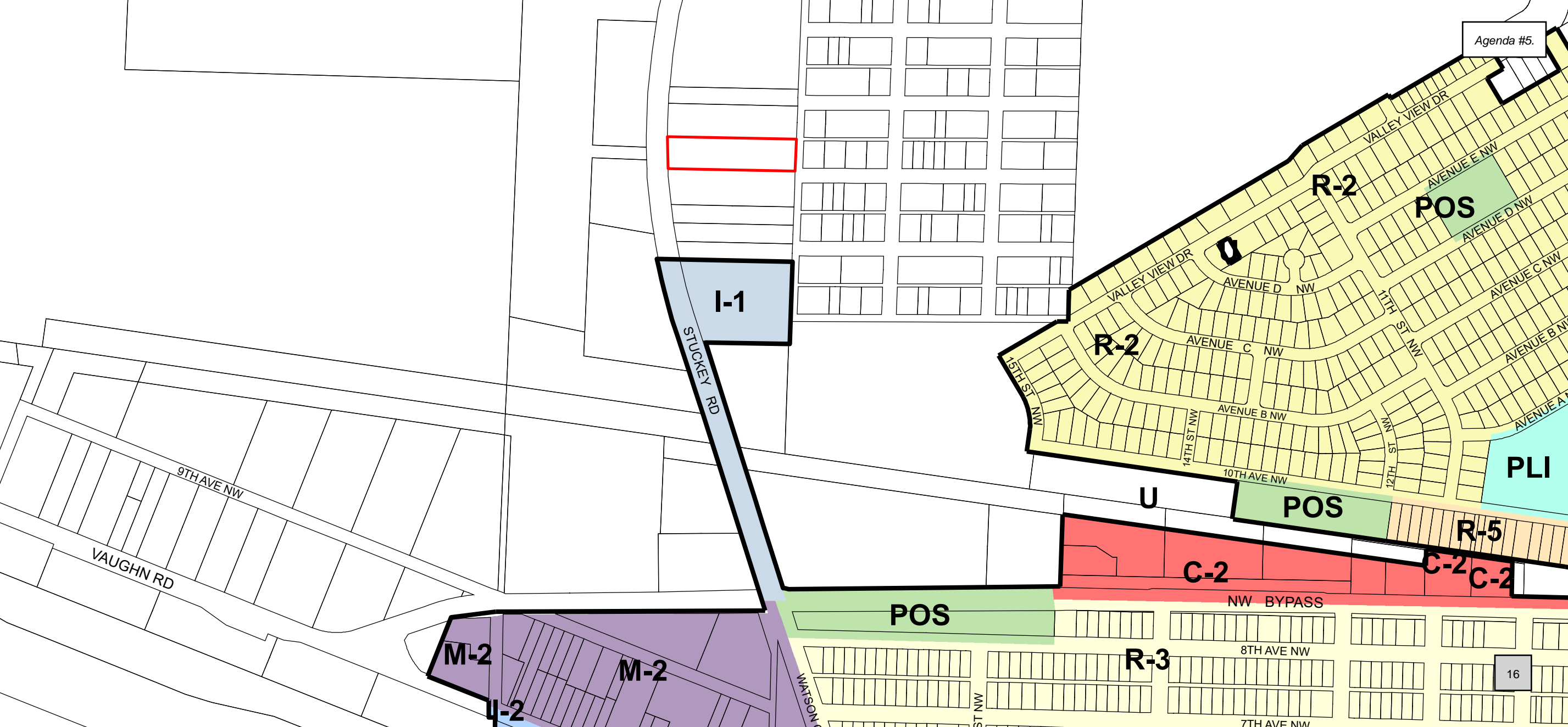
VALLEY VIEW DR

AVENUE D NW

AVENUE C NW

AVENUE B NW

15



Red highlighted parcel

I-1

STUCKEY RD

R-2

POS

U

R-2

VALLEY VIEW DR

AVENUE D NW

AVENUE C NW

AVENUE B NW

10TH AVE NW

11TH ST NW

12TH ST NW

PLI

U

POS

R-5

C-2

C-2

C-2

POS

NW BYPASS

R-3

8TH AVE NW

7TH AVE NW

M-2

M-2

U-2

WATSON ST NW





## *Annexation Narrative*

The Little Shell Tribe of Chippewa Indians of Montana is requesting the annexation of the Tribal Event Center located at 1529 Stuckey Road. The proposed annexation would include the property described as Tract 2 of COS No. 0005156 and the abutting Rights-of-Way of Stuckey Road to the current boundary of City Limits located at the Montana Egg LLC property. This annexation would include the 2.10-acre Tract 2 and approximately 600 feet of Stuckey Road. Please see the attached Preliminary Site plan and aerial map for location details.

This property is not coincident with the boundaries of the City Limits but a similar variance was allowed with the Montana Egg development just south of the event center. Members of the tribal council have discussed with neighboring property to be included into the annexation. At this time the neighbors have declined the option to be include within City Limits.

The current use of the property is an event center for tribal meetings and events. The proposed use of the property is to remain an event center. No other improvements are proposed at this time to the lot, other than the extension of the water and sewer service.

The water and sewer mains terminate at the edge of the City Limits located at the North line of the Montana Egg LLC property. The proposed water and sewer main would extend for approximately 600 feet along the road side ditch of Stuckey Road to the North edge of the event center property. Stuckey Road is a 100-foot-wide right-of-way giving enough room to install the mains without disturbing the finished surface of Stuckey Road.

The event center is currently serviced by a 1-inch water service that also serves the property to the north owned by Damon Heck ETAL. The tribe proposes to install a service to both properties. A shared drainfield located on the property owned by Damon Heck ETAL serves the event center. With the extension of the sewer main the event center would no longer use the shared drainfield.

The reasoning behind the annexation request to receive reliable water and sewer with out sharing a water service and drainfield with a neighboring property. As the use of the event center increases the reliance on these services does also. Sharing the expense of the maintenance and the potential conflict with repair costs with a neighboring property would be eliminated with the connection to City water and sewer.



## *Zoning Narrative*

Following the recommendation of the City Planning Department the requested zoning of the property is Mixed-Use Transitional (M-2). This zoning classification matches with current use of the area. In the immediate vicinity of the property is five properties of commercial/light industrial use and four properties of residential use. A large undeveloped subdivision lies east of the property. The M-2 designation would allow the current and projected development of the surrounding area.

The current and proposed use of the property is an event center for tribal meetings and events. The event center use would fall under the Community Cultural Facility or Community Center designations both allowable under the M-2 zoning allowable uses.

## FINDINGS OF FACT/BASIS OF DECISION – ANNEXATION

Tract 2 of Certificate of Survey No. S-0005156 located in Sec. 3, T20N, R3E, MARK 5A, PMM, Cascade County, MT and the adjoining right-of-way of Stuckey Road.

### PRIMARY REVIEW CRITERIA:

The basis for decision on annexation is listed in Official Code of the City of Great Falls 17.16.7.050 of the Land Development Code. The recommendation of the Planning Advisory Board and the decision of the City Commission shall at a minimum consider the following criteria:

**1. The subject property is contiguous to the existing City limits.**

The subject property is not contiguous to the existing City limits. However, with the annexation of Stuckey Road, the annexation would create the contiguity required to meet State and local requirements. A previous similar allowance was made in 2010 for the Montana Eggs property. Staff believes that the annexation of both the Subject Property and the adjoining right-of-way is acceptable.

**2. The proposed annexation is consistent with the City's growth policy.**

The proposed annexation follows the intent and purpose of the 2013 Growth Policy Update. The annexation is consistent with the following physical growth policy goals:

- Phy4.1.3 Create a balanced land use pattern that provides for a diversity of uses that will accommodate existing and future development in the City
- Phy4.2.3 Support actions that bring properties into conformance with the City's Land Development Code requirements over time.
- Phy4.2.5 Promote orderly development and the rational extension of infrastructure and City services.

**3. The proposed annexation is consistent with applicable neighborhood plans, if any.**

The City of Great Falls is separated into nine Neighborhood Councils. There are no adopted plans for any of the Councils within the City. If annexation is approved, the subject property will be located in Neighborhood Council #3. The applicant will be presenting to the Neighborhood Council after the Planning Advisory Board/Zoning Commission meeting, but before the City Commission public hearing.

**4. The proposed annexation is consistent with other planning documents adopted by the City Commission, including a river corridor plan, transportation plan, and sub-area plans.**

The subject property does not lie within any adopted planning or sub-area planning areas, with the exception of the Long Range Transportation Plan. The LRTP identifies Stuckey Road as a committed MDT project.

**5. The City has, or will have, the capacity to provide public services to the subject property.**

The City will have the capacity to provide public services to the subject property. The reconstruction of Stuckey Road is being planned through the Montana Department of Transportation, and the utility mains will be extended per the Improvement Agreement and requirements of annexation. The Subject Property would receive City fire and police services.

Currently, the property receives fire protection from the Black Eagle fire district. While annexation of the property will create an extension of the City's corporate limit and switch fire protection responsibility to City Fire Station #2, the City's Fire Rescue Department already provides response to nearby properties which reduces the impact of the extension of services.

**6. The subject property has been or will be improved to City standards.**

The subject property will receive City standard utility main extensions. While road improvements are normally required for annexation, because Stuckey Road is being reconstructed, the applicant will only be responsible for the improvement of the remaining 30 feet between the end point of the MDT project and the Subject Property's northern property line. There are currently no development requests, but should development occur, it will be required to follow all City regulations and code requirements.

**7. The owner(s) of the subject property will bear all of the cost of improving the property to City standards and/or the owner(s) has signed an agreement waiving the right of protest to the creation of a special improvement district created to pay, in whole or in part, and necessary improvement.**

The owner(s) of the subject property will bear all of the cost of improving the property to City standards. A draft Improvement Agreement is attached and outlines the waiving of the right to protest the creation of a special improvement district to pay, in whole or in part, any necessary improvement. Annexation is conditional upon the Improvement Agreement.

**8. The subject property has been or will be surveyed and officially recorded with the County Clerk and Recorder.**

Certificate of Survey S-0005156 is on record with the County Clerk and Recorder.

**9. The City will provide both water and sewer service to each of the uses in the subject property that may require potable water and waste water treatment and disposal.**

The subject property will receive utility main extensions built to City standards. The construction and costs will be borne by the applicant, and inspected by City staff. The existing drain field will be abandoned per the Cascade County Health Department and City of Great Falls requirements.

**10. The subject property is not located in an area the City Commission has designated as unsuitable for annexation.**

The subject property is not located in an area the City Commission has deemed unsuitable for annexation.

**11. The subject property is not located in another city or town.**

The subject property is not located within another city or town.

**12. The subject property is not used in whole or in part for agriculture, mining, smelting, refining, transportation, or any other industrial or manufacturing purpose or any purpose incidental thereto.**

The subject property is currently used for a community center for the Little Shell Tribe, and if annexed, will continue the current use.

## FINDINGS OF FACT/BASIS OF DECISION – MIXED-USE TRANSITIONAL

Tract 2 of Certificate of Survey No. S-0005156 located in Sec. 3, T20N, R3E, MARK 5A, PMM, Cascade County, MT and the adjoining right-of-way of Stuckey Road.

### PRIMARY REVIEW CRITERIA:

The basis for decision on mixed-use transitional is listed in Official Code of the City of Great Falls 17.16.40.030 of the Land Development Code. The recommendation of the Zoning Commission and the decision of City Commission shall at a minimum consider the following criteria:

**1. The amendment is consistent with and furthers the intent of the City's growth policy.**

The proposed zoning map amendment follows the intent and purpose of the 2013 Growth Policy Update. The amendment is consistent with the following physical growth policy goals:

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

Phy4.2.5 Promote orderly development and the rational extension of infrastructure and City services.

The proposed Mixed-use transitional zoning not only allows for the current use on the land, it also will allow for a variety of uses to be permitted on this property and future annexed properties. Mixed-use transitional zoning also would create a buffer zone between the residential parcels to the east and the industrial zones to the south. Although this designation could be considered a spot zone, staff recommends the establishment of M-2 zoning rather than industrial or commercial based on the current use and looking toward future development possibilities. The zoning map amendment would meet goals of the Growth Policy and enable the policies to further be implemented.

**2. The amendment is consistent with and furthers adopted neighborhood plans, if any.**

The City of Great Falls is separated into nine Neighborhood Councils. There are no adopted plans for any of the Councils within the City. If annexation is approved, the subject property will be located in Neighborhood Council #3. The applicant will be presenting to the Neighborhood Council after the Planning Advisory Board/Zoning Commission meeting, but before the City Commission public hearing.

**3. The amendment is consistent with other planning documents adopted by the City Commission, including the river corridor plan, transportation plan and sub-area plans.**

The subject property does not lie within any adopted planning or sub-area planning areas, with the exception of the Long Range Transportation Plan. The LRTP identifies Stuckey Road as a committed MDT project.

**4. The code with the amendment is internally consistent.**

The proposed zoning map amendment is not in conflict with any portion of the existing City code provisions. Establishment of M-2 zoning matches the current use of the property and creates future flexibility for additional redevelopment activity to occur.

**5. The amendment is the least restrictive approach to address issues of public health, safety, and welfare.**

There are no existing, identified health, safety, and welfare issues on the subject property. The existing septic drain field on the property would typically be considered a future public health issue, but that is being eliminated through the extension of sewer, annexation, and establishment of M-2 zoning.

**6. The City has or will have the financial and staffing capability to administer and enforce the amendment.**

The City has the financial and staffing capability to administer and enforce the proposed zoning map amendment, if approved. All public infrastructure costs associated with annexation and establishment of zoning will be borne by the developer. Because the property is already developed, City staff efforts will largely be limited towards review and inspection of public infrastructure plans.

**IMPROVEMENT AGREEMENT FOR LITTLE SHELL ANNEXATION  
(TRACT 2 OF CERTIFICATE OF SURVEY NO. S-0005156)  
LOCATED IN THE NE ¼ OF SECTION 3, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M, CASCADE  
COUNTY, MONTANA**

The following is a binding Agreement dated this \_\_\_\_ day of \_\_\_\_\_, 2020, between the Little Shell Tribe, hereinafter referred to as “Owner”, and the City of Great Falls, Montana, a municipal corporation of the State of Montana, hereinafter referred to as “City”, regarding the requirements for the annexation of one tract of land and the adjacent portion of Stuckey Road into the corporate limits of the City legally described as Tract 2 of Certificate of Survey No. S-0005156 Located in the NE 1/4 of Section 3, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana, hereinafter referred to as “Subject Property”. Owner agrees to, and is bound by, the provisions of this Agreement, and by signing this Agreement, therefore agrees to terms applicable to the Subject Property. The City is authorized to enter into this Agreement by §§ 17.68.010-040 of the Official Code of the City of Great Falls (OCCGF).

**1. Purpose.** The purpose of this Agreement is to ensure that certain improvements are made and certain conditions are fulfilled by the Owner, as required by the City’s approval of the annexation and supporting documents. Generally, this Agreement:

- 1.1** Declares that the Owner is aware of and has properly accounted for any natural conditions that may adversely affect the Future Development;
- 1.2** Insulates the Future Development from the impact of changes in the City’s subdivision and zoning regulations, provided that no substantial changes in the Development are proposed;
- 1.3** Requires the Owner to guarantee that the promised on-site improvements are made in a timely manner by providing the financial securities required by the Official Code of the City of Great Falls (OCCGF);
- 1.4** Provides for the inspection and warranty of the required on-site improvements before they are accepted for operation and maintenance by the City;
- 1.5** Waives protest and appeal by the Owner and its successors against the creation of special improvement districts that would provide and maintain necessary infrastructure;
- 1.6** Establishes how necessary changes of final construction plans required by the Agreement may be made with the approval of the City;
- 1.7** Contemplates reimbursements to the Owner when neighboring properties that benefit from improvements made by the Owner are developed;
- 1.8** Embodies certain conditions that were imposed upon approval of the development in order to facilitate their enforcement; and
- 1.9** Indemnifies the City from challenges to its approval of the Future Development and holds it harmless from errors and omissions in the approval and oversight of the project.

**2. Duration.** The term of this Agreement begins when it is signed by the City Manager and, with the exceptions stated below, ends at the time the warranty required by Section 11 of this Agreement on the required improvements installed by the Owner, expires and the funds securing that warranty are released.

**2.1 Failure to Build.** The Owner's failure to complete on-site improvements in accordance with the final construction plans may void this Agreement and the vested rights established by Section 9, below.

**3. Supporting Documents.** Each of the following supporting documents are to be submitted for review and approval by the City.

**3.1 Certificate of Survey.** The certificate of survey of Tract 2 of Certificate of Survey No. S-0005156, filed on record in the Clerk and Recorder's Office of Cascade County, Montana.

**3.2 Construction Documents.** Engineering drawings, specifications, reports and cost estimates (preliminary and final), prepared for the Subject Property, consisting of documents for, but not limited to the public sanitary sewer, and water.

**3.3 As Built Drawings.** "As Built" reproducible 4 mil mylar drawings and one electronic copy of public infrastructure and private utilities shall be supplied to the City of Great Falls.

**3.4 Legal Documentation.** Legal documents, including but not limited to any articles of incorporation, bylaws, covenants, and declarations establishing the authority and responsibilities of the owner, which may be recorded in the Clerk and Recorder's Office of Cascade County, Montana.

**4. Changes.** The Owner understands that failure to install required improvements in accordance with the final construction plans approved for the Future Development is a breach of, and may void, this Agreement. The Owner also understands that failure to build in compliance with approved plans is a breach of this Agreement and a violation of the OCCGF, subject to the penalties provided for such violations. The City recognizes, however, that minor changes are often necessary as construction proceeds and the Administrator (the Administrator is the person or persons charged by the City Manager with the administration of this improvement agreement) is hereby authorized to allow minor changes to approved plans as provided below:

**4.1 Minor Changes.** Minor changes to engineering documents and such revisions to the engineering drawings as are deemed appropriate and necessary by the Administrator and which do not materially affect the hereinabove mentioned Subject Property, can be made as follows:

**4.1.1** Before making changes, the Owner must submit revised plans to the Administrator for review. Failure to do this before the proposed change is made may be considered by the City to be a breach of this Agreement and a violation of the OCCGF. The Administrator shall respond to all proposed changes within ten (10) business days of receipt of the revised plans.

**4.1.2** Based on a review of the revised plans, the Administrator may permit minor dimensional changes provided they do not result in a violation of the conditions of approval for the Subject Properties of the OCCGF.



**4.1.3** Based on a review of the revised plans, the Administrator may permit substitutions for proposed building and construction materials provided that the proposed substitute has the same performance and, for exterior materials, appearance as the originally approved material.

**4.1.4** Minor changes in the location and specifications of the required public improvements may be permitted by the Administrator. Owner must submit revised plans showing such changes to the Administrator. Revised plans are not accepted until approved by the Administrator.

**4.2 Substantial Changes.** Substantial changes are not permitted by this Agreement. A new public review and permitting process will be required for such changes. “Substantial Change” versus “Minor Change” is described as follows in order to further clarify what may be permitted as a “Minor Change”:

**4.2.1** A substantial change adds one or more lots; changes the approved use; changes the location or extent of the area proposed to be cleared, graded, or otherwise disturbed by more than 4,000 square feet (a smaller change in the area that will be cleared, graded, or otherwise disturbed may be treated as a minor dimensional change); changes the location, extent, or design of any required public improvement, except where a minor change is approved by the Administrator; changes the approved number of buildings; structures or units; or the size of any building or structure by more than 10%. A smaller change in the size of a lot, building, or structure may be treated as a minor dimensional change.

**5. Fees.** The Owner understands that it is required to pay the following fees as they come due during the development process.

**5.1 Recording Fees.** The Owner is responsible for all recording fees at the rate charged by Cascade County at the time a document or plat is submitted for recording.

**5.2 Engineering Inspections.** The Owner is responsible to pay all applicable engineering fees established by Resolution of the City of Great Falls or its successors.

**5.3 Permit Fees.** The Owner is responsible to pay all applicable planning and building permit fees established by Resolution of the City Commission of the City of Great Falls.

**5.4 Connection and Construction Fees.** Water service tapping and water and sewer service connection fees will be assessed at the times of tapping and connections. The absence of any fee from this Agreement which is lawfully charged by the City in connection with construction activity associated with the Subject Properties shall not constitute a waiver by the City.

**5.5 Storm Drain Fee.** The Owner is responsible to pay a storm drain fee in the amount of \$250 per acre for each lot proposed for annexation. This would equal a total of **\$525** for the total 2.10 acres of the Subject Property. The total storm drain fee is to be paid to the City no later than 30 days after City Commission action to annex the Subject Property into the City.

**5.6 Application Fees.** In addition to the fees outlined above, application fees paid by the Owner are: the \$2,000.00 application fee for establishment of zoning and the \$500.00 application fee for Annexation, which have been paid prior to this Agreement.

**6. Site Conditions.** The Owner warrants that it has conducted site investigations sufficient to be aware of all natural conditions, including, but not limited to, flooding, slopes, and soils characteristics, that may affect the installation of improvements on the site and its development for the approved use. The Owner further warrants that all plans submitted pursuant to this Agreement and all applications for building permits with the Future Development will properly account for all such conditions. The Owner holds the City harmless for natural conditions and for any faults in their own assessment of those conditions.

**7. On-Site Improvements.** The on-site improvements shall include everything required to provide water, sanitary sewer, sanitary sewer industrial pretreatment (as applicable), fire protection, storm drainage, storm water quality treatment, and access. Access for purposes of emergency vehicles shall be installed to the specifications of the City of Great Falls. The Owner shall provide public utility easements for all required public utilities. The Owner agrees to install stormwater quality and quantity improvements consistent with City standards and submitted plans approved by the City of Great Falls. Stormwater quantity control measures must comply with standards of the City of Great Falls Storm Drainage Design Manual. The design, installation, inspection, and maintenance responsibilities of these improvements shall be approved by the City of Great Falls.

**8. Permits.** This Agreement must be approved by the City Commission and signed by the City Manager before permits for any work will be approved, including, but not limited to, grading for streets or trenching for the installation of utilities.

**9. Vested Rights.** The approval of this Agreement by the City creates a vested right that protects the Owner from changes in the zoning and subdivision requirements of Title 17 of the OCCGF until the Agreement expires, as provided in Section 2 of this Agreement. This vested right does not exempt the Owner from compliance with other provisions of the OCCGF, including specifically those intended to prevent and remediate public nuisances, nor does it protect the Owner from changes in the City's building codes and fees, development fees, and inspection fees. This vested right does not exempt the owner from compliance with changes to state and federal requirements. This vested right may be voided, in whole or in part, if the Owner proposes substantial changes in the approved final construction plans of the Future Development.

**10. Required Public Improvements.** The public improvements required shall be installed as shown on the final construction plans that are submitted to and approved by the City of Great Falls. As an alternative, the Owner may provide a financial security for said improvements as prescribed in Section 12. Any reimbursements owed to the Owner for the installation of public improvements are outlined in Section 13.

**10.1 Water.** The Owner hereby agrees to extend approximately 600 linear feet of public water main through Stuckey Road consistent with City standards and submitted plans approved by the City of Great Falls, including the addition of fire hydrants (if applicable). The improvements shall be in accordance with City and Montana Department of Environmental Quality standards and approved plans and specifications. Any portion of water main service located outside of the

public right-of-way shall be located in a minimum 20-foot wide public utility easement. The improvement is to be owned and maintained by the City upon completion.

**10.2 Sanitary Sewer.** The Owner hereby agrees to extend approximately 600 linear feet of public sanitary sewer main in Stuckey Road consistent with City standards and submitted plans approved by the City of Great Falls. The improvement shall be in accordance with City and Montana Department of Environmental Quality standards and approved plans and specifications. Any portion of sewer main service located outside of the public right-of-way shall be located in a minimum 20-foot wide public utility easement. The improvement is to be owned and maintained by the City upon completion.

**10.3 Roadways.** The Owner hereby agrees to construct Stuckey Road consistent with the standards of the scheduled Montana Department of Transportation reconstruction project Stuckey Road – Great Falls CMGF 5299(133), from the project limits to the northern property line of the Subject Property.

**10.4 Timing of Improvements.** The Owner hereby agrees to complete all public utility improvements before July 1, 2021, prior to the reconstruction of Stuckey Road. If the applicant fails to install public improvements within this time frame, a financial security will be required. The Owner hereby agrees to complete all road improvements within one year from the completion of the MDT reconstruction project of Stuckey Road

**11. Warranty, Ownership and Inspection of Public Improvements.** The Owner is responsible for the repair or replacement of any faults in the materials or workmanship of the required on-site and off-site public improvements for a period of two years from the date those improvements are accepted for maintenance by the City. This warranty will be enforced by the City retaining 10% of the security outlined in Section 12 of this Agreement for the two-year warranty period. That sum will be released at the end of two years unless the parties are involved in a dispute about the condition, repair, or replacement of any of the required improvements, in which case funds will be held by the City until that dispute is resolved. The release of warranty funds follow the procedure established in Section 12 of this Agreement for the release of securities.

Installation of all public improvements required for the Subject Property shall be subject to the City's inspection policy in place at the time of installation.

**12. Security for Public Improvements.** If required for public improvements, the Owner shall provide the City with a performance bond, an irrevocable letter of credit, or another form of security acceptable to the Administrator in an amount equal to one hundred thirty-five percent (135%) of the costs of the required public improvements.

The security outlined in this section shall be returned or released upon acceptance of the required improvements, except as provided in Section 13. Following the final required inspection, the Director of Public Works shall promptly inform the Administrator, in writing, that all improvements have been inspected and are acceptable for maintenance by the City. If the Development is in compliance with all conditions of approval, this Agreement, and the OCCGF, the Administrator shall then instruct the City Clerk to release the security to the Owner, minus the retained portion to be held in warranty as required by Section 11 of this Agreement.

**13. Reimbursements owed to Owner.** Except as set forth herein, the City will assist in obtaining initial reimbursements due from other adjacent or benefitted property owners under this Agreement, however the Owner remains responsible for any legal enforcement of the terms of this agreement against future benefitted owners. The Owner shall provide the City with documentation of its actual out-of-pocket costs for the installation of the hereinabove mentioned improvements within four (4) months after approval and acceptance thereof by the City. In the event of Owner's failure to provide the City with said cost data, the City shall not be obliged to undertake collection of the reimbursements provided for herein, and the responsibility for collection thereof shall be that of Owner, its heirs, successors and assigns. Failure of the Owner to provide the City with said cost data for reimbursement as herein required shall in no way alter the obligation of any other party to make reimbursement as provided for herein. Said failure will affect only the City's obligation to assist in collection thereof.

**13.1 Un-Annexed Parcels.** At the time of future annexation of the parcels south and west of the Subject Property, the owners of said parcels are responsible to pay reimbursements to the Owner of the Subject Property for its proportionate share of the cost of the sewer and water mains extensions. The legal descriptions for these seven parcels are as follows:

- S03, T20 N, R03 E, C.O.S. 5156, TRACT 1 OF COS #5156
- S03, T20 N, R03 E, IN LT 4 MK 12
- S03, T20 N, R03 E, LT 4 MK 13
- S03, T20 N, R03 E, IN LT 4 MK 9D
- S03, T20 N, R03 E, 1704, PARCEL N/A, IN LT 4 MK 9V
- S03, T20 N, R03 E, 2596, 3946, PARCEL 000, REMAINDER TR, COS 3946, IN W2NW4 MK 9
- S03, T20 N, R03 E, IN LT 4 SWNW MK 9S

**13.2 Road Improvements** The owner of S03, T20 N, R03 E, 1704, PARCEL N/A, IN LT 4 MK 9V shall reimburse the Owner for 50% of the costs to construct public improvements for the west half of a portion of Stuckey Road. This includes the cost of the street built to the specifications of the MDT project. The amount to be reimbursed shall be determined by using the Owner's actual costs and quantities of improvements constructed. In the event that the improvement costs are not provided by the Owner or they are determined by the City to be unreasonable, the City will determine the reimbursement amount using standard bid and/or material prices.

**14. Maintenance Districts.** Owner hereby agrees to waive its right to protest and appeal the lawful creation by the City of maintenance districts for any proper purpose including, but not limited to, fire hydrant and street maintenance and shall pay the proportionate share of the costs associated with said maintenance districts as they may be applied to the Subject Property.

**15. Public Roadway Lighting.** Owner hereby agrees to waive its right to protest and appeal any future special lighting district for public roadway lighting facilities that service the Subject Property, and further agrees to pay for its proportionate share of the costs associated with roadway lighting which services the Subject Property that may be installed with or without a special lighting district.

**16. City Acceptance and Zoning.** In consideration of the terms of this Agreement, the City hereby accepts the Subject property for incorporation by annexation into the corporate limits of the City of Great Falls, Montana, with an assigned zoning classification of M-2 Mixed-use Transitional.

**17. Limitation of Liability.** The City will conduct a limited review of plans and perform inspections for compliance with requirements set forth in this agreement and/or in applicable law. The scope of such review and inspections will vary based upon development type, location and site characteristics. The Owner is exclusively responsible for ensuring that the design, construction drawings, completed construction, and record drawings comply with acceptable engineering practices, State requirements, and other applicable standards. The City’s limited plans review and inspections are not substantive reviews of the plans and engineering. The City’s approval of any plans or completed inspections is not an endorsement of the plan or approval or verification of the engineering data and plans. Neither the Owner, nor any third party may rely upon the City’s limited review or approval.

The Owner shall indemnify, hold harmless and defend the City of Great Falls, its officers, agents, servants and employees and assigns from and against all claims, debts, liabilities, fines, penalties, obligations and costs including reasonable attorney fees, that arise from, result from or relate to obligations relating to that owner’s Subject Property described herein. Upon the transfer of ownership of the property, the prior owner’s (whether it is the Owner that signed this agreement or a subsequent owner) indemnity obligation herein for the transferred property is released as to that owner and the indemnity obligation runs to the new owner of the property. Only the owner of the parcel of property at the time the City incurs the claim, debt, liability, fine, penalty, obligation or cost is obligated to indemnify, and no owner of property is obligated to indemnify for adverse conditions on property owned by someone else. This indemnification by the owner of the property shall apply unless such damage or injury results from the gross negligence or willful misconduct of the City.

**18. Binding Effect.** The provisions, covenants and terms of this Agreement shall run with the land and bind the present owner, its devisees, heirs, successors, and assigns; and any and all parties claiming by, through, or under them, shall be taken to agree and covenant with each of the parties to the Agreement, their devisees, heirs, successors and assigns, to conform to the provisions, covenants and terms of this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seal the day, month and year first hereinabove written.

THE CITY OF GREAT FALLS, MONTANA  
A Municipal Corporation of the State of Montana  
\_\_\_\_\_  
Gregory T. Doyon, City Manager

ATTEST:  
\_\_\_\_\_  
Lisa Kunz, City Clerk  
(Seal of City)  
APPROVED FOR LEGAL CONTENT\*:  
\_\_\_\_\_

Sara R. Sexe, City Attorney

\*By law, the City Attorney may only advise or approve contract or legal document language on behalf of the City of Great Falls, and not on behalf of other parties. Review and approval of this document was conducted solely from the legal perspective, and for the benefit, of the City of Great Falls. Other parties should not rely on this approval and should seek review and approval by their own respective counsel.

Little Shell Tribe

By: \_\_\_\_\_

Its: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

State of \_\_\_\_\_)

:ss.

County of \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year Two Thousand and Twenty, before me, the undersigned, a Notary Public for the State of \_\_\_\_\_, personally appeared \_\_\_\_\_, known to me to the persons whose names are subscribed to the instrument within and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

\_\_\_\_\_

Notary Public for the State of \_\_\_\_\_

(NOTARIAL SEAL)



Meeting Date: August 25, 2020

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

**Item:** Public Hearing – Annexation of Tract 1B of Certificate of Survey No. 5077 and the adjoining right-of-way of Jasper Road; establishment of C-3 Highway Commercial zoning for Lots 1-3 and R-2 Single-family Medium Density for Lot 4; and a minor subdivision of Double T Estates.

**Initiated By:** Aaron Corbett, Turbo Transportation Group, LLC

**Presented By:** Lonnie Hill, Planner I, Planning and 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:**

Board Member moves:

I. “I move that the Planning Advisory Board recommend the City Commission (approve/deny) the annexation of Tract 1B of Certificate of Survey No. 5077 as legally described in the staff report, the Improvement Agreement, and the accompanying Findings of Fact/Basis of Decision, subject to the Conditions of Approval being fulfilled by the applicant.”

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

And;

II. “I move that the Zoning Commission recommend the City Commission (approve/deny) the establishment of C-3 Highway Commercial zoning for Lots 1-3 and R-2 Single-family Medium Density zoning for Lot 4 of the proposed Double T Estates subdivision and the accompanying Findings of Fact/Basis of Decision, subject to the Conditions of Approval being fulfilled by the applicant.”

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

And;

III: “I move that the Planning Advisory Board recommend the City Commission (approve/deny) the preliminary plat of Tract 1B of Certificate of Survey No. 5077 as legally described in the



staff report and the accompanying Findings of Fact/Basis of Decision, subject to the Conditions of Approval being fulfilled by the applicant.”

Chairman calls for a second, discussion, public comment and calls for the vote.

---

**Summary:**

The applicant, Turbo Transportation Group, LLC, is proposing annexation, establishment of zoning, and a four lot minor subdivision for Tract 1B of Certificate of Survey No. 5077. The subject property is approximately 40.54 total acres. The subject property is currently undeveloped land located within Cascade County adjacent to the City limits of Great Falls on the east and west.

Phase 1 includes development of Lot 1 of the proposed amended plat as a truck wash facility. Future phases are expected to include development of a truck repair facility and offices for Turbo Transportation Group on Lot 2, a 180-unit mini-storage facility on Lot 3, and future development of residential lots on Lot 4. The future development of multiple residential lots will require a subsequent subdivision of Lot 4, which will be reviewed by the Planning Advisory Board and City Commission at the time of application.

Public Notice for the Planning Advisory Board/Zoning Commission Public Hearing was published in the *Great Falls Tribune* on August 9<sup>th</sup>, 2020, and a notice was sent in the mail to neighbors within 150 feet of the subject property.

**Background:**

**Annexation by Petition Request:**

The subject property consists of approximately 40.54 acres and is contiguous to the existing City limits on the east and west sides. The Bel-View Palisade Addition is located directly to the east, public right-of-way and suburban residential lots located within the County are located to the north, a City owned parcel which contains a City water tower is located to the west, and suburban residential lots are located within the County to the south. The adjacent right-of-way of Jasper Road is required to be annexed into City limits as part of the request.

The basis for decision for an annexation by petition request is listed in OCCGF §17.16.7.050. The recommendation of the Planning Advisory Board and the decision of the City Commission shall at a minimum consider the criteria which are attached as *Findings of Fact/Basis of Decision – Annexation by Petition*.

**Establishment of Zoning Request:**

Lots 1-3 of the proposed Double T Estates subdivision are being proposed for C-3 Highway Commercial zoning. The C-3 zoning district permits the proposed development of Lot 1 for a truck wash facility – defined as a Vehicular services land use. If the developer moves forward with the proposed use of Lot 2 as a truck repair center, this use would also be permitted within the category of Vehicular repair. If the developer moves forward in the future to establish storage units on Lot 3, a Conditional Use Permit will be required to allow a Mini-storage facility within the C-3 district.

Designation of C-3 Highway Commercial district zoning for Lots 1-3 will allow for the use of underdeveloped land near the interstate to capitalize on commercial activities related to interstate travel. This zoning designation will support the economic and physical goals of the City’s Growth Policy,

including expanding the City's existing economic base and supporting the expansion of existing businesses that bolster employment within the City.

Lot 4 of the proposed Double T Estates subdivision is being proposed for R-2 Single-family Medium Density zoning. This zoning classification is most appropriate given the existing R-2 zoning adjoining the parcel on both its north and east sides. The intent of the developer is to subdivide Lot 4 into multiple residential lots in the future. This future major subdivision will require additional review and approval from the Planning Advisory Board as well as the City Commission. The Improvement Agreement for this annexation, which is attached to this agenda report, anticipates this future subdivision and lays the framework of what may be required of the developer for both on and off-site public improvements. Some of the identified concerns include future proposed public street configuration and stormwater quantity and quality control. It is important that this future subdivision and related development is closely reviewed for potential street connectivity and other impacts to the existing Bel-View Palisade neighborhood.

The basis for decision on zoning map amendments is listed in Official Code of the City of Great Falls (OCCGF) §17.16.40.030 of the Land Development Code. The recommendation of the Zoning Commission and the decision of City Commission shall at a minimum consider the criteria which are attached as *Findings of Fact/Basis of Decision – Zoning Map Amendment*.

#### **Preliminary Plat for a Minor Subdivision:**

The applicant is requesting a minor subdivision of Tract 1B of Certificate of Survey No. 5077. The applicant is proposing an amended plat that subdivides the subject property into 4 lots. As noted earlier, the intent of the developer is to develop Lots 1-3 in their proposed configuration and to subsequently subdivide Lot 4 into smaller residential lots. All proposed lots meet code requirements for lot size, width, width to depth ratio, as well as their ability to be accessed by public utilities and roadways.

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

#### **Required Improvements:**

**Roadway facilities.** Pursuant to the attached Improvement Agreement, the Owner is required to construct 29th Street Southwest from 38th Avenue Southwest to the proposed Poplar Drive extension. Design and installation shall be consistent with City standards and submitted plans approved by the City of Great Falls. All street improvements are to be owned and maintained by the City upon completion. The Owner additionally is required to install sidewalk along the west side of 29th Street Southwest between 38th Avenue Southwest and Poplar Drive. Adjoining property owners will be responsible for the maintenance of the sidewalk, boulevard landscaping and trees after construction.

The Owner is also required to construct the intersection of 29th Street Southwest and the proposed Poplar Drive. The owner is additionally required to construct a vehicular gravel access drive from the north end of the intersection to the property line of the property surveyed as COS 3342.

As part of the development of Lot 1, the Owner proposes to construct Poplar Drive from 29th Street Southwest to the east property line of Lot 1 of the proposed Double T Estates subdivision consistent

with City standards and submitted plans approved by the City of Great Falls. Construction of this street shall include a temporary cul-de-sac on Lot 2 at the terminus of the Poplar Drive extension. The Owner is additionally required to install sidewalks and boulevard trees on the north side of the developed portion of Poplar Drive. The Owner will be additionally responsible for the maintenance of an area of ground cover within the right-of-way on the south side of Poplar Drive until the adjacent property adjoining Poplar Drive to the south is annexed into the city.

**Utilities.** The Owner will agree to extend an 8 inch public water main through the proposed public right-of-way from the existing main on 29th Street Southwest to the east boundary of Lot 1, including the addition of the required fire hydrants. The improvements shall be in accordance with City and Montana Department of Environmental Quality standards and approved plans and specifications. The improvements are to be owned and maintained by the City upon completion. Installation of a public sanitary sewer main to service Lot 1 is not required due to the existing 8 inch line that runs across the entire 40 acre property from east to west.

**Stormwater Management.** The Owner agrees to install stormwater quality and quantity improvements consistent with City standards and submitted plans approved by the City of Great Falls. The design, installation, inspection, and maintenance responsibilities of these improvements shall be approved by the City of Great Falls.

#### **Future Improvements:**

**Roadway facilities.** As Lots 2-4 develop, the future proposed street configuration will need to be approved by appropriate divisions of the City of Great Falls. Future development or subdivision proposals may also require a traffic impact analysis or a traffic study as per OCCGF 17.32.060, and may require off-site improvements to be constructed mitigate traffic impact upon existing roadways. A short traffic analysis has been provided by staff in this agenda report in response to what has been proposed so far for each of the proposed lots to be developed.

**Utilities.** Future public utilities required for future development of Lots 2-4 shall be installed by the Owner as required by the City of Great Falls. At this time, no analysis or calculations regarding such improvements have been made. The guidance within the Improvement Agreement is provided as an expected minimum requirement for such facilities; however, the Owner and City agree that additional requirements may be necessary to accommodate proposed development upon Lots 2-4.

**Stormwater Management.** The Owner agrees to construct storm water infrastructure, both on-site and off-site, associated with future development consistent with City standards and submitted plans approved by the City of Great Falls. The improvements shall be in accordance with City and Montana Department of Environmental Quality standards and approved plans and specifications. Staff and the developer's design consultant have discussed the possibility of additional water quantity control measures due to the potential for a residential subdivision upstream of the Bel-View Palisade Addition.

#### **Traffic Analysis:**

##### **Access/Egress**

One initial access point is proposed with the first phase of development. The subdivision would be accessed from the south, via 29th Street Southwest, connecting to the existing 38th Avenue SW. For emergency access and emergency evacuation from the area, a future second access is necessary, with the most feasible point of connectivity to the existing street network being Jasper Road bordering on the north of the subdivision and connecting to Bel-View Palisade at the far northwestern corner of that subdivision. It is anticipated that a future system of roads internal to the proposed residential area on Lot

4 would be constructed, including Jasper Road. A sidewalk connection will be provided along 29th Street Southwest from the subject property to 38th Avenue SW.

### **Trip Generation**

Phase I: According to the developer's representatives, the proposed truck wash facility is expected to service 34 trucks per day and employ 2 individuals. Doubling this number (to account for vehicles arriving and leaving), that equates to 72 trips per day. Assuming an additional 10% to account for delivery trips and fluctuations in usage, an **estimate of 80 trips per day** is used for this analysis. Because the ITE Trip Generation Manual has no studies for a truck wash facility, assumed trip numbers from the developer's representatives were used.

Phase II: The developer has preliminary plans for a 180-unit mini-storage facility for Lot 3. Using data from the ITE Trip Generation Manual (9th Edition), a Mini-Warehouse can expect to generate an average of .25 weekday trips per unit – equating to an **estimated 45 trips per day** for a 180-unit facility.

Phase III: Preliminary plans for development of Lot 2 includes the trucking company office/shop, which will include a 12,500 square foot structure with 32 employees and attract 10 trucks for service daily. The facility is proposed to serve as a large temporary storage lot for imported small vehicles, which will be loaded and unloaded on-site in a storage lot. Because the developer was unable to provide detail on traffic generation for this use, traffic generation was calculated assuming two trips per employee; two trips per truck; and, 20% additional trips. This equates to an **estimate of 101 trips per day**.

Phase IV: The residential development has not been designed, but the area proposed for residential zoning is estimated to be able to accommodate up to 84 single-family residential units. Based upon data from the ITE Trip Generation Manual (9th Edition), Single Family Detached Housing generates an average of 9.52 trips per weekday per unit – equating to an **estimated 800 trips per day**.

Total Average Weekday Trips at full buildout over many years: **1,118 daily trips**

### **Trip Distribution**

Phases I-III: All of the proposed traffic from phases I, II, and III will enter and exit from 29th Street SW, resulting in an estimated 226 trips per day. Because of the dead-end nature of the development, the only other traffic would be an occasional visit to the City's water tower or the vacant lot to the north of the development. The Montana Department of Transportation is currently designing upgrades to the Airport Interchange. The improvements are expected to accommodate the growth in traffic in the area, including traffic generated by this development.

Consideration should be given to encouraging discontinuation of the access easement through the Flying J/Crystal Inn development (named 37th Ave SW), to prevent through-traffic generated by the proposed development.

Phase IV: Future development and subdivision for Phase IV of the development will necessitate construction of new roadways, including potential improvements to Jasper Road, and may generate 800 additional trips. Distribution of traffic will depend somewhat upon design of the interior roads. Therefore, it is difficult to assign trip distribution at this stage. It can safely be said that at least half of the development's traffic would use the eastern access point. However, without more detail, the possible impact upon the street network to the east cannot be assessed.

A future dedication of right-of-way to connect the existing Jasper Road right-of-way to 28th Street SW should be a condition of the development. Development, use, and maintenance of Jasper Road, including the existing right-of-way, should be deferred until Phase IV or until such time as deemed necessary by the City. Impact on roadways east of the proposed development will be assessed when connection to the existing Jasper Road is proposed.

### **Traffic Conclusion**

Based on the preliminary plans provided by the developer, there is sufficient capacity on the roadways to the west to accommodate the traffic generated by Phases I-III, if the proposed improvements are made. Impact on roadways east of the proposed development will be assessed when connection to the existing Jasper Road is proposed. It is recommended that a careful assessment be performed when the residential development is proposed or when connection to Jasper Road is considered.

### **Neighborhood Council Input:**

The subject property is located adjacent to Neighborhood Council #1. Due to timing of scheduled meetings, the applicant will present the project to the Council after the Public Hearing at the Planning Advisory Board/Zoning Commission, but before the Public Hearing at the City Commission. Project information has been provided to the Council Members via email.

### **Concurrences:**

Representatives from the City's Public Works, Legal, Park and Recreation, and Fire/Rescue Departments have been involved throughout the review and approval process for this project, and will continue to participate throughout the permit approval process. Both Engineering and Environmental Divisions of Public Works and the Legal Department have collaborated on the submitted Improvement Agreement as well as the design of the proposed infrastructure improvements.

### **Fiscal Impact:**

Services will be provided by the City, and the cost of the infrastructure improvements will be borne by the applicant per the agreed upon terms of the attached Improvement Agreement. The City will be reimbursed by the owner for its proportionate share of the sanitary sewer line previously constructed across the subject property. The annexation and subdivision creates 4 new lots within the city which will increase the City's tax base and increase revenue.

### **Staff Recommendation:**

Staff recommends approval of the annexation of Tract 1B of Certificate of Survey No. 5077 and adjoining right-of-way, assignment of C-3 zoning for Lots 1-3 and R-2 zoning for Lot 4, and the preliminary subdivision plat requests with conditions.

### **Conditions of Approval for Annexation and Establishment of Zoning:**

1. **General Code Compliance.** The proposed project shall be developed consistent with the conditions in this report, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
2. **Improvement Agreement.** The applicant shall abide by the terms and conditions as well as pay all fees and reimbursements specified in the attached Improvement Agreement for the Subject Property. The Improvement Agreement must be signed by the applicant and recorded at the Cascade County Clerk and Recorder.

**3. Land Use & Zoning.** Development of the property shall be consistent with the allowed uses and specific development standards of the C-3 Highway commercial and R-2 Single-family medium density zoning districts.

**4. Utilities.** The final engineering drawings and specifications for public improvements for the subject properties shall be submitted to the City for review and approval.

**Conditions of Approval for Preliminary Plat:**

**1. General Code Compliance.** The proposed project shall be developed consistent with the conditions in this report, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.

**2. Amended Plat.**

The applicant shall provide an Amended Plat of the subject property which shall incorporate corrections of any errors or omissions noted by Staff.

**Alternatives:**

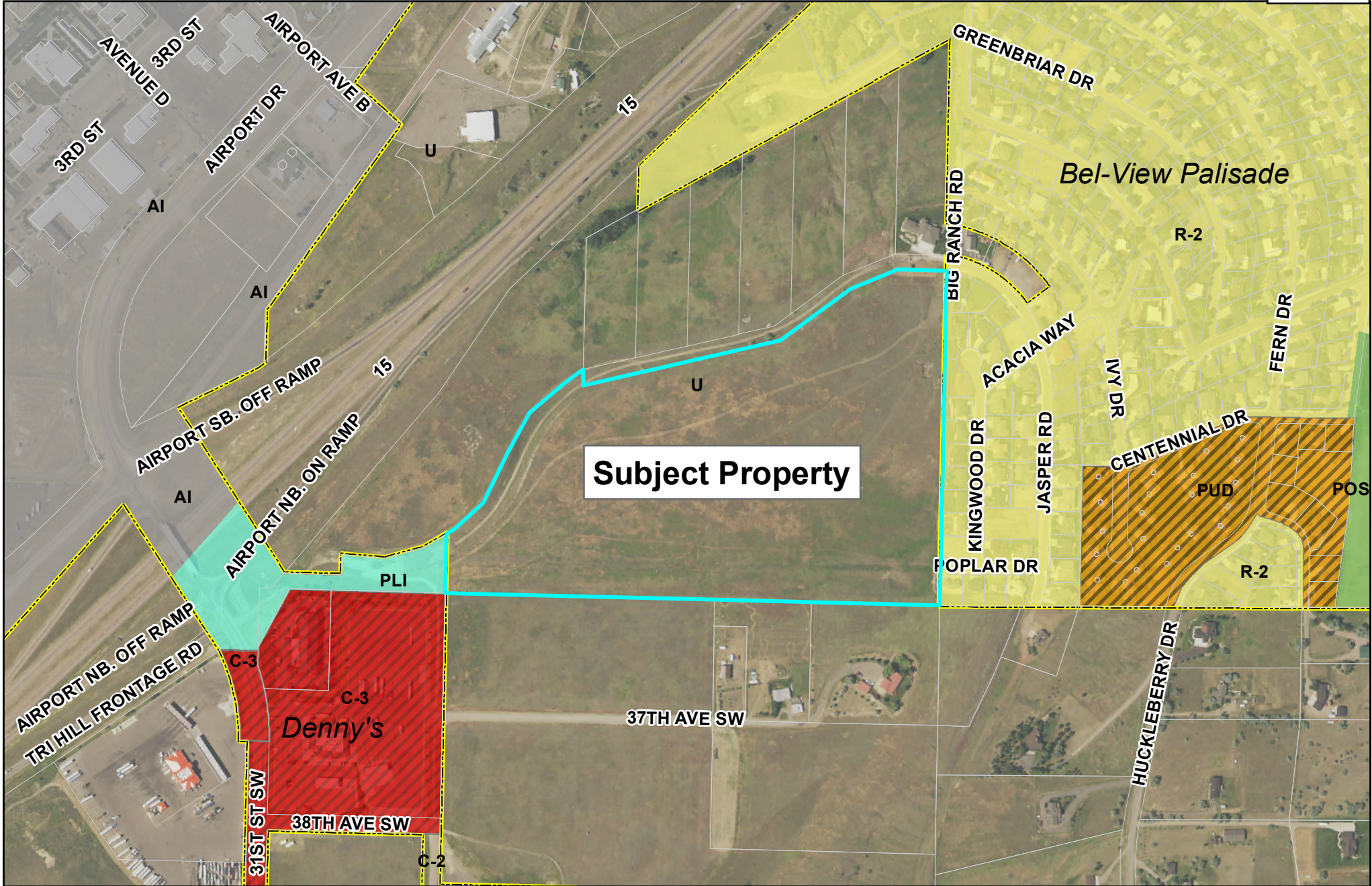
The Planning Advisory Board/Zoning Commission could recommend denial of the annexation, zoning map amendment request, and the amended plat to the City Commission. For these actions, the Planning Advisory Board/Zoning Commission must provide separate Findings of Fact/Basis of Decision for denial of the annexation, establishment of zoning, and the subdivision.

**Attachments/Exhibits:**

- Aerial Map
- Zoning Map
- Project Narrative
- Existing Conditions
- Site Plan
- Findings Of Fact/Basis of Decision – Annexation
- Findings Of Fact/Basis of Decision – Zoning Map Amendment
- Allowable Uses by District for R-2 and C-3
- Lot Area and Dimensional Standards for R-2 and C-3
- Draft Amended Plat
- Findings Of Fact/Basis of Decision – Subdivision
- Draft Improvement Agreement



# Location & Zoning Map

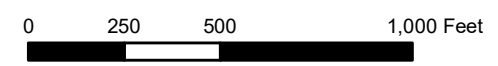


**Subject Property**

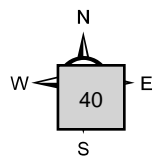
*Bel-View Palisade*

*Denny's*

	Parcels		R-2 Single-family Medium Density		PLI Public Lands and Institutional
	City Limits		PUD Planned Unit Development		POS Parks and Open Space
	C-3 Highway Commercial		AI Airport Industrial		



Date: 8/20/2020  
 Author: LH, Planning







August 19, 2020

The City of Great Falls

RE: Turbo Transportation Truck Wash Facility – Annexation Narrative

To Whom It May Concern,

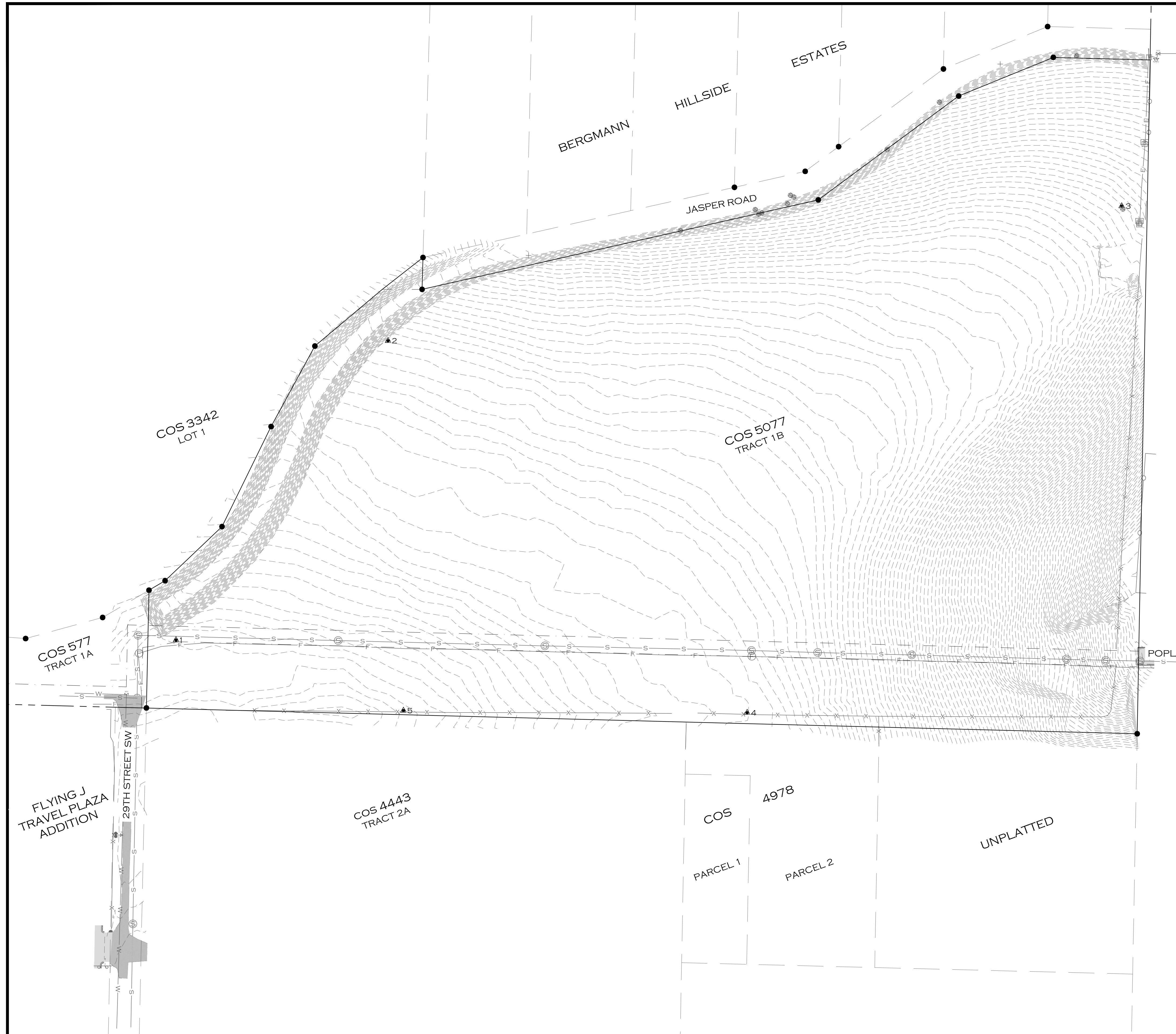
The subject property described as a 4-Lot Minor Subdivision of Tract 1B of Certificate of Survey 5077 located in Section 21, Township 20 N, Range 3 E, P.M.M, Great Falls, Cascade County, Montana. All 4 lots are currently owned by Turbo Auto Transport LLP. Lot 1-3 are being zoned as C-3 Highway Commercial. Lot 1 (5.67 acres) will consist of a semi-truck wash that will service at max 34 semi-trucks a day. Lot 2 (5.89 acres) and Lot 3 (3.24 acres) will be zoned along with Lot 1 with possible future plans of a commercial expansion for Turbo Transportation. Lot 4 (25.97 acres) has possible future plans for a residential subdivision.

Phase 1 of this 4-Lot Minor Subdivision will start with the Lot 1 semi-truck wash. The goal of this Lot is to complement the existing and future proposed truck stops. The semi-truck wash will consist of a 2 bay wash system. 1 bay being an automatic washing system and the second bay being a hand wand washing system. An office/lounge area will be attached to the wash bays bringing the total square footage to roughly 9,200 sq-ft. Site improvements include asphalt paving, curb and gutter, stormwater detention pond, and a RV dump station. Phase 1 of construction will require the improvements to 29<sup>th</sup> St. SW from 38<sup>th</sup> Ave SW to the future corridor of Poplar Drive. Poplar Drive will be extended to the eastern edge of Lot 1 with a gravel turnaround for emergency vehicles. All traffic for this phase will enter and exit through the west using the improved 29<sup>th</sup> St. SW and 38<sup>th</sup> Ave SW.

Sincerely,

**Woith Engineering, Inc.**

Spencer Woith  
President



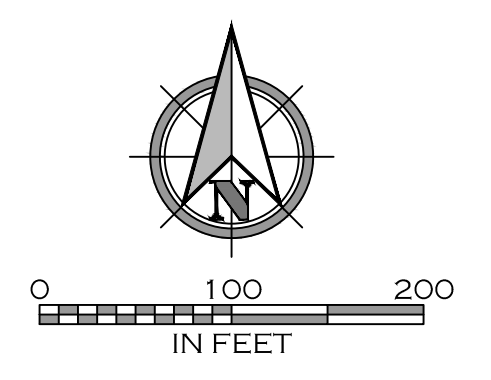
**LEGEND:**

- SECTION LINE
- EXTERIOR PARCEL BOUNDARY
- ADJOINING PARCEL BOUNDARY
- EXISTING EASEMENT
- FOUND MONUMENT
- EXISTING ASPHALT ROAD
- EXISTING DIRT ROAD
- EXISTING SIDEWALK/CONCRETE
- EXISTING CURB
- X X EXISTING BARBWIRE FENCE
- O O EXISTING CHAINLINK FENCE
- S S EXISTING SANITARY SEWER
- F F EXISTING BURIED FIBER
- E E EXISTING BURIED POWER
- W W EXISTING WATER MAIN
- EXISTING BOLLARD
- EXISTING MAILBOX
- EXISTING DOUBLE SIGN POST
- EXISTING DECIDUOUS TREE
- EXISTING TELEPHONE VAULT
- EXISTING TELEPHONE PEDESTAL
- ⊗ EXISTING WATER VALVE
- ⊕ EXISTING MANHOLE - FIBER
- ⊕ EXISTING MANHOLE - SANITARY SEWER
- ⊕ EXISTING ELECTRIC PEDESTAL
- ⊕ EXISTING ELECTRIC METER
- ⊕ EXISTING FIRE HYDRANT
- ⊕ EXISTING CABLE TV PEDESTAL

- NOTES**
1. TOPOGRAPHIC SURVEY PERFORMED FEBRUARY 2020.
  2. EXISTING UNDERGROUND UTILITIES SHOWN IN THIS SURVEY LOCATED AND MARKED BY MONTANA 811 PRIOR TO TOPOGRAPHIC SURVEY.

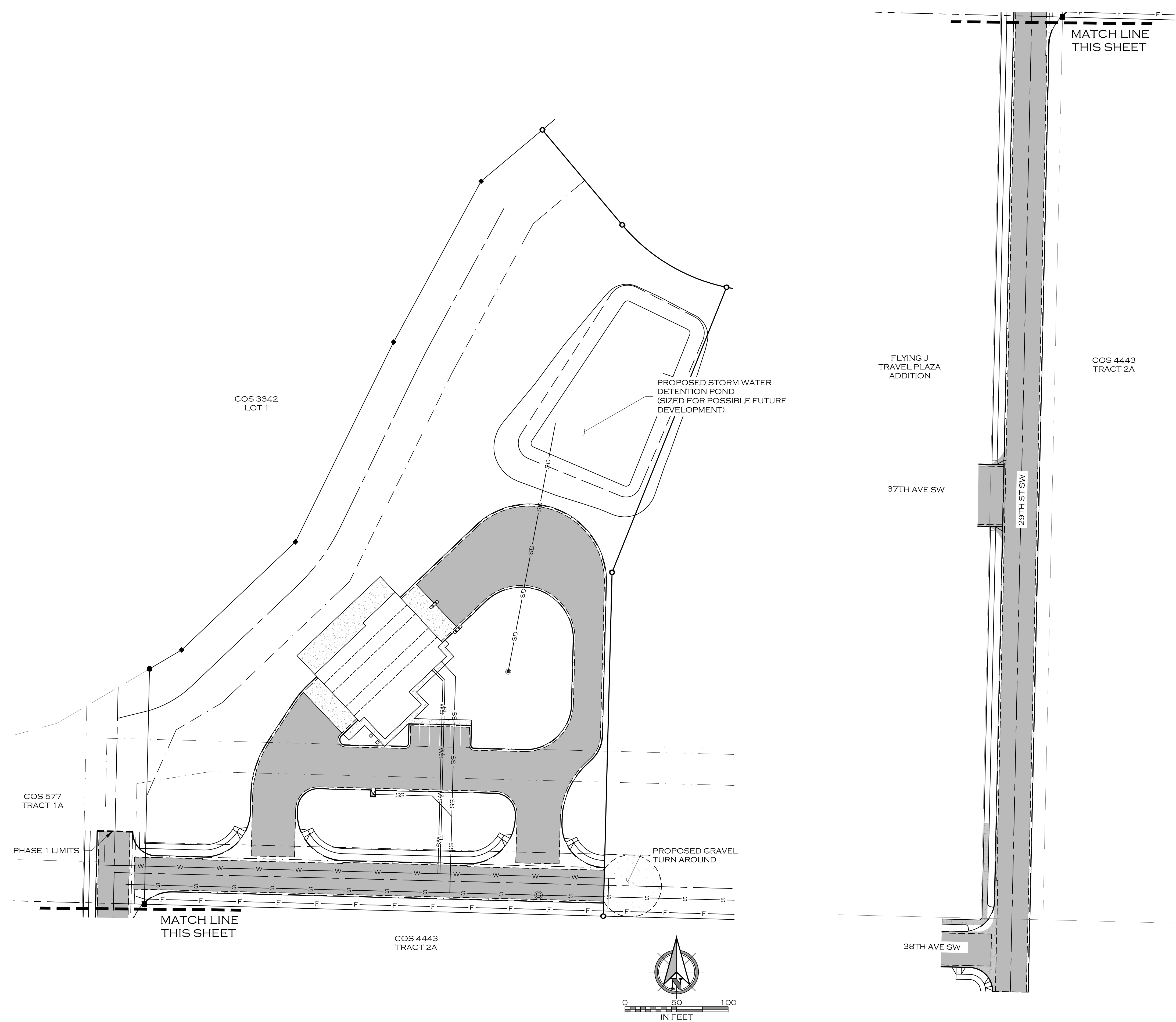
**CONTROL POINT TABLE**

POINT #	NORTHING	EASTING	ELEVATION	DESCRIPTION
1	1180149.02	1509659.34	3692.48	WEI OPC
2	1180728.41	1510070.16	3670.19	WEI OPC
3	1180989.22	1511491.29	3643.27	WEI OPC
4	1180008.18	1510765.72	3679.17	WEI OPC
5	1180012.45	1510099.88	3693.15	WEI OPC



**COLOR VERIFICATION**  
ELEMENTS ON THIS SHEET ARE INTENDED TO BE IN COLOR. IF PROPERLY REPRODUCED, RED, GREEN AND BLUE WILL BE VISIBLE.

JOB #: 1928	DRAWN: RLO/MOH	DESIGN: RLO/MOH	CA: SMW/KTS	DATE: 06/09/2020
DATE				
DESCRIPTION				
#				
<p><b>WOITH ENGINEERING, INC.</b> <b>ENGINEERS &amp; SURVEYORS</b> 405 3RD STREET NW, SUITE 200 - GREAT FALLS, MT 59404-4056-1855 - WWW.WOITHENG.COM COPYRIGHT © WOITH ENGINEERING, INC., 2020</p>				
MONTANA				
GREAT FALLS	TURBO TRUCKING	OVERALL EXISTING SITE PLAN		
PRELIMINARY 06/09/2020				
C 1.0				



PRELIMINARY - NOT FOR CONSTRUCTION

JOB #:	1928	DESCRIPTION	DATE
	DRAWN:		
DESIGN:	RLO/MOH	#	DATE
CA:	SMW/KTS		
DATE:	08/19/2020	<p><b>WOITH ENGINEERING, INC.</b>  <b>ENGINEERS &amp; SURVEYORS</b>  <small>405 3RD STREET NW, SUITE 205 - GREAT FALLS, MT 59403 - 406-761-1955        3880 CLARY STREET, SUITE A - MISSOULA, MT 59808 - 406-803-9565        WWW.WOITHENG.COM</small></p> <p><small>COPYRIGHT © WOITH ENGINEERING, INC. 2020</small></p>	
GREAT FALLS		MONTANA	
TURBO TRUCKING		SITE PLAN	
C2.0			

## FINDINGS OF FACT/BASIS OF DECISION – ANNEXATION

Tract 1B of Certificate of Survey No. 5077, located in the NE ¼ of Section 21, T20N, R3E, PMM, Cascade County, Montana and the adjoining right-of-way of Jasper Road

### PRIMARY REVIEW CRITERIA:

The basis for decision on annexation is listed in the Official Code of the City of Great Falls 17.16.7.050 of the Land Development Code. The recommendation of the Planning Advisory Board and the decision of the City Commission shall at a minimum consider the following criteria:

#### **1. The subject property is contiguous to the existing City limits.**

The subject property is contiguous to the existing city limits, with Bel-View Palisade to the east and the City water tower property to the west.

#### **2. The proposed annexation is consistent with the City's growth policy.**

The proposed annexation is consistent with the overall intent and purpose of the 2013 City Growth Policy Update. This project is supported by the Economic and Physical portions of the Growth Policy. The annexation is specifically supported by the following goals and policies:

- Economic Goals and Principles
  - To enhance, strengthen and expand the City's existing economic base.
  - To attract new businesses and support the expansion of existing businesses in a manner that bolsters employment opportunities in the City.
- Physical Policy 4.1.3 – Create a balanced land use pattern that provides for a diversity of uses that will accommodate existing and future development in the City.
- Physical Policy 4.2.5 – Promote orderly development and the rational extension of infrastructure and City services.
- Social Policy 1.4.2 – Expand the supply of residential opportunities including single family homes, apartments, manufactured homes, and assisted living facilities.
- Social Policy 1.4.12 – When annexing land for residential development, consider the timing, phasing and connectivity of housing and infrastructure development.

#### **3. The proposed annexation is consistent with applicable neighborhood plans, if any.**

The subject property is located adjacent to Neighborhood Council #1. There is no adopted neighborhood plan for Neighborhood Council #1, or any other Council within the City. Due to the pandemic, Neighborhood Council #1 will not meet until Tuesday, September 8<sup>th</sup>. The application materials have been provided to Council Members via email. The applicant intends to present to the Council at their September meeting.

#### **4. The proposed annexation is consistent with other planning documents adopted by the City Commission, including a river corridor plan, transportation plan, and sub-area plans.**

The subject property is not located within any adopted plan or sub-area planning areas. The proposed improvements for all proposed roads in the development are consistent with City transportation planning documents. At this time, estimated traffic generation counts were provided for development of Lot 1 and an analysis of those counts have been included in the agenda report. A traffic analysis may be required as part of future development or subdivision.

**5. The City has, or will have, the capacity to provide public services to the subject property.**

The City Public Works Department has verified that capacity is adequate to provide public utility services to the subject property. A more detailed description of the various public utility services that will be provided to the development has been outlined in the agenda report as well as in the Improvement Agreement.

The adjacent City water tower property, the Bel-View Palisade Addition, and the properties to the southwest, including the Crystal Inn and Denny's, are currently receiving law enforcement and fire protection service from the City of Great Falls. The development of Lot 1 will provide access to the subject properties being annexed through the construction of 29<sup>th</sup> Street Southwest. Providing street, law enforcement, and fire protection services is expected to be a manageable cost to the City, but since the subject properties are located within the Gore Hill fire district, City fire response times from Fire Station #4 are beyond what is considered ideal in an urban context. In light of this, the City will need to carefully plan the future public street layout of the annexed property as it is further subdivided and developed. Additionally, special attention will need to be paid to stormwater quantity control during future subdivision and development of proposed Lot 4.

**6. The subject property has been or will be improved to City standards.**

The proposed annexation includes a four lot minor subdivision. Of these four newly created lots, Lot 1 is proposed for development of a truck wash facility. This facility will be developed to City standards. Future development proposals for Lots 2-4 will be required to be improved to City standards as outlined in the attached Improvement Agreement for the subject property.

**7. The owner(s) of the subject property will bear all of the cost of improving the property to City standards and or/ the owner(s) has signed an agreement waiving the right of protest to the creation of a special improvement district created to pay, in whole or in part, any necessary improvement.**

An Improvement Agreement for the subject property has been drafted outlining the responsibilities and proportionate shares of costs for various improvements. The Improvement Agreement has been attached to the agenda report. This Improvement Agreement addresses the creation of any special improvement districts and the creation of additional development agreements for the future development of Lots 2-4.

**8. The subject property has been or will be surveyed and officially recorded with the County Clerk and Recorder.**

The subject property has been previously surveyed as part of Certificate of Survey 5077. A preliminary minor subdivision is proposed to subdivide the subject property into four lots. The draft amended plat is

required to be reviewed by the City Commission and Staff, and recorded with the Cascade County Clerk and Recorder.

**9. The City will provide both water and sewer service to each of the uses in the subject property that may require potable water and waste water treatment and disposal.**

Public improvements for City water and City sewer services have been addressed in the agenda report as well as in the attached Improvements Agreement.

**10. The subject property is not located in an area the City Commission has designated as unsuitable for annexation.**

The subject property is not located in an area the City Commission has designated as unsuitable for annexation.

**11. The subject property is not located in another city or town. (See: 7-2-4608 (1), MCA)**

The subject property is not located in another city or town.

**12. The subject property is not used in whole or in part for agriculture, mining, smelting, refining, transportation, or any other industrial or manufacturing purpose or any purpose incidental thereto. (See: 7-2-4608 (2), MCA)**

The subject property is not used for the uses listed above. The tract of land is contiguous to the City limits and has always been considered a logical extension of the City's urban area.

## FINDINGS OF FACT – ZONING MAP AMENDMENT

Tract 1B of Certificate of Survey No. 5077, located in the NE ¼ of Section 21, T20N, R3E, PMM, Cascade County, Montana and the adjoining right-of-way of Jasper Road.

### PRIMARY REVIEW CRITERIA:

The basis for decision on zoning map amendments is listed in Official Code of the City of Great Falls (OCCGF) §17.16.40.030 of the Land Development Code. The recommendation of the Zoning Commission and the decision of City Commission shall at a minimum consider the following criteria:

#### 1. The amendment is consistent with and furthers the intent of the City's growth policy.

The proposed zoning map amendment is consistent with the overall intent and purpose of the 2013 City Growth Policy Update. The proposal to annex and establish zoning on Lots 1-3 as C-3 Highway Commercial will allow for expansion of the C-3 district to capitalize underdeveloped land near the interstate to accommodate commercial activities related to interstate travel.

The proposed zoning map amendment for Lots 1-3 specifically supports the following goals and policies:

- Economic Goals and Principles
  - To enhance, strengthen and expand the City's existing economic base.
  - To attract new businesses and support the expansion of existing businesses in a manner that bolsters employment opportunities in the City.
- Physical Policy 4.2.5 – Promote orderly development and the rational extension of infrastructure and City services.

The proposal to annex and establish zoning on Lot 4 as R-2 Single-family Medium Density will expand the supply of single-family residential opportunities within the City. Although this application only includes a single 25.97 acre lot of R-2 zoning, the future goal of the applicant is to subdivide Lot 4 into smaller residential lots for development. It is important to note that as part of this zoning map amendment, Staff is planning ahead to anticipate the timing, phasing, and connectivity of the potential future subdivision to the existing Bel-View Palisade Addition to prevent or mitigate potential adverse effects. These issues are addressed within the Development Agreement. At such time as development and/or subdivision is proposed for future phases, the configuration and connectivity of utilities and roads will be carefully considered.

The proposed zoning map amendment for Lot 4 is supported by the following goals and policies:

- Social Policy 1.4.2 – Expand the supply of residential opportunities including single family homes, apartments, manufactured homes, and assisted living facilities.
- Social Policy 1.4.12 – When annexing land for residential development, consider the timing, phasing and connectivity of housing and infrastructure development.
- Physical Policy 4.1.3 – Create a balanced land use pattern that provides for a diversity of uses that will accommodate existing and future development in the City.

**2. The amendment is consistent with and furthers adopted neighborhood plans, if any.**

The subject property is located adjacent to Neighborhood Council #1. There is no adopted neighborhood plan for Neighborhood Council #1, or any other Council within the City. Due to the pandemic, Neighborhood Council #1 will not meet until Tuesday, September 8<sup>th</sup>. The application materials have been provided to Council Members via email. The applicant intends to present to the Council at their September meeting.

**3. The amendment is consistent with other planning documents adopted by the City Commission, including the river corridor plan, transportation plan and sub-area plans.**

The subject property is not located within any adopted plan or sub-area planning areas. The proposed improvements for all proposed roads in the development are consistent with City transportation planning documents. At this time, estimated traffic generation counts were provided for development of Lot 1. A traffic analysis may be required as part of future development or subdivision.

**4. The code with the amendment is internally consistent.**

The proposed zoning map amendment is consistent with City Code requirements. The proposed C-3 district zoning being requested for Lots 1-3 is consistent the developer's current ideas for future commercial uses on these lots. The proposed R-2 district for Lot 4 is consistent with the zoning for the Bel-View Palisade Addition as well as the developer's preliminary ideas for residential lot sizes.

**5. The amendment is the least restrictive approach to address issues of public health, safety, and welfare.**

There are no existing public health, safety, or welfare issues that have been identified for these properties. The future phases will require the construction of public infrastructure which will be reviewed by the City at the time the proposal is brought forward. As mentioned within the annexation findings of fact, the lots to be zoned are adjacent to parcels that are currently receiving law enforcement and fire protection service from the City of Great Falls. The establishment of C-3 zoning and accompanying development of Lot 1 will trigger two important off-site public improvements to connect the property to the west – construction of 29<sup>th</sup> Street Southwest and safety improvements to the existing intersection of 29<sup>th</sup> and 38<sup>th</sup> Avenue Southwest. Establishment of zoning for the properties will also likely result in the Bel-View Palisade addition being connected to the I-15 corridor as well as the airport.

**6. The City has or will have the financial and staffing capability to administer and enforce the amendment.**

The City has the financial and staffing capability to administer and enforce the amendment if it is approved. The zoning map amendment will affect Lots 1-4, all owned by the applicant, and the property will be developed in a manner consistent with the zoning for each district and the terms identified within the Development Agreement.



**Exhibit 20-1. Principal Uses by District**

Use	R-2	C-3	Special Standards
Agriculture, horticulture, nursery	-	-	17.20.6.005
Mobile home/park	-	-	17.20.6.010
Residence, single-family detached	P	-	
Residence, zero lot line	-	-	17.20.6.020
Residence, two-family	C	-	
Residence, multi-family	-	-	17.20.6.040
Residence, townhouse	C	-	17.20.6.050
Residence, manufactured/factory-built	P	-	17.20.6.060
Retirement home	C	-	
Community residential facility, type I	P	-	
Community residential facility, type II	C	-	
Day care center	C	-	
Emergency shelter	-	C	
Family day care home	P	-	
Group day care home	P	-	
Nursing home	-	-	
Campground	-	P	17.20.6.070
Hotel/motel	-	P	
Micro-brewery	-	-	
Restaurant	-	P	

Tavern	-	P	17.20.6.080
Agriculture sales	-	-	
Auction sales	-	-	
Construction materials sales	-	P	
Convenience sales	-	P	
General sales	-	P	
Manufactured housing sales	-	-	
Off-site liquor sales	-	P	
Secondhand sales	-	-	
Shopping center	-	-	
Administrative services	-	P	
Commercial kennel	-	P	17.20.6.090
Financial services	-	-	
Funeral home	-	-	
General services	-	P	
Professional services	-	-	
Sexually-oriented business	-	-	17.20.6.100
Veterinary clinic, large animal	-	-	
Veterinary clinic, small animal	-	-	17.20.6.110
Large equipment rental	-	C	
Small equipment rental	-	-	
General repair	-	-	
Vehicle fuel sales	-	P	

Vehicle repair	-	P	17.20.6.120
Vehicle sales and rental	-	P	
Vehicle services	-	P	
Agricultural commodity storage facility	-	-	
Climate controlled indoor storage	-	P	
Fuel tank farm	-	-	
Mini-storage facility	-	C	17.20.6.130
Freight terminal	-	C	
Warehouse	-	C	
Casino, type I	-	-	17.20.6.140
Casino, type II	-	-	17.20.6.150
Indoor entertainment	-	-	
Indoor sports and recreation	-	-	
Golf course/driving range	C	-	
Miniature golf	-	C	
Outdoor entertainment	-	-	
Park	P	P	
Recreational trail	P	P	
Administrative governmental center	-	P	
Animal shelter	-	C	17.20.6.160
Cemetery	C	-	17.20.6.170
Civic use facility	C	-	
Community center	C	-	

Community cultural facility	C	-	
Community garden	P	C	17.20.6.175
Public safety facility	C	C	
Worship facility	C	-	17.20.6.180
Health care clinic	-	-	
Health care facility	-	-	
Health care sales and services	-	-	
Commercial education facility	-	-	
Educational facility (K–12)	C	-	17.20.6.200
Educational facility (higher education)	-	-	
Instructional facility	-	-	
Composting facility	-	-	17.20.6.210
Recycling center	-	-	17.20.6.220
Solid waste transfer station	-	-	17.20.6.230
Amateur radio station	P	-	17.20.6.240
Telecommunication facility	-	-	17.20.6.250
Concealed facility	C	P	
Unconcealed facility	-	C	
Co-located facility	-	P	
Utility installation	C	C	
Airport	-	-	
Bus transit terminal	-	P	
Heli-pad	-	C	17.20.6.260

Parking lot, principal use	-	P	
Parking structure	-	-	
Railroad yard	-	-	
Taxi cab dispatch terminal	-	P	
Contractor yard, type I	-	-	17.20.6.270
Contractor yard, type II	-	-	17.20.6.280
Artisan shop	-	P	
Industrial, heavy	-	-	
Industrial, light	-	-	
Industrial park	-	-	
Junkyard	-	-	17.20.6.290
Light manufacturing and assembly	-	P	17.20.6.300
Motor vehicle graveyard	-	-	17.20.6.310
Motor vehicle wrecking facility	-	-	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)

**Exhibit 20-2. Accessory uses by district**

Use	R-2	C-3	Special Standards
Accessory living space	P	P	17.20.7.010
Agriculture, livestock	-	-	17.20.7.080
ATM, exterior	-	P	17.20.7.020
Bed and breakfast	C	-	17.20.7.030
Fences	P	P	17.20.7.040
Gaming, accessory	-	P	17.20.7.050
Garage, private	P	P	17.20.7.060
Home occupation	P	P	17.20.7.070
Private stable/barn	-	-	17.20.7.080
Residence, accessory	-	P	17.20.7.085
Roadside farmer's market	-	-	17.20.7.090
Storage containers	-	P	17.20.7.100
Wind-powered electricity systems	P	P	17.20.7.110

- The use is not permitted in the district

C The use is allowed in the district through the conditional use process

P The use is permitted in the district by right, consistent with the development standards contained in Article 7 of this chapter, as appropriate

(Ord. No. 3034, § 1, 7-21-2009; Ord. No. 3056, § 1, 8-17-2010; Ord. No. 3087, § 1(Exh. A), 6-19-2012, eff. 7-19-2012)

**Exhibit 20-3. Temporary uses by district (see 17.20.8.010 for Special Standards)**

Use	R-2	C-3	Special Standards
Garage sales	P	P	17.20.8.015
Itinerant outdoor sales	-	P	17.20.8.020
On-site construction office	P	P	17.20.8.030
On-site real estate sales office	P	-	17.20.8.040
Outdoor entertainment, temporary	-	P	
Sidewalk café	-	-	17.20.8.050
Sidewalk food vendor	-	-	17.20.8.060

- The use is not permitted in the district

C The use is allowed in the district through the conditional use process

P The use is permitted in the district by right, consistent with the development standards contained in Article 8 of this chapter, as appropriate

**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)

**Exhibit 20-4 (continued). Development standards for other zoning districts**

	M-1	M-2	C-1	C-2	C-3	C-4	C-5	PLI	GFIA	I-1	I-2
Residential density	500 sq. feet of lot area per dwelling unit	500 sq. feet of lot area per dwelling unit	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Minimum lot size for newly created lots	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet
Minimum lot width for newly	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet



created lots											
Lot proportion for newly created lots (maximum depth to width)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	3:1	3:1
Maximum building height of principal building	65 feet except as follows: 35 feet within 200 feet of an R-1, R-2, R-3 district; 45 feet when within 200 feet to 350 feet of an R-1, R-2, R-3 district; and 65 feet when more than 350 feet from an R-1, R-2, R-3 district	65 feet except as follows: 35 feet within 200 feet of an R-1, R-2, R-3 district; 45 feet when within 200 feet to 350 feet of an R-1, R-2, R-3 district; and 65 feet when more than 350 feet from an R-1, R-2, R-3 district	35 feet	65 feet	50 feet	100 feet by right; 101 feet to 160 feet as conditional use	55 feet	100 feet by right; 101 feet to 160 feet as conditional use, except as follows; in the proposed medical district master plan area, 160 feet by right	65 feet	45 feet	none
Maximum building height of accessory 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	n/a	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	35 feet	none
Minimum front yard setback of principal and accessory	none	Existing Industrial: 20 feet	15 feet	none	25 feet	none	15 feet	25 feet	25 feet	20 feet	10 feet

buildings											
Minimum side yard setback of principal and accessory buildings	Commercial: none Residential: 5 feet each side	Commercial: none Residential: 5 feet each side Existing Industrial: 15 feet each side	10 feet each side	10 feet each side	15 feet each side	none	10 feet each side	10 feet each side	none	10 feet each side	10 feet each side, 15 feet when side yard abuts a non-industrial zoning district
Minimum rear yard setback of principal and accessory buildings	10 feet	10 feet	15 feet	1/10 of lot depth but not less than 1/10 of building height	1/10 of lot depth but not less than 1/10 of building height	none	1/10 of lot depth but not less than 1/10 of building height	1/10 of lot depth but not less than 1/10 of building height	none	5 feet	5 feet
Maximum lot coverage of principal and accessory buildings	Corner lot: 70% Other lots: 65%	Corner lot: 70% Other lots: 65%	Corner lot: 50% Other lots: 40%	Corner lot: 70% Other lots: 60%	Corner lot: 70% Other lots: 60%	100%	Corner lot: 70% Other lots: 60%	Corner lot: 70% Other lots: 60%	none	Corner lot: 85% Other lots: 70%	Corner lot: 85% Other lots: 70%

(Ord. No. 3087, § 1(Exh. A), 6-19-2012, eff. 7-19-2012)

# PRELIMINARY PLAT OF DOUBLE T ESTATES

A 4-LOT MINOR SUBDIVISION OF TRACT 1 B OF CERTIFICATE OF SURVEY 5077, LOCATED IN THE NORTHEAST AND SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA

OWNER OF RECORD:  
TURBO TRANSPORTATION  
GROUP, LLC

SUBDIVIDER:  
TURBO TRANSPORTATION  
GROUP, LLC

TOTAL SUBDIVISION AREA:  
40.77 ACRES (GROSS & NET)

### PERIMETER DESCRIPTION

TRACT 1B OF CERTIFICATE OF SURVEY 5077, LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 20 NORTH, RANGE 3 EAST, PRINCIPAL MERIDIAN OF MONTANA.

### CERTIFICATE OF OWNERS

WE THE UNDERSIGNED PROPERTY OWNERS, DO HEREBY CERTIFY THAT WE HAVE CAUSED TO BE SURVEYED AND PLATTED INTO LOTS, EASEMENTS, AND PUBLIC RIGHT-OF-WAYS AS SHOWN BY THE ATTACHED PLAT, THE TRACT OF LAND TO BE KNOWN AS THE PLAT OF DOUBLE T ESTATES, BEING TRACT 1B OF CERTIFICATE OF SURVEY 5077 AND LOCATED IN THE NORTHEAST ONE-QUARTER AND SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 20 NORTH, RANGE 3 EAST, PRINCIPAL MERIDIAN MONTANA, CASCADE COUNTY, MONTANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT 1B, SAID POINT BEING THE 1/4 SECTION CORNER COMMON TO SECTIONS 21 AND 22; THENCE N88°30'46"W, A DISTANCE OF 1919.93 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 1B; THENCE N01°15'37"E, A DISTANCE OF 228.15 FEET; THENCE N59°24'48"E, A DISTANCE OF 36.21 FEET; THENCE N46°28'37"E, A DISTANCE OF 152.05 FEET; THENCE N26°09'07"E, A DISTANCE OF 215.26 FEET; THENCE N28°32'21"E, A DISTANCE OF 178.00 FEET; THENCE N49°59'22"E, A DISTANCE OF 170.59 FEET; THENCE N51°52'37"E, A DISTANCE OF 100.12 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF JASPER ROAD; THENCE S01°36'23"W, A DISTANCE OF 61.78 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF JASPER ROAD; THENCE N77°16'43"E, A DISTANCE OF 786.76 FEET; THENCE N53°32'06"E, A DISTANCE OF 338.21 FEET; THENCE N67°47'57"E, A DISTANCE OF 197.95 FEET; THENCE S88°31'27"E, A DISTANCE OF 187.57 FEET TO THE NORTHEAST CORNER OF SAID TRACT 1B; THENCE S01°05'43"W, A DISTANCE OF 1304.84 FEET TO THE POINT OF BEGINNING, SAID TRACT OF LAND CONTAINING 40.77 ACRES, MORE OR LESS, BEING SUBJECT TO ALL EASEMENTS OF RECORD.

THE ABOVE DESCRIBED TRACT OF LAND IS TO BE KNOWN AS THE PLAT OF DOUBLE T ESTATES.

THE UNDERSIGNED FURTHER CERTIFIES THAT THIS DIVISION OF LAND IS EXCLUDED FROM REVIEW BY PURSUANT TO SECTION 76-3-27(G) M.C.A. TO WIT:

"DIVISIONS MADE OUTSIDE OF PLATTED SUBDIVISIONS BY GIFT, SALE, OR AGREEMENT TO BUY AND SELL IN WHICH THE LANDOWNER ENTERS INTO A COVENANT FOR THE PURPOSES OF THIS CHAPTER WITH THE GOVERNING BODY THAT RUNS WITH THE LAND AND PROVIDES THAT THE DIVIDED LAND WILL BE USED EXCLUSIVELY FOR AGRICULTURAL PURPOSES, SUBJECT TO THE PROVISIONS OF 76-3-211"

TURBO TRANSPORTATION GROUP, LLC

STATE OF MONTANA )  
                                  :SS  
COUNTY OF CASCADE )

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

BY \_\_\_\_\_  
AUTHORIZED AGENT, TURBO TRANSPORTATION GROUP, LLC

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF MONTANA

### CERTIFICATE OF COUNTY TREASURER

I, DIANE HEIKKILA, COUNTY TREASURER OF CASCADE COUNTY, MONTANA, DO HEREBY CERTIFY PURSUANT TO 76-3-207(3) M.C.A. THAT ALL REAL PROPERTY TAXES ASSESSED AND LEVIED ON THE LAND DESCRIBED HEREIN HAVE BEEN PAID.


BY \_\_\_\_\_ DATE \_\_\_\_\_  
DIANE HEIKKILA, TREASURER  
CASCADE COUNTY

### CERTIFICATE OF SURVEYOR

I HEREBY CERTIFY THAT THIS PLAT REPRESENTS A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON THE DATE SHOWN HEREON.

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

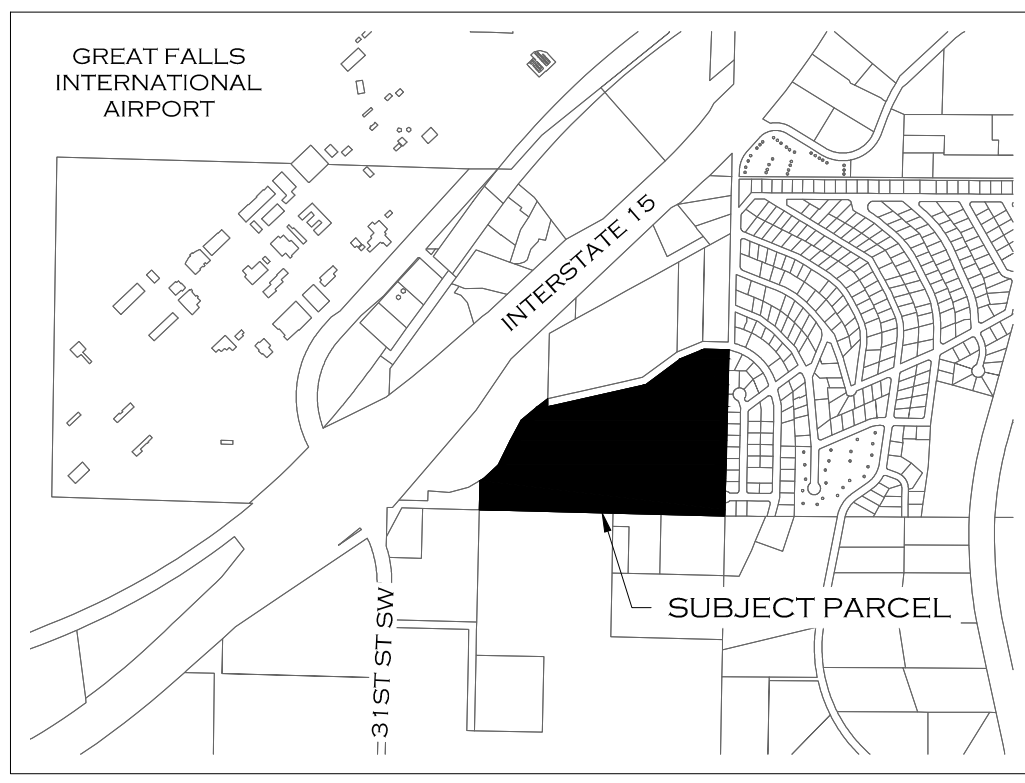
# DRAFT

 <b>WOITH ENGINEERING, INC.</b> <b>ENGINEERS &amp; SURVEYORS</b> <small>405 3RD STREET NW, SUITE 206 • GREAT FALLS, MT 59404 • 406-761-1955  3800 O'LEARY STREET, SUITE A • MISSOULA, MT 59808 • 406-203-9565  WWW.WOITHENG.COM</small>	1/4	SECTION	TOWNSHIP	RANGE	PRINCIPAL MERIDIAN MONTANA CASCADE COUNTY, MONTANA WEI JOB#: 1928 DRAWN: CRH QA: MDS DATE: JUNE 29, 2020 FILENAME: PRELIMINARY PLAT.DWG SHEET 1 OF 2
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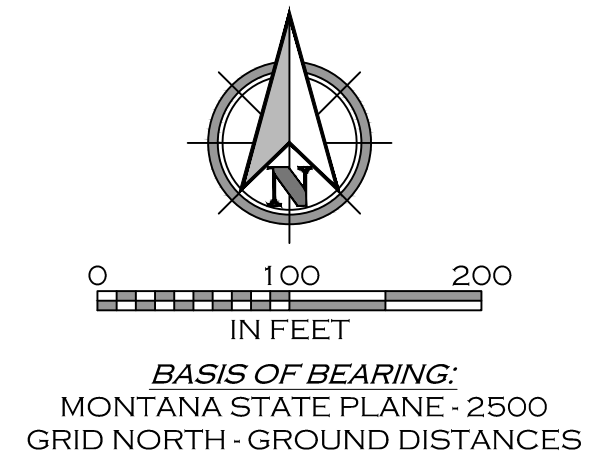
# PRELIMINARY PLAT OF DOUBLE T ESTATES

A 4-LOT MINOR SUBDIVISION OF TRACT 1B OF CERTIFICATE OF SURVEY 5077, LOCATED IN THE NORTHEAST AND SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA

OWNER OF RECORD:  
TURBO TRANSPORTATION GROUP, LLC  
  
SUBDIVIDER:  
TURBO TRANSPORTATION GROUP, LLC  
  
TOTAL SUBDIVISION AREA:  
40.77 ACRES (GROSS & NET)



VICINITY MAP  
NOT TO SCALE

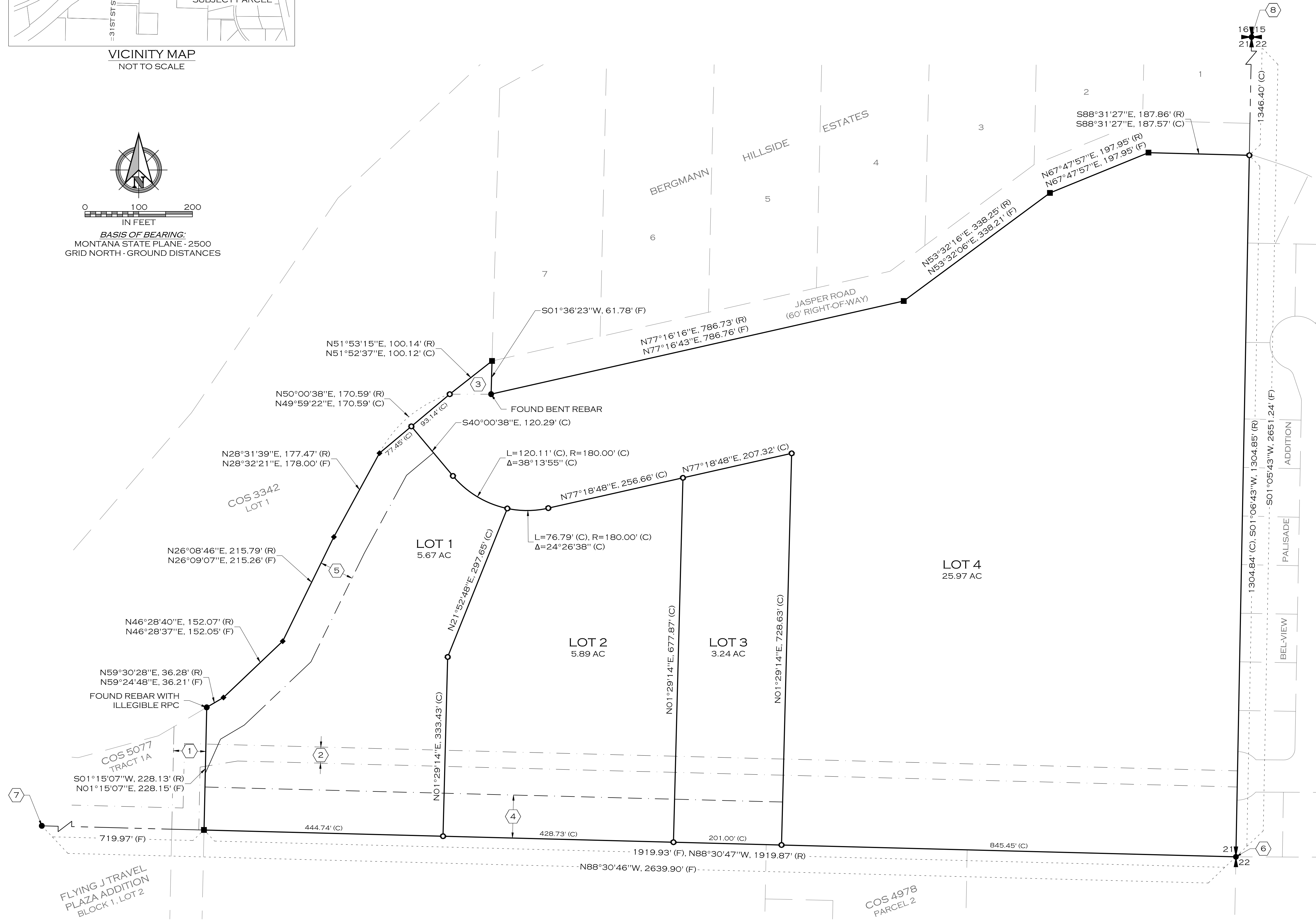


### LEGEND

- SECTION LINE
- EXTERIOR SUBDIVISION BOUNDARY
- INTERIOR SUBDIVISION BOUNDARY
- RIGHT-OF-WAY PER THIS PLAT
- ADJOINING PARCEL BOUNDARY
- EXISTING EASEMENT
- FOUND MONUMENT AS DESCRIBED
- FOUND REBAR WITH NO CAP
- ◆ FOUND AC MK'D "ELI & ASSOCIATES 9328LS"
- SET 5/8" X 24" REBAR WITH AC MK'D "WEI SHAYLOR 19110LS"
- (F) FOUND
- (C) CALCULATED OR SET
- (R) RECORD - CERTIFICATE OF SURVEY 5077 (15276LS, 2017)
- AC ALUMINUM CAP
- YPC YELLOW PLASTIC CAP
- RPC RED PLASTIC CAP
- MK'D MARKED
- COS CERTIFICATE OF SURVEY

### KEY NOTES

- ① 60' PUBLIC ACCESS & UTILITY EASEMENT PER COS 5077
- ② 30' PUBLIC UTILITY EASEMENT PER R338-D301
- ③ PUBLIC ACCESS & UTILITY EASEMENT FOR THE BENEFIT OF LOT 1 OF COS 3342 PER COS 3347
- ④ 80' PUBLIC RIGHT-OF-WAY PER THIS PLAT
- ⑤ 64' PUBLIC RIGHT-OF-WAY PER THIS PLAT
- ⑥ 1/4 SECTION CORNER, FOUND AC MK'D "SMITH 4740"
- ⑦ CENTER 1/4 CORNER, FOUND AC MK'D "SMITH 4740"
- ⑧ SECTION CORNER, FOUND AC MK'D "601A 1992"



# DRAFT

<b>WOITH ENGINEERING, INC.</b> <b>ENGINEERS &amp; SURVEYORS</b> <small>405 3RD STREET NW, SUITE 206 • GREAT FALLS, MT 59404 • 406-761-1955        3800 O'LEARY STREET, SUITE A • MISSOULA, MT 59808 • 406-203-9565        • WWW.WOITHENG.COM •</small>	1/4	SECTION	TOWNSHIP	RANGE	PRINCIPAL MERIDIAN MONTANA CASCADE COUNTY, MONTANA WEI JOB#: 1928 DRAWN: CRH QA: MDS DATE: JUNE 29, 2020 FILENAME: PRELIMINARY PLAT.DWG SHEET 2 OF 2
	21	21	20 N	3 E	

## FINDINGS OF FACT/BASIS OF DECISION – MONTANA SUBDIVISION AND PLATTING ACT

Tract 1B of Certificate of Survey No. 5077, located in the NE ¼ of Section 21, T20N, R3E, PMM, Cascade County, Montana and the adjoining right-of-way of Jasper Road. (PREPARED IN RESPONSE TO 76-3-608(3) MCA)

### PRIMARY REVIEW CRITERIA:

**Effect on Agriculture and Agricultural Water User Facilities:** The minor subdivision is located west of Bel-View Palisade. The City Limits run along the west and a small portion of the east property line of the proposed minor subdivision. The subject property is surrounded by existing residential development within the City on the east, public right-of-way and suburban residential lots located within the County to the north, a city owned parcel which contains a City water tower to the west, and suburban residential lots located within the County to the south. Thus, the proposed minor subdivision will not interfere with any agricultural irrigation system or present any interference with agricultural operations in the vicinity.

**Effect on Local Services:** Lots in the proposed minor subdivision are currently served or will be served from public mains at the time of development. The owner will pay the cost of the service lines from these utility mains. The owner of the four lots created by the subdivision will pay regular water and sewer charges, and monthly storm drain charges.

The property proposed for this subdivision will receive law enforcement and fire protection service from the City of Great Falls, which will be an extension of current service area. As part of the review process, the Fire Department identified that a large temporary cul-de-sac is necessary to ensure access in and out of the site for large Fire Department equipment. This turn-around has been incorporated into the preliminary site plan. At this time, the City will be able to provide essential services as necessary, but because the subject properties are located within the Gore Hill fire district, response times from City Fire Station 4 are beyond what are considered ideal in an urban context. In light of this, the City will need to ensure that construction of further public street connections occurs as the minor subdivision continues to develop over time.

**Effect on the Natural Environment:** The subdivision is not expected to adversely affect soils or the water quality or quantity of surface or ground waters. Surface drainage from Lot 1 of the project will flow to the proposed detention pond which is shown on the preliminary site plan. Future development of Lots 2-4 will be required to submit drainage plans consistent with Montana Department of Environmental Quality and City requirements, and any future systems will be reviewed and approved by the City. Additional stormwater detention improvements may be required from the City during development of Lot 4 to address potential impacts to the Bel-View Palisade subdivision.

**Effect on Wildlife and Wildlife Habitat:** The subject property is surrounded by existing commercial and suburban residential development. This is not in an area of significant wildlife habitat beyond occasional deer and migrating fowl.

**Effect on Public Health and Safety:** Based on available information, the property requested for subdivision is not subject to abnormal natural hazards nor potential man-made hazards. The subdivision to create four large lots will not have a negative effect on Public Health and Safety, but as noted above, additional subdivision and development of Lots 2-4 will have to be carefully planned to ensure proper fire protection and stormwater quantity control.

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

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

#### **EASEMENT FOR UTILITIES**

The developer's proposed subdivision plat provides necessary utility easements to accommodate water mains, sanitary sewer mains and private utilities to serve all lots of the subdivision.

#### **LEGAL AND PHYSICAL ACCESS**

Legal access to the proposed subdivision will be provided via right-of-way dedicated as part of the amended plat. Physical access will be provided to Lots 1-2 via Poplar Drive being constructed with the proposed truck wash project on Lot 1. Physical access will be provided to Lots 3-4 with future development that will be reviewed and approved by the City.

**IMPROVEMENT AGREEMENT FOR TURBO AUTO TRANSPORT DEVELOPMENT  
(LOTS 1-4 OF DOUBLE T ESTATES),  
LOCATED IN THE NE 1/4 OF SECTION 21, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M.,  
CASCADE COUNTY, MONTANA**

The following is a binding Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020, between Turbo Auto Transport LLP, hereinafter referred to as "Owner", and the City of Great Falls, Montana, a municipal corporation of the State of Montana, hereinafter referred to as "City", regarding the requirements for the annexation of four tracts of land into the corporate limits of the City legally described as Lots 1-4 of Double T Estates located in the NE 1/4 of Section 21, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana, hereinafter referred to as "Subject Properties". The Owner agrees to, and is bound by, the provisions of this Agreement, and by signing this Agreement, therefore agrees to terms applicable to the Subject Properties. The City is authorized to enter into this Agreement by §§17.68.010-040 of the Official Code of the City of Great Falls (OCCGF).

**1. Purpose.** The purpose of this Agreement is to ensure that certain improvements are made and certain conditions are fulfilled by the Owner, as required by the City's approval of the annexation and supporting documents. Generally, this Agreement:

**1.1** Declares that the Owner is aware of and has properly accounted for any natural conditions that may adversely affect the development of the Subject Properties;

**1.2** Insulates the Subject Properties from the impact of changes in the City's zoning regulations, provided that no substantial changes in the development of the subject properties are proposed;

**1.3** Requires the Owner to guarantee that the agreed-upon improvements contained in this agreement are made in a timely manner by providing the financial securities required by the Official Code of the City of Great Falls (OCCGF);

**1.4** Provides for the inspection and warranty of the required improvements before they are accepted for operation and maintenance by the City;

**1.5** Waives protest by the Owner and its successors against the creation of special improvement districts that would provide and maintain necessary infrastructure;

**1.6** Establishes how necessary changes of final construction plans required by the Agreement may be made with the approval of the City;

**1.7** Contemplates reimbursements to the Owner when neighboring properties that benefit from certain improvements made by the Owner are developed;

**1.8** Embodies certain conditions that are imposed by the City upon approval of the subdivision and annexation of the Subject Properties in order to facilitate their enforcement; and

**1.9** Indemnifies the City from challenges to its approval of the subdivision and annexation of the Subject Properties and holds it harmless from errors and omissions in the approval and oversight of

the improvements relating to development of the Subject Properties.

**2. Duration.** The term of this Agreement begins at the date here above written and with the exceptions stated below, ends at the time the warranty required by Section 12 of this Agreement on the required improvements installed by the Owner, expires and the funds securing that warranty are released.

**2.1 If Work Does Not Begin.** This Agreement may be amended if final construction plans for the Development are not submitted for approval within three years of the date of the City Manager's signature on this Agreement.

**2.2 Failure to Build.** The Owner's failure to complete improvements in accordance with the final construction plans may result in the City retaining the security required in Section 13 of this Agreement. It may also void this Agreement and the vested rights established by Section 9, below.

**2.3 Failure to Pay.** The Owner's failure to make timely payment of its share of any of the off-site improvements listed in Section 10, below, voids the Agreement and the vested rights established by Section 10. It may also result in the City attempting to collect the amount due by any lawful means.

**3. Supporting Documents.** Each of the following supporting documents are to be submitted for review and approval by the City.

**3.1 Plat.** The Plat of Double T Estates, to be filed on record in the Clerk and Recorder's Office of Cascade County, Montana, upon approval by the City of Great Falls.

**3.2 Construction Documents.** Engineering drawings, specifications, reports and cost estimates (preliminary and final), prepared for the Subject Properties, consisting of documents for, but not limited to the public sanitary sewer, water, storm drain, and street improvements. Construction documents shall be designed in compliance with the Standards for Design and Construction Manual.

**3.3 As Built Drawings.** "As Built" reproducible 4 mil mylar drawings and one electronic copy of public infrastructure, private utilities, and drainage facilities shall be supplied to the City of Great Falls; and one electronic copy of public infrastructure, private utilities, and drainage facilities shall be supplied to the City of Great Falls office upon completion of the construction.

**3.4 Legal Documentation.** Legal documents, including but not limited to any articles of incorporation, bylaws, covenants, and declarations establishing the authority and responsibilities of owners relating to the Subject Properties, which may be recorded in the Clerk and Recorder's Office of Cascade County, Montana.

**4. Changes.** The Owner understands that failure to install required improvements in accordance with the final construction plans approved for the development of the Subject Properties is a breach of, and may void, this Agreement. The Owner also understands that such failure is a violation of the OCCGF and is subject to the penalties provided for such violations. The City recognizes, however, that minor changes are often necessary as construction proceeds and the Administrator (the Administrator is the person or persons charged by the City Manager with the administration of this improvement agreement) is hereby authorized to allow minor changes to approved plans, as provided below:



**4.1 Minor Changes.** Minor changes to engineering documents and such revisions to the engineering drawings as are deemed appropriate and necessary by the Administrator and which do not materially affect the hereinabove mentioned Subject Properties, can be made as follows:

**4.1.1** Before making changes, the Owner must submit revised plans to the Administrator for review. Failure to do this before the proposed change is made may be considered by the City to be a breach of this Agreement and a violation of the OCCGF. The Administrator shall respond to all proposed changes within ten (10) business days of receipt of the revised plans.

**4.1.2** Based on a review of the revised plans, the Administrator may permit minor dimensional changes provided they do not result in a violation of the conditions of approval for the annexation and subdivision of the Subject Properties or the OCCGF.

**4.1.3** Based on a review of the revised plans, the Administrator may permit substitutions for proposed building and construction materials provided that the proposed substitute has the same performance and, for exterior materials, appearance as the originally approved material.

**4.1.4** Minor changes in the location and specifications of the required public improvements may be permitted by the Administrator. Owner must submit revised plans showing such changes to the Administrator. Revised plans are not accepted until approved by the Administrator.

**4.2 Substantial Changes.** Substantial changes are not permitted by this Agreement. A new public review and permitting process will be required for such changes. "Substantial Change" versus "Minor Change" is described as follows in order to further clarify what may be permitted as a "Minor Change":

**4.2.1** A substantial change adds one or more lots; changes the approved use; changes the location or extent of the area proposed to be cleared, graded, or otherwise disturbed by more than 4,000 square feet (a smaller change in the area that will be cleared, graded, or otherwise disturbed may be treated as a minor dimensional change); changes the location, extent, or design of any required public improvement, except where a minor change is approved by the Administrator; changes the approved number of buildings, structures or units; or the size of any building or structure by more than 10%. A smaller change in the size of a lot, building, or structure may be treated as a minor dimensional change.

**5. Fees.** The Owner understands that it is required to pay the following fees as they come due. The absence of any fee from this Agreement which is lawfully charged by the City in connection with construction activity associated with the Subject Properties shall not constitute a waiver by the City.

**5.1 Recording Fees.** The Owner is responsible for all recording fees at the rate charged by Cascade County at the time a document or plat is submitted for recording.

**5.2 Engineering Inspections.** The Owner is responsible to pay all applicable engineering fees established by Resolution of the City of Great Falls or its successors.

**5.3 Permit Fees.** The Owner or subsequent developer is responsible to pay all applicable planning and building permit fees established by Resolution of the City Commission of the City of Great Falls.

**5.4 Connection and Construction Fees.** Water service tapping and water and sewer service connection fees will be paid at the times of tapping and connections.

**5.5 Storm Drain Fee.** The Owner is responsible to pay a storm drain fee in the amount of \$250 per acre for the subject properties. This would equal a total of **\$10,192.50** for the total 40.77 acres of the Subject Properties. The total storm drain fee is to be paid to the City no later than 30 days after City Commission action to annex the Subject Properties into the City.

**5.6 Park Fee in Lieu of Land Dedication or Parkland Dedication.** Park fee in lieu of land dedication will be calculated and applied at the time of subdivision of the Subject Properties into residential lots.

**5.7 Application Fees.** In addition to the fees outlined above, application fees paid by the Owner are: the \$2,000.00 application fee for establishment of zoning, the \$500.00 application fee for annexation, and the \$1,250.00 application fee for a minor subdivision which have been paid prior to this Agreement.

**6. Site Conditions.** The Owner warrants that it has conducted site investigations sufficient to be aware of all natural conditions, including, but not limited to, flooding, slopes, and soils characteristics, that may affect the installation of improvements on the site and its development for the approved use. The Owner further warrants that all plans submitted pursuant to this Agreement and all applications for building permits within the Development will properly account for all such conditions. The Owner holds the City harmless for natural conditions and for any faults in their own assessment of those conditions.

**7. On-Site Improvements.** The on-site improvements required prior to certificate of occupancy of any structure built upon the Subject Properties shall include everything required to provide water, sanitary sewer, sanitary sewer industrial pretreatment (as applicable), fire protection, storm drainage, storm water quality treatment, and access, and other requirements as may be required by OCCGF. Access for purposes of emergency vehicles shall be installed to the City specifications prior to the issuance of any building permits for the Subject Properties. The Owner shall provide public utility easements for all required public utilities. The Owner agrees to install stormwater quality and quantity improvements consistent with City standards and submitted plans approved by the City of Great Falls, where applicable. Stormwater quantity control measures must comply with standards of the City of Great Falls Storm Drainage Design Manual. The design, installation, inspection, and maintenance responsibilities of these improvements shall be approved by the City of Great Falls.

**8. Permits.** This Agreement must be approved by the City Commission and signed by the City Manager and the Owner before permits for any work will be approved, including, but not limited to, grading for streets or trenching for the installation of utilities.

**9. Vested Rights.** The approval of this Agreement by the City create a vested right that protects the Owner from changes in the zoning regulations of Title 17 of the OCCGF until this Agreement expires, as provided in Section 2 of this Agreement. This vested right does not exempt the Owner from compliance with other provisions of the OCCGF, including specifically those intended to prevent and remediate public nuisances,

nor does it protect the Owner from changes in the City's building codes and fees, development fees, and inspection fees. This vested right does not exempt the owner from compliance with changes to state and federal requirements. This vested right may be voided, in whole or in part, if the Owner proposes substantial changes in the approved final construction plans of the development of the Subject Properties.

**10. Required Public Improvements.** The public improvements required for the development of the Subject Properties shall be installed as shown on the final construction plans that are submitted to and approved by the City of Great Falls prior to issuance of the Certificate of Occupancy. As an alternative, the Owner may provide a financial security for said improvements as prescribed in Section 13. Any reimbursements owed to the Owner for the installation of public improvements are outlined in Section 14. Any reimbursements to be paid by the Owner for previously installed public improvements are outlined in Section 15.

**10.1 Water.** The Owner hereby agrees to extend an 8 inch public water main through the proposed public right-of-way from the existing main on the proposed 29<sup>th</sup> Street Southwest to the east boundary of Lot 1 consistent with City standards and submitted plans approved by the City of Great Falls, including the addition of the required fire hydrant(s). The improvements shall be in accordance with City and Montana Department of Environmental Quality standards and approved plans and specifications. Any portion of water main service located outside of the public right-of-way shall be located in a minimum 20-foot wide public utility easement, the location of which shall be approved by the City. The improvement is to be owned and maintained by the City upon completion.

**10.2 Sanitary Sewer.** Installation of a public sanitary sewer main to service Lot 1 is not required due to the existing 8 inch line that runs across the property from east to west.

**10.3 Roadways and Sidewalks.** The Owner agrees to construct 29<sup>th</sup> Street Southwest from 38<sup>th</sup> Avenue Southwest to the proposed Poplar Drive, including its intersection with 38<sup>th</sup> Avenue Southwest and its intersection with Poplar Drive. Design and installation shall be consistent with City standards and submitted plans approved by the City of Great Falls. Construction of this street shall include curb and gutter. All street improvements are to be owned and maintained by the City upon completion. The Owner additionally agrees to install sidewalks along the west side of 29<sup>th</sup> Street Southwest between 38<sup>th</sup> Avenue Southwest and Poplar Drive, as well as a driveway approach across the ingress/egress easement signed as 37<sup>th</sup> Avenue Southwest. Adjoining property owners within the City of Great Falls are responsible for the maintenance of the sidewalk, boulevard landscaping and trees after construction.

The Owner agrees to construct the intersection of 29<sup>th</sup> Street Southwest and the proposed Poplar Drive. This intersection shall include a driveway approach to the property surveyed as COS 5077 to the west and a T intersection with curb and gutter. A sidewalk and ADA pedestrian crossings shall traverse from the west side of 29<sup>th</sup> Street Southwest northward, then eastward across the north side of the intersection to then connect with the proposed sidewalk on the north side of the proposed Poplar Drive. The owner additionally agrees to construct a vehicular gravel access drive from the north end of the intersection to the property line of the property surveyed as COS 3342.

The Owner agrees to construct the proposed Poplar Drive from 29<sup>th</sup> Street Southwest to the east property line of Lot 1 of the Double T Estates Subdivision consistent with City standards and submitted plans approved by the City of Great Falls. Construction of this street shall include curb and gutter and

a temporary cul-de-sac on Lot 2 at the terminus of the developed portion of Poplar Drive. The Owner additionally agrees to install sidewalks and boulevard trees on the north side of the developed portion of Poplar Drive. All street improvements are to be owned and maintained by the City upon completion. In compliance with OCCGF, the adjoining property owner is responsible for the maintenance of the sidewalk, boulevard landscaping and trees on the north side. The owner is responsible for the maintenance of the landscaping within the right-of-way on the south side of Poplar Drive until the adjacent property adjoining Poplar Drive to the south is annexed into the city.

**11. Future Required Public Improvements Relating to Subdivision or Development of Lots 2-4.** Public improvements required for future development of Lots 2-4 shall be installed by the Owner as required by the City of Great Falls. At this time, no analysis or calculations regarding such improvements have been made. The following guidance is provided as an expected minimum requirement for such facilities; however, the Owner and City agree that additional requirements may be necessary to accommodate proposed development upon Lots 2-4. Additionally, it is mutually understood that additional stormwater facilities may be required to address the stormwater leaving Lot 1, at such time as the anticipated future Jasper Road is constructed.

Design for future public improvements shall be submitted to and approved by the City of Great Falls prior to issuance of a building permit or subdivision for each respective lot. Future development plans, including plans for public improvements, shall be prepared in accordance with, and reviewed for compliance with, standards in place at the time of submittal.

**11.1 Water.** The Owner of lots 2-4 hereby agree to install a looped public water main returning back to the intersection of 29<sup>th</sup> Street Southwest and Poplar Drive consistent with City standards and submitted plans approved by the City of Great Falls, including the addition of fire hydrants. All water service lines shall be stubbed to all lots shown on the final plat during construction of public improvements. The improvements shall be in accordance with City and Montana Department of Environmental Quality standards and approved plans and specifications. Any portion of water main service located outside of the public right-of-way shall be located in a minimum 20-foot wide public utility easement. The improvements are to be owned and maintained by the City upon completion and acceptance by the City of Great Falls.

**11.2 Sewer.** There is an existing 8 inch public sanitary sewer main line that runs across Lots 2-4 from west to east. However, installation of additional future public sanitary sewer mains through Lots 2-4 may be required with future development. All sewer service lines shall be stubbed to all lots shown on the final plat during construction of public improvements. The improvements shall be in accordance with City and Montana Department of Environmental Quality standards and approved plans and specifications. Any portion of sewer main service located outside of the public right-of-way shall be located in a minimum 20-foot wide public utility easement. The improvement is to be owned and maintained by the City upon completion and acceptance by the City of Great Falls.

**11.3 Storm water.** The Owner agrees to construct storm water infrastructure, both on-site and off-site, associated with future development consistent with City standards and submitted plans approved by the City of Great Falls at the time of submittal. The improvements shall be in accordance with City and Montana Department of Environmental Quality standards and approved plans and specifications. Any portion of storm water infrastructure located outside of the public right-of-way

that takes the form of linear underground piping shall be located in a minimum 20-foot wide public utility easement. The improvement is to be owned and maintained by the City upon completion.

Detention, retention or water quality treatment facilities may require acquisition or dedication of land to the City of Great Falls, which shall be the responsibility of the Owner. Some detention, retention or water quality treatment facilities could, in some instances and if approved by the City of Great Falls, be owned and operated by an entity other than the City of Great Falls. In such situations, there shall be a responsible, long-term entity such as a homeowners association in place to perform maintenance of same.

Future development may also require upgrades to existing storm water infrastructure to accommodate for increased capacity from the future phases of development. The Owner will be responsible for their proportionate share of those upgrades.

**11.4 Roadways and Alleys.** The Owner agrees to construct future streets, sidewalks and alleys and improve rights-of-way consistent with City standards and submitted plans approved by the City of Great Falls at the time of submittal. All necessary property for the construction and maintenance of city streets, sidewalks and alleys shall be dedicated to the public for said purpose, upon concurrence from and acceptance by the City. It is anticipated that all streets, rights-of-way and alleys will be public and owned by the City upon completion. Sidewalks and boulevard areas will be owned by the City and maintained by adjoining owners as required by the Official Code of the City of Great Falls.

As part of the Double T Estates annexation, the right-of-way of the existing Jasper Road abutting a portion of Lot 4 and as shown on the Bergmann Hillside Estates Plat will be annexed into the City, in compliance with MCA 7-2-4211. However, because this right-of-way is unimproved, the City will not maintain the right-of-way in its current condition or allow public use of the right-of-way. The City and Owner agree and understand that no assessment of Jasper Road has been undertaken, and any development, improvement and use of the right-of-way will not be considered until development and improvement of Lot 4 is undertaken. The City and Owner further agree that Jasper Road may not be used to access the Subject Properties in conjunction with the annexation and subdivision of the Subject Parcels.

At such time as development and/or subdivision is proposed for the Subject Properties, the configuration and connectivity of Jasper Road will be assessed for appropriateness of use as a public roadway. Any approved future improvements of Jasper Road to City standards shall be the responsibility of the Owner, upon review and approval of plans by the City.

Future dedication of a public right-of-way upon Lot 1 may be necessary to accommodate future road connectivity and access, and the Owner agrees to dedicate this right-of-way when deemed necessary by the City. The anticipated location of this future right-of-way is shown on the plat of Double T Estates.

Future proposed street configuration will need to be approved by appropriate divisions of the City of Great Falls. Future development or subdivision proposals may also require a traffic impact analysis or a traffic study as per OCCGF 17.32.00, and may require off-site improvements to mitigate traffic impact upon existing roadways.

**12. Warranty, Ownership and Inspection of Public Improvements.** The Owner is responsible for the repair or replacement of any faults in the materials or workmanship of the required on-site and off-site public improvements for a period of two years from the date those improvements are accepted for maintenance by the City. This warranty will be enforced by the City retaining 10% of the security required by Section 13 of this Agreement for the two-year warranty period. That sum will be released at the end of two years unless the parties are involved in a dispute about the condition, repair, or replacement of any of the required improvements, in which case funds will be held by the City until that dispute is resolved. The release of warranty funds follow the procedure established in Section 13 of this Agreement for the release of securities.

Installation of all public streets, sidewalks, curb ramps, water, sewer, storm drain, and other public improvement installed for the Subject Properties shall be subject to the City's inspection policy in place at the time of installation.

**13. Security for Public Improvements.** The Owner shall, upon approval of the annexation, and before the installation of the required public improvements listed in this Agreement, provide the City with a performance bond, an irrevocable letter of credit, or another form of security acceptable to the Administrator in an amount equal to one hundred thirty-five percent (135%) of the costs of the required public improvements.

The security required by this section shall be returned or released upon acceptance of the required improvements, except as provided in Section 14. Following the final required inspection and City Approval of the public improvements, the Director of Public Works shall promptly inform the Administrator, in writing, that all improvements have been inspected and are acceptable for maintenance by the City. If all other improvements relating to the development of the Subject Properties are in compliance with all conditions of approval, this Agreement, and the OCCGF, the Administrator shall then instruct the City Clerk to release the security to the Owner, minus the retained portion to be held in warranty as required by Section 12 of this Agreement.

**14. Reimbursements owed to Owner.** Except as set forth herein, the City will assist in obtaining reimbursements due from other adjacent or benefitted property owners under this Agreement; however, the Owner remains responsible for any legal enforcement of the terms of this Agreement. The Owner shall provide the City with documentation and proof of its actual out-of-pocket costs for the installation of the hereinabove mentioned public improvements within four (4) months after approval and acceptance thereof by the City. In the event of Owner's failure to provide the City with said cost data, the City shall not be obliged to undertake collection of future reimbursements provided for herein, and the responsibility for collection thereof shall be that of Owner, its heirs, successors and assigns. Failure of the Owner to provide the City with said cost data for reimbursement as herein required shall in no way alter the obligation of any other party to make reimbursement as provided for herein. Said failure will affect only the City's obligation to assist in collection thereof.

A list of existing reimbursement obligations and anticipated future reimbursement obligations are listed below.

**14.1 Annexed Parcels to the Southwest.** Pursuant to the Annexation and Improvements Agreement for Flying J Travel Plaza Addition, dated April 4<sup>th</sup>, 2000, the owner of Lot 2 of Block 1 agreed to dedicate

the easterly sixty (60) feet of the Addition as public right of way and to participate in the installation of and pay for fifty (50) percent of the costs of standard City paving, curb, gutter and sidewalk in said easement when deemed necessary by the City.

**14.2 Annexed Parcel to the West.** The City of Great Falls agrees to pay for 50% of the cost to extend the water line to the City Property's north boundary at such time deemed necessary. The City additionally shall dedicate and pay for its proportional share of the roadway and sidewalk. The City will pay for ½ the cost of the roadway and sidewalk.

**14.3. Un-Annexed Parcels to the South.** Property owners abutting public improvements installed by the Owner under this agreement shall be required by the City of Great Falls to pay proportional reimbursements to the Owner upon annexation.

**15. Reimbursements paid by the Owner.** The Owner is responsible for paying the following reimbursements as specified below.

**15.1 Sewer Main along the proposed Poplar Drive.** The Owner shall reimburse the City, as required by the Agreement dated April 4<sup>th</sup>, 2000 between the City and Flying J, Inc., for one hundred percent (100%) of the cost (i.e. engineering, materials, labor inspection and testing), associated with the installation of sanitary sewer main from Bel-view Palisades Addition to the northeast corner of Flying J Travel Plaza Addition. Said cost shall be in the amount on-file with the City of Great Falls.

**16. Development Agreement for Future Phases:** The Owner hereby agrees to waive its right to protest and appeal the requirement of additional development agreements for each lot, or from future subdivided lots, as development or subdivision is proposed. Such agreements shall be recorded and coexist with this Agreement for the subject properties and will not be considered substantial changes and void this Agreement.

**17. Maintenance Districts.** Owner hereby agrees to waive its right to protest and appeal the lawful creation by the City of maintenance districts for any proper purpose including, but not limited to, fire hydrant and street maintenance and shall pay the proportionate share of the costs associated with said maintenance districts as they may be applied to the Subject Properties.

**18. Public Roadway Lighting.** Owner hereby agrees to waive its right to protest and appeal any future special lighting district for public roadway lighting facilities that service the Subject Properties, and further agrees to pay for its proportionate share of the costs associated with roadway lighting which services the Subject Properties that may be installed with or without a special lighting district.

**19. City Acceptance and Zoning.** In consideration of the terms of this Agreement, the City hereby accepts the subject properties for incorporation by annexation into the corporate limits of the City of Great Falls, Montana, with an assigned City zoning classification of C-3 Highway Commercial for Lots 1-3, and R-2 Single-family Medium Density for Lot 4.

**20. Limitation of Liability.** The City will conduct a limited review of plans and perform inspections for compliance with requirements set forth in this agreement and/or in applicable law. The scope of such review and inspections will vary based upon development type, location and site characteristics. The

Owner is exclusively responsible for ensuring that the design, construction drawings, completed construction, and record drawings comply with acceptable engineering practices, State requirements, and other applicable standards. The City’s limited plans review and inspections are not substantive reviews of the plans and engineering. The City’s approval of any plans or completed inspections is not an endorsement of the plan or approval or verification of the engineering data and plans. Neither the Owner, nor any third party may rely upon the City’s limited review or approval.

The Owner shall indemnify, hold harmless and defend the City of Great Falls, its officers, agents, servants and employees and assigns from and against all claims, debts, liabilities, fines, penalties, obligations and costs including reasonable attorney fees, that arise from, result from or relate to obligations relating to that owner’s properties described herein. Upon the transfer of ownership of the properties, the prior owner’s (whether it is the Owner that signed this Agreement or a subsequent owner) indemnity obligation herein for the transferred properties is released as to that owner and the indemnity obligation runs to the new owner of the properties. Only the owner of the parcel of property at the time the City incurs the claim, debt, liability, fine, penalty, obligation or cost is obligated to indemnify, and no owner of properties is obligated to indemnify for adverse conditions on property owned by someone else. This indemnification by the Owner of the property shall apply unless such damage or injury results from the gross negligence or willful misconduct of the City.

**21. Binding Effect.** The provisions, covenants and terms of this Agreement shall run with the land and bind the present owners, their devisees, heirs, successors, and assigns; and any and all parties claiming by, through, or under them, shall be taken to agree and covenant with each of the parties to the Agreement, their devisees, heirs, successors and assigns, to conform to the provisions, covenants and terms of this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seal the day, month and year first hereinabove written.

THE CITY OF GREAT FALLS, MONTANA  
A Municipal Corporation of the State of Montana

\_\_\_\_\_  
Gregory T. Doyon, City Manager

ATTEST:

\_\_\_\_\_  
Lisa Kunz, City Clerk

(Seal of City)







Meeting Date: August 25, 2020

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

**Item:** Federal Fiscal Year (FFY) 2021 Unified Planning Work Program

**Initiated By:** Staff

**Presented By:** Andrew Finch, Senior Planner

**Action Requested:** Approve FFY 2021 Unified Planning Work Program

**Suggested Motion:**

1. Board Member moves:

“I move that the Planning Advisory Board (approve/deny) the Federal Fiscal Year 2021 Unified Planning Work Program, inclusive of any minor edits required by the Federal Highway Administration and Federal Transit Administration.”

2. Chairman calls for a second, public comment, Board discussion, and calls for the vote.

**Overview:** Annually, the Great Falls Planning and 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 that will be performed during the next Federal fiscal year by the Department and the Great Falls Transit District, as well as projected staff hours and funding.

As the Board responsible for guiding planning in Great Falls, the Planning Advisory Board is being asked to approve the UPWP for the upcoming federal fiscal year.

**Background:** Covering the period from October 1, 2020 to September 30, 2021, the UPWP includes activities to be conducted primarily by staff members from the Planning and Community Development Department, projects requiring consulting services, activities funded with Federal Transit Administration pass-through funds to the Great Falls Transit District, and other contracted items and activities. 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 two special planning efforts proposed: A North Great Falls sub-area transportation study (currently underway) and a potential Fox Farm Rd. corridor study. Additionally, an update to the Long Range Transportation Plan has been budgeted to begin towards the end of the fiscal year, to comply with the Federal requirement for an update every four years.

Although the major work activities have not been modified significantly from the previous Program, there have been adjustments to staff and modifications of 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.

**Concurrences:** The Great Falls Technical Advisory Committee (TAC) has approved the UPWP. After Planning Advisory Board consideration, the Great Falls Policy Coordinating Committee (PCC) will consider the document. After all local approvals, the Montana Department of Transportation, Federal Highway Administration and the Federal Transit Administration will review and approve the document, or recommend minor changes. Because federal review/approval does not occur until after local approval, the Planning Advisory Board is being advised to approve the UPWP inclusive of any minor edits required by the federal agencies, including the indirect and fringe rates.

**Fiscal Impact:** Approval of the UPWP will allow the Planning and Community Development Department to receive Federal Highway Administration planning funds and the Great Falls Transit District to receive Federal Transit Administration planning funds, which are an important component of their budgets. Additionally, a compliant Transportation Planning program allows the Great Falls area to receive and expend Federal dollars upon transportation projects.

**Staff Recommendation:** Approve the FFY2021 UPWP.

**Alternatives:** The Planning Advisory Board could deny approval of the UPWP or approve with modifications.

**Attachments/Exhibits:** FFY 2021 Unified Planning Work Program (UPWP)

# **UNIFIED PLANNING WORK PROGRAM**

## **GREAT FALLS, MONTANA**

### **FEDERAL FISCAL YEAR 2021**

(October 1, 2020 - September 30, 2021)

Prepared by

GREAT FALLS PLANNING ADVISORY BOARD

for the Great Falls Metropolitan Planning Process

in cooperation with

MONTANA DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

and

FEDERAL TRANSIT ADMINISTRATION

*This report was funded in part through a grant from the Federal Highway Administration, U.S. Department of Transportation. The views and opinions expressed herein do not necessarily state or reflect those of the U. S. Department of Transportation.*

<u>APPROVALS:</u>	MPO	()	FHWA	()
	TAC	()	MDT	()
	PCC	()	FTA	()

Great Falls **MPO**

## INTRODUCTION

### Purpose

The purpose of the Unified Planning Work Program (UPWP) is to present in a unified and composite form, a detailed explanation of the planning activities anticipated to be undertaken within the Great Falls area during the program year of the UPWP. The document identifies agency responsibilities, level and source of funding and the interrelationship of planning activities. Some of the intended accomplishments are as follows:

- Provide state and federal agencies information and a means to evaluate accomplishment of program requirements by program participants.
- Serve as a management tool for more effective allocation of staff and the available financial resources in fulfilling assigned tasks.
- Minimize or eliminate duplication among program participants and to encourage pooling of separate resources in a coordinated and mutually supportive manner.
- Provide program participants with a written basis to better understand the scope and extent of planning activities and available services.

### Participants

The planning process in the Great Falls area involves a collaboration of program participants from the local, state and federal levels. Those program participants involved in the development and implementation of the UPWP vary periodically depending upon funding sources and planning activities undertaken during the program year of the UPWP.

### UPWP Development

This document represents the Unified Planning Work Program for the Great Falls area as prepared by the Great Falls Planning Advisory Board and reviewed and approved by the various local, state and federal program participants. The final UPWP must receive approval by the Policy Coordinating Committee, the Technical Advisory Committee and the Great Falls Planning Advisory Board. Prior to transmittal of the final document to the various federal program participants, the UPWP receives approval by the Montana Department of Transportation.

### Timeframe

This UPWP covers planning activities for the twelve-month period commencing October 1, 2020.

### Program Objectives and Accomplishments

The UPWP should not only identify all work activities and programs associated with conducting an ongoing planning process, but should also identify work activities essential to addressing or considering general or overall concerns which have been identified in carrying out the process.

There are a host of transportation-related concerns and issues which have arisen since the 3-C transportation planning process was first established in the mid-1960s. These have included:

- **Organizational Structure and Accountability.** The interactions and lines of authority among the transportation planning committees, and other governing and advisory bodies in the community are not always clear in the minds of some of the transportation planning process participants. Efforts need to be continued to make the process participants more aware of the proper interaction among agencies.

- Excessive Time Required to Implement Improvements. There appears to be, at times, a significant time delay between plan development and plan implementation. The traditional planning-implementation process has shown, on occasion, to be unable to respond quickly to meet immediate transportation needs. While it should be recognized that this may not be the fault of the planning process per se and that excessive delay may be due to regulations, funding, work priorities, etc., project development timeframes should continually be reviewed for opportunities for streamlining for more timely implementation of projects and programs.
- Insufficient Funding for Local Transportation Needs. The present funding levels for transportation improvements, uncertainty of future funding and reduction or elimination of funding programs have made it difficult for the Great Falls area to maintain the existing transportation system. Although Federal-Aid Transportation Funds are still available for the area, there is a need to identify or create new sources of revenue.

In that the UPWP identifies those work activities and programs to be conducted during the forthcoming fiscal year, it would be the appropriate document in which to include the efforts to address or consider these identified concerns. The following is a brief discussion of objectives, hopeful of being accomplished during the current and future program years to address some of the identified transportation-related concerns as well as other general planning process concerns. These are general objectives, which will be addressed through the specific objectives identified for each work element discussed in the document.

Additionally, there were a number of accomplishments over the past fiscal years, which warrant recognition. These are items which not only addressed identified concerns but also issues, projects and programs which were conducted as continuing elements of the overall planning process. Again, these are general accomplishments. Specific accomplishments and previous work are discussed in the document for each work element.

#### Objectives

- Continue to advise and educate the community, as well as the participants in the local 3-C transportation planning process, of the proper interaction among agencies involved in the process in an effort to maintain good lines of communication among the agencies and to increase the accountability and credibility of the process.
- Continue to advise and keep the community as well as the participants of the local 3-C transportation planning process aware and informed of anticipated projects and programs scheduled for implementation as well as progress being made on the implementation of projects in an effort to expedite the project implementation process and to maintain good public relations and public involvement in the transportation planning decision making process.
- Continue to keep the Great Falls area eligible for receipt of federal and state transportation construction funds for implementation of the Great Falls Area Long Range Transportation Plan and federal transit funds for implementation of the Great Falls Transit Development Program.

#### Accomplishments

- The transportation planning process maintained its eligibility for continued receipt of FHWA transportation construction funds and FTA capital and operating assistance funds.
- Continued to be involved in and assist in the ongoing physical development and redevelopment of property and improvements in the Great Falls area, primarily in processing subdivisions, annexations, re-zonings and responding to public inquiries.

### Consistency with State Implementation Plan

The UPWP is consistent with and conforms to the State Implementation Plan (SIP). Previous activities associated with addressing the initial carbon monoxide problem on 10th Avenue South and the preparation of a revision to the State Implementation Plan were conducted as work elements under previous UPWPs. Additional activities, as may be needed, to address past exceedance of carbon monoxide standards on 10th Avenue South will be conducted under Work Element 100 Transportation Program Administration & Participation. The UPWP also contains a work activity, titled Work Element 302 Transportation Plans, Analyses, Assessments & Consistency Determinations, which deals with procedures to assure consistency/conformity between air quality and transportation planning plans and programs, as well as other environmental factors such as noise, water quality, air, aesthetics, etc.

### Public Involvement and Comment

The review, consideration and approval of this document followed the MPO's adopted Public Participation Plan. Ample opportunity for public comment was provided. No comments were received.

### Planning Priorities facing the Area

The various Work Elements individually discuss priorities for the upcoming Fiscal Year, and identifies strategies for addressing them. However, in general, priorities include:

- identify funding sources for priority projects, within the appropriate fiscal year
- maintain communication lines between implementing agencies, including but not limited to the City of Great Falls, Great Falls Transit District, MDT-Great Falls District, and Cascade County
- continually monitor status and progress of projects to ensure timely implementation
- push local and state agencies to construct more bicycle and pedestrian facilities
- maintain up-to-date products, including the LRTP, TIP and UPWP

Additional issues, concerns and priorities relating to transportation planning for the Great Falls Metropolitan Area are contained in the previous paragraphs, as well as listed individually in the Work Elements that follow.

### ***Fixing America's Surface Transportation Act or "FAST Act"***

On December 4, 2015, President Obama signed the Fixing America's Surface Transportation (FAST) Act (Pub. L. No. 114-94) into law—the first federal law in over a decade to provide long-term funding certainty for surface transportation infrastructure planning and investment. The FAST Act maintains Federal focus on safety, keeps intact the established structure of the various highway-related programs, continues efforts to streamline project delivery and provides a dedicated source of federal dollars for freight projects.

Generally, Fast Act continues the provisions in MAP-21, the previous Federal Transportation Act, with a few additions. Among other requirements, the Act:

- Adds intercity transportation to planning requirements
- Adds to the consultation list, officials involved with planning for tourism and natural disasters, as well as public ports
- To the scope of long range transportation plans, expands the list to include improving transportation system resiliency and reliability; reducing (or mitigating) the stormwater impacts of surface transportation; and enhancing travel and tourism
- expands the focus on the resiliency of the transportation system as well as activities to reduce storm water runoff from transportation infrastructure. In addition, it newly requires strategies to reduce the vulnerability of existing transportation infrastructure to natural disasters

### ***MAP-21 and FAST Act Implementation***

- *Transition to Performance Based Planning and Programming.* The development and implementation of a performance management approach to transportation planning and programming includes the development and use of transportation performance measures, target

setting, performance reporting, and transportation investments that support the achievement of performance targets. These components will ensure the achievement of transportation system performance outcomes.

- *Use of scenario planning by MPOs as part of developing metropolitan transportation plans.* MPOs may use scenario planning to improve decision making by providing information to the public and to decision makers on the performance outcome tradeoffs of various investment decisions when developing the metropolitan transportation plan.

The MPO coordinated with MDT in the development of performance measures and target setting, and will partner in performance targets reporting. With the adoption of performance measures, as shown in the 2018 LRTP Update and through action by TAC and PCC, focus will shift to meeting targets and reporting.



Work Program and Budget  
(October 1, 2020 - September 30, 2021)

This section includes a detailed description of each work element included in the Unified Planning Work Program. Additionally, a summary of funding sources and funding disbursements for each work element is included in Table 1 - Funding Summary. A cash flow diagram (Figure 1), a funding proration schedule (Table 2), and a cost allocation plan conclude the section.

Abbreviations used in this section and throughout the document:

FHWA – Federal Highway Administration  
 FTA – Federal Transit Administration  
 GFTD – Great Falls Transit District  
 LRTP – Long Range Transportation Plan  
 MDT – Montana Department of Transportation  
 MPO – Metropolitan Planning Organization  
 PCD – Great Falls Planning & Community Development Department (staffing the MPO)  
 PCC – Policy Coordinating Committee  
 TAC – Technical Advisory Committee  
 TIP – Transportation Improvement Plan

The following is a list of work elements included in this program.

- 41.11.00 - Program Support and Administration
- 100 Transportation Program Administration and Participation  
 101 Service
- 41.12.00 - General Development/Comprehensive Planning
- 200 Planning Information and Database Program  
 202 Land Use and Development Review  
 203 Growth Policy Development and Implementation  
 204 Historic Preservation  
 205 Code Enforcement
- 41.13.01 - Long Range Transportation Planning - System Level
- 300 Transportation Plan Implementation and Project Development  
 301 Transportation System Data Base Program  
 302 Transportation Plans, Analyses, Assessments and Consistency Determinations
- 41.14.00 - Short Range Transportation Planning
- 400 Transit Program Administration  
 401 Transit Service Planning and Assessment  
 402 Transit Service Enhancement  
 403 Transit Americans with Disabilities Act (ADA) Implementation
- 41.15.00 - Transportation Improvement Program
- 600 Transportation Improvement Program (TIP)

41.11.00 - PROGRAM SUPPORT AND ADMINISTRATION

WORK ELEMENT:

100 Transportation Program Administration and Participation

Objectives:

- 1) To provide for general administration of transportation work elements and activities
- 2) To provide work plans as required for individual UPWP work elements
- 3) To provide periodic audits of annual work programs
- 4) To maintain an organized reference source
- 5) To maintain a staff with the technical adequacy necessary to conduct a well-rounded 3-C transportation planning process
- 6) To develop a document that describes annual planning activities
- 7) To address air quality issues, as required
- 8) To address transportation related historic preservation issues, as needed
- 9) To provide and maintain a mechanism for public involvement and participation at all levels of the planning process
- 10) To comply with Title VI provisions of the Civil Rights Act of 1964, regarding equal program participation/benefits
- 11) To comply with Federal regulations regarding Disadvantaged Business Enterprises
- 12) To comply with the FTA policy regarding private enterprise participation in the Federal Transit Program

Selected Previous Work:

- 1) References were obtained and a library maintained to keep staff current on latest planning ideas and techniques.
- 2) Members of the staff attended seminars, webinars and planning conferences and maintained professional registrations
- 3) Work programs were annually prepared. Quarterly work element status reports were prepared
- 4) Traditional media and social media were used to advise the community of various planning projects
- 5) Direct mailings and personal contacts with various special interest groups and individuals were also used to encourage participation
- 6) A Public Participation Plan was maintained, as well as a comprehensive Title VI Compliance Program
- 7) An Annual Listing of Obligated Projects for the Great Falls Metropolitan Area was made available on the City of Great Falls' website

Methodology: This work element includes staff attendance at PCC, TAC, MDT Quarterly, Great Falls Planning Advisory Board and other meetings, preparation of material for such meetings (including reports, recommendations, minutes and agendas), review and comment on planning reports, studies and other related documents, and conduct of other miscellaneous business which does not relate specifically to other work elements.

General administration of transportation work elements and activities is conducted under this work element.

Staff will continue to acquire publications and other reference materials to maintain the planning library. The files, library, and other documentation procedures already established will be continued.

100     Transportation Program Administration and Participation (Continued)

Workshops, conferences, webinars and seminars will be attended, as available and as judged useful to the overall transportation planning process. Authorization for travel and/or registration for workshops/seminars will be coordinated with MDT. Attendance at national AMPO conference or similar MPO training will be pursued.

A Unified Planning Work Program which includes FHWA and FTA funded work activities will be developed for the upcoming fiscal year. An Indirect Cost Allocation Plan will be developed in support of the work program. Revisions to the current year UPWP and preparation of quarterly status reports will also be included in this work element.

A process review in accordance with joint FHWA/FTA Regulations will be conducted and documented in support of the eligibility statement provided in the Transportation Improvement Program.

FTA Section 5303 funds passed through to the Great Falls Transit District for transit planning activities will be administered under this work element, including entering into an agreement for pass through of funds to the District.

Air quality/clean air planning activities related to addressing the Great Falls carbon monoxide limited maintenance area designation will be conducted under this work element.

General requirements of the various Federal Transportation funding acts will be addressed per guidelines and regulations issued by FHWA/FTA, including MAP-21 and FAST Act. Changing federal guidelines, programs and funding mechanisms will be monitored, reviewed and integrated into the MPO's programs. Specifically, through coordination with MDT, requirements for planning performance measures will be implemented as guidance is provided by FHWA, and as methodology is prepared by MDT – within deadlines set in the Federal Register and other FHWA guidance.

Transportation related historic preservation issues will be addressed, as needed.

The MPO's public involvement process will be followed. The Public Participation Plan will be updated, as appropriate.

The policies and procedures outlined in the MPO's Title VI Compliance Program will be considered in all aspects of the local planning process. Updated Title VI documentation for FTA, Section 5303 Technical and Planning Assistance Funds will be submitted as required.

An Annual Listing of Obligated Projects for the Great Falls Metropolitan Area will be prepared and made available on the MPO's webpage, hosted by the City of Great Falls.

Early demographic releases from the 2020 Census will be reviewed for accuracy, and the need for challenges will be weighed.

The policy and procedures approved by the MPO regarding Private Enterprise Participation in the development of plans and programs funded by the Federal Transit Administration will be followed.

100 Transportation Program Administration and Participation (Continued)

<u>Staffing:</u>		<u>Administrative</u>		<u>Technical</u>		<u>Clerical</u>
(Weeks)		13		22		7
<u>Funding:</u>	<u>PL</u>	<u>State</u>	<u>FTA</u>	<u>Local</u>		<u>Total</u>
PCD (FY20)	99,567	15,433	0	5,000		120,000
PCD (FY21)	110,822	17,178	0	5,000		128,000

Functional Agency Responsibility: PCD will be responsible for all work.

Product:

- 1) An administered transportation planning program
- 2) A well rounded, technically proficient staff
- 3) A document which describes all planning-related programs to be undertaken in the Great Falls area by the MPO
- 4) A current air quality planning program
- 5) A current Public Participation Plan
- 6) A community which is well informed and actively involved in the local planning process
- 7) A planning process which is in compliance with applicable Federal regulations and policies regarding equal opportunity provisions for program participation, provisions for Disadvantaged Business Enterprises, and provisions for private enterprise participation
- 8) An accurate 2020 Census

41.11.00 - PROGRAM SUPPORT AND ADMINISTRATION

101 Service

Objectives:

- 1) To maintain an organized system of information and services exchange with various governmental agencies
- 2) To provide information and guidance to the public regarding various aspects of the planning process

Previous Work: Informational flows were maintained between agencies involved in the planning process, both in the form of request information and courtesy information.

Numerous requests for information and assistance by both the public and governmental agencies were accommodated. In the transportation planning section, this consisted of requests for information on various proposed transportation improvements, programs and projects, as well as traffic counts, population estimates and projections, accident data, etc. In the current planning section, this consisted primarily of providing information and guidance to the public and other governmental agencies and officials regarding annexations, subdivisions, zonings, conditional uses, etc.

Methodology: Continue to maintain the system of information and services exchange which has been established and continue to inform and assist the public on planning activities and issues, as appropriate. Service activities will also include providing technical input into special studies. Liaison with the Transit District Board will continue.

<u>Staffing:</u>		<u>Administrative</u>		<u>Technical</u>		<u>Clerical</u>
(Weeks)		1		30		1
<u>Funding:</u>	<u>PL</u>	<u>State</u>	<u>FTA</u>	<u>Local</u>		<u>Total</u>
PCD (FY20)	55,411	8,589	0	5,000		69,000
PCD (FY21)	57,143	8,857	0	5,000		71,000

Functional Agency Responsibility: PCD will be responsible for all work.

Product: An established system for the exchange of information and service with governmental agencies and for the provision of information and assistance to the public.

41.12.00 - GENERAL DEVELOPMENT/COMPREHENSIVE PLANNING

WORK ELEMENT:

200 Planning Information and Database Program

Objective:

- 1) To establish and maintain a system of computer accessible planning information and data
- 2) To assist in the maintenance of Great Falls area computerized base maps and products
- 3) To facilitate the use and dissemination of Census and other demographic data

Previous Work: Creation and maintenance of a computer accessible database and digital map available for planning purposes. The data is extensively used for day-to-day informational needs and for long-range planning needs. Staff continues to gather, computerize and update available information and data and use a number of City, County, State and Federal files for all aspects of the local planning process. Staff also reviews and, if warranted, challenges local Census population estimates.

Methodology: The base data files and maps, including annexations, subdivisions and zone changes, will continue to be updated. It will continue to serve as the base data file for the addition of other planning information and data, as needed and as available. Further refinements to the database will continue as necessary.

Direct financial assistance to the City of Great Falls will also be provided under this work element for the maintenance of Great Falls area computerized base maps and products.

2010 U.S. Census data and intercensal estimates for Great Falls and Cascade County, as well as new 2020 Census data, will continue to be assembled. Websites containing this data will be monitored for updates and efficient use of the websites and knowledge of the data they contain will be an important factor in analyzing and disseminating the data. Great Falls area and Cascade County demographic data will be compiled for dissemination.

Census data and other available electronic data tables have been integrated into the area's GIS map, to allow for geographic interpretation and display of area demographics, including population by age, national origin, income, poverty levels, etc. Also, a separate GIS database has been made available to allow for efficient and accurate update of information. Data will be tied to GIS for easy access and interpretation.

Database & Mapping Support by GIS Department: \$15,000

<u>Staffing:</u>	<u>Administrative</u>		<u>Technical</u>		<u>Clerical</u>
(Weeks)	0		6.2		1
<u>Funding:</u>	<u>PL</u>	<u>State</u>	<u>FTA</u>	<u>Local</u>	<u>Total</u>
PCD (FY20)	15,346	2,379	0	15,000	32,725
PCD (FY21)	12,987	2,013	0	15,000	30,000

Functional Agency Responsibility: PCD is responsible for all work.

Products:

- 1) A system of computer accessible land use information and data
- 2) Accessibility to Great Falls area computerized base maps and products
- 3) Immediate access to and interpretation of Census data

41.12.00 - GENERAL DEVELOPMENT/ COMPREHENSIVE PLANNING

WORK ELEMENT:

202 Land Use and Development Review

Objectives: To solicit and coordinate comments from appropriate review officials concerning applications for rezoning, subdivision, annexation, conditional uses, and planned unit developments and to prepare recommendations regarding same for submittal to the Planning Advisory Board/Zoning Commission (PAB) and City Commission. Also, to review current and proposed land uses and development proposals for compliance with the provisions of the Land Development Code. To process appeals before the Board of Appeals, variance requests before the Board of Adjustment and development proposals before the Design Review Board. Finally, to oversee the process for other local land development code issues.

Previous Work: Staff reviewed and too projects through the approval process before the PAB and City Commission – including petitions for rezoning, subdivision, annexation, conditional uses, and planned unit developments. Projects and permits were reviewed for compliance. Project proposals and requests were processed through the Board of Adjustment. Staff served as project managers for most new development projects, ranging from building permits to major subdivisions.

Methodology:

- 1) Review requests for rezoning, subdivision, annexation, conditional uses, variances, appeals, planned unit developments and project designs.
- 2) Provide analysis to the PAB and the City Commission regarding compliance of certain development applications with the Growth Policy and other policy plans
- 3) Review development projects and, where required, process approvals or denials through the appropriate advisory, regulatory, and policy bodies
- 4) Review proposed and current land uses and project proposals for compliance with the Land Development Code, current Development Standards, and other relevant code and guidance documents. Make formal determination of zoning classification of parcel, categorization of land use, and land use conformance with same. Also make determinations of non-conforming use status and sign code, landscaping, transportation, lighting and parking compliance, etc. Finally, act as project managers for all larger development proposals, applications and permits.
- 5) Formal Land Development Code interpretations will be issued, as well as zoning determinations and other regulatory actions relating to the Land Development Code
- 6) Review and process requests for tax abatement
- 7) Process requests for use of Tax Increment Financing District funds

<u>Staffing:</u>	<u>Administrative</u>	<u>Technical</u>	<u>Clerical</u>
(Weeks)	24	142	12
<u>Funding:</u>	<u>PL</u>	<u>FTA</u>	<u>Local</u>
PCD (FY20)	0	0	433,000
PCD (FY21)	0	0	530,000

Functional Agency Responsibility: PCD will be responsible for all work.

Products:

- 1) An ongoing process of rezoning, subdivision, annexation, conditional uses and planned unit development reviews and recommendations
- 2) Development and land use patterns that conform to the City Code and Growth Policy

41.12.00 - GENERAL DEVELOPMENT/COMPREHENSIVE PLANNINGWORK ELEMENT:203 Growth Policy Development and ImplementationObjectives:

- 1) Implement components of and address activities recommended in the Great Falls Growth Policy and other long-range planning documents
- 2) Ensure long-range planning documents are relevant and up-to-date
- 3) Prepare sub-area plans as appropriate

Selected Previous Work:

- 1) The Missouri River Urban Corridor Plan was completed and has been monitored for implementation
- 2) Staff coordinated completion of various amendments to the City's Land Development Code
- 3) Staff coordinated development of a Medical District Master Plan and implements projects in compliance with Plan
- 4) Staff coordinated the development of the West Bank Urban Renewal Plan and the Downtown Urban Renewal Plan
- 5) Staff coordinated creation of three Tax Increment Financing Industrial Districts and evaluates and processes TIF applications, reviewing for compliance with Plans as well as eligibility
- 6) Staff was involved in efforts to assess uses of lands located at both ends of Malmstrom Air Force Base's inactive runway, and continues to participate in such activities
- 7) Prepared and oversaw adoption of Downtown Plan for Great Falls
- 8) Prepared a major update to the Growth Policy

Methodology:

- 1) Staff will administer portions of the City's Land Development Code.
- 2) As time and resources allow, staff will review and revise policies, codes, ordinances, resolutions, regulations, etc. and will implement the various actions, strategies and components recommended in the Growth Policy, as requested and directed by the City Commission and PAB.
- 3) As time and resources allow, components and recommendations of the Missouri River Urban Corridor Plan, Medical District Master Plan and Downtown Plan will be implemented and advanced in cooperation with other government entities, area property owners and stakeholders.
- 4) The Land Development Code will be reviewed and code amendments (excluding zoning amendments) will be processed.
- 5) The Growth Policy will be monitored for effectiveness and relevancy, and various elements moved forward for implementation.
- 6) Urban renewal or development plans will be prepared for newly proposed tax increment financing districts.
- 7) Tax Increment Financing project applications will be reviewed and processed under this work element.
- 8) Coordination and cooperation with Malmstrom Air Force Base may be expanded to include joint planning efforts for the Base.
- 9) Review of major long range planning documents will take place in 2020, as well as prioritization of updates to same.
- 10) Additional staff will be added to execute evaluation and implementation of existing long range planning documents.
- 11) A wayfinding sign plan will be finalized and adopted, and funding for implementation will be pursued.



203 Growth Policy Development and Implementation (continued)

<u>Staffing:</u>	<u>Administrative</u>	<u>Technical</u>	<u>Clerical</u>	
(Weeks)	4.4	26	1	
<u>Funding:</u>	<u>PL</u>	<u>TIF</u>	<u>Local</u>	<u>Total</u>
PCD (FY20)	0	0	75,000	75,000
PCD (FY21)	0	0	75,000	75,000

Functional Agency Responsibility: PCD is responsible for all work.

Products:

- 1) Application of the Land Development Code
- 2) A Missouri River Urban Corridor Plan and implementation of same
- 3) A Medical District Master Plan and implementation of same
- 4) A Downtown Master Plan and implementation of same
- 5) A current Growth Policy and implementation of same
- 6) A wayfinding plan and implementation of same

41.12.00 - GENERAL DEVELOPMENT/COMPREHENSIVE PLANNINGWORK ELEMENT:204 Historic PreservationObjective:

- 1) To coordinate and administer the Certified Local Government (CLG) preservation program
- 2) To serve as staff for the Historic Preservation Advisory Commission (HPAC)
- 3) To integrate historic preservation goals with the community's planning process
- 4) To increase the effectiveness of local government in addressing historic preservation issues and needs
- 5) To increase the community's awareness and understanding of historic preservation values
- 6) To act as a preservation information center, providing technical assistance, direction, literature on historic preservation tax credits, National Register, Federal regulations and Secretary of the Interior Standards for Rehabilitation
- 7) To maintain a system for the survey and inventory of historic properties and make the information available to the public
- 8) To participate in the National Register nomination process
- 9) To consult with the City, County, State and Federal agencies on all applications, environmental assessments, and other such documents pertaining to historic properties
- 10) To participate in, promote and conduct public informational, educational and interpretive programs pertaining to historic preservation and to celebrate successes

Previous Work:

The Historic Preservation Officer (HPO) continues to build the collection of architectural and historical inventory files for all reviewed properties within Cascade County and a library of technical rehabilitation/restoration information.

Numerous projects were reviewed for Community Development and telecommunication facilities as part of the Section 106 Review process with comments forwarded to the State Historic Preservation Office.

Fulfilled *Preserve America* grant obligations to establish a Technical Assistance Program and completed feasibility studies for the rehabilitation of five historic downtown buildings.

The HPO continues to provide preservation education and program overviews by request, and press coverage of the HPAC, administration and activities has been ample and positive.

Participated in planning for downtown revitalization – Downtown Master Plan, Downtown Action Alliance, Downtown Chicks and Downtown Partnership.

Generally supported and acted as staff for Great Falls/Cascade County Historic Preservation Advisory Board.

204 Historic Preservation (continued)

Methodology: All administrative functions necessary in support of preservation planning activities will be performed. Quarterly progress and expenditure reports will be prepared and transmitted to the State Historic Preservation Office to maintain federal funding support.

The HPO will participate in SHPO training programs in order to improve skills. Grant administration functions will be performed.

The policies and procedures governing the CLG preservation program pursuant to Sec. 101 (c) of the National Preservation Act (NHPA) of 1966, as amended (16USC470) will guide all aspects of the local preservation planning process.

Similarly, the policies and procedures Codified by the City of Great Falls, Chapter 2.40 (Ord. 2652, 1993; Ord. 2563 – 2 (Exh. B) 1990) in compliance with the NHPA, will also guide the functions of the CLG preservation program.

<u>Staffing:</u>	<u>Administrative</u>	<u>Technical</u>	<u>Clerical</u>	
Local (Weeks)	0	52	0	
<u>Funding:</u>	<u>PL</u>	<u>SHPO</u>	<u>Local</u>	<u>Total</u>
PCD (FY20)	0	5,225	94,775	100,000
PCD (FY21)	0	6,000	94,000	100,000

Functional Agency Responsibility: PCD is responsible for all work

Products:

- 1) An administered preservation planning program
- 2) Established plans and goals
- 3) Survey information and technical references, which are well organized and useful
- 4) An active preservation education program
- 5) An established system for the review of properties and the exchange of information and services with governmental agencies regarding preservation projects
- 6) Awareness of preservation planning issues and needs in the Great Falls area
- 7) Established incentive programs for revitalization of downtown historic buildings

WORK ELEMENT:

205 Code Enforcement

Objectives: To respond to citizen complaints and enforce certain provisions of the Official Code of the City of Great Falls, and implement aesthetic, health, sanitation, land use and other provisions of the Great Falls Growth Policy and other land use plans.

Previous Work: Ongoing enforcement, property cleanup and abatement of public nuisances.

Methodology:

- 1) Receive complaints, perform formal, documented property investigations, and work with property owners to formulate methodology to bring properties into compliance.
- 2) In extreme situations, issue citations and follow through with legal enforcement, if necessary.
- 3) As necessary, coordinate with other City and County Departments, including City-County Health, City of Great Falls Police, City of Great Falls Fire/Rescue, Cascade County Planning, City of Great Falls Legal staff, City of Great Falls Public Works, Animal Control and City of Great Falls Building Division to resolve Code violations.
- 4) Prepare for court appearances, including assembling documentation and background on case; testify in court, if necessary.
- 5) Follow through with final property cleanup or abatement as necessary to ensure it is brought into compliance.

<u>Staffing:</u>	<u>Administrative</u>	<u>Technical</u>	<u>Clerical</u>	
(Weeks)	0	52	0	
<u>Funding:</u>	<u>PL</u>	<u>FTA</u>	<u>Local</u>	<u>Total</u>
PCD (FY20)	0	0	90,000	90,000
PCD (FY21)	0	0	90,000	90,000

Functional Agency Responsibility: PCD will be responsible for all work.

Product: Code compliant properties within the City limits.

#### 41.13.01 - LONG RANGE TRANSPORTATION PLANNING - SYSTEM LEVEL

##### WORK ELEMENT:

##### 300 Transportation Plan Implementation and Project Development

Objective: To implement components of and address activities associated with the Great Falls Area Transportation Plan.

Recent Previous Work: A number of diverse activities have been conducted under this work element during past fiscal years. Several of these activities are described as follow:

Staff processed the permanent closure and vacation of several streets in conjunction with local studies and development plans. Staff assisted consulting firms retained to conduct corridor studies, including South Arterial Route Location and Alignment Studies, South Arterial Feasibility Study, I-15 Corridor Study and River Drive Corridor Study – and, assisted in the implementation of projects and programs recommended in the studies. Staff prepared and conducted trip generation analyses and anticipated traffic impacts of proposed development plans and subdivisions. A number of public hearings and informational meetings were attended regarding preliminary engineering and design of projects scheduled in the Great Falls Transportation Improvement Program. Staff assisted in the coordination and preparation of plans and funding proposals for bicycle and pedestrian projects. Staff assisted in the application of a Traffic Calming program through participation in the review of potential locations for calming. Staff continues to work to implement bike and pedestrian improvements recommended in the Transportation Plan. Staff assisted in the development of the Transportation element of the Downtown Plan. Finally, the possible return of downtown one-way roads to two-way streets was investigated and a concluding report prepared.

Methodology: Steps will continue to be taken to implement elements, projects, programs, etc. of the Great Falls Area Transportation Plan and other special purpose plans and studies. Staff will continue to assist consulting firms retained to conduct special studies and analyses of projects proposed in the Transportation Plan. Trip generation and traffic impacts of proposed commercial, residential and industrial development plans and programs will be conducted, as necessary.

Coordination and planning efforts will continue for the River's Edge Trail and other bicycle transportation facilities, including on-street facilities. Assistance for trail planning and development will also be contracted from the City of Great Falls under this work element for approximately \$45,400.

Support and assistance will be provided to the City of Great Falls and MDT during preparation of programmatic categorical exclusions and environmental assessments for Great Falls area projects funded with Federal-Aid funds and/or contracted by the City. Staff will provide assistance and support for roadway, bike facility, and pedestrian facility project development. Transportation programs and issues identified during updates of the Great Falls Growth Policy and its Transportation Element, as well as other local area Plans, will be conducted under this work element.

Transportation Plan issues, activities, strategies and programs will be conducted, as time and staff resources allow, including traffic calming, neighborhood traffic planning, road design standards, roadway landscaping policies, transportation demand management, traffic information brochures, preservation of transportation corridors, future right-of-way needs, etc. System ADA/accessibility will be investigated, and priorities established for upgrades.

300    Transportation Plan Implementation and Project Development (continued)

Any necessary Air Quality analysis for new CMAQ projects will be coordinated under this Work Element.

Transportation Alternatives (TA) and other grants and non-traditional funding sources for projects will be pursued under this Work Element. Similarly, staff will act as local project administrator and contact for grants and TA projects needing local coordination under this work element.

Fox Farm Rd. Corridor Study (consultant): \$50,000

<u>Staffing:</u>		<u>Administrative</u>		<u>Technical</u>		<u>Clerical</u>
(Weeks)		6		26		2
<u>Funding:</u>	<u>PL</u>	<u>State</u>	<u>FTA</u>	<u>Local</u>		<u>Total</u>
PCD (FY20)	159,307	24,693	0	0		185,400
PCD (FY21)	173,160	26,840	0	0		200,000

Functional Agency Responsibility: PCD will be responsible for all work.

Product: Transportation projects and programs consistent with the Great Falls Area Long Range Transportation Plan.

41.13.01 - LONG RANGE TRANSPORTATION PLANNING - SYSTEM LEVEL

WORK ELEMENT:

301 Transportation System Data Base Program

Objective: To maintain a coordinated program of transportation system data and information for the Great Falls area.

Previous Work: A formal traffic count program was established for the Great Falls area, cooperatively establishing count locations under the responsibility of the City of Great Falls/Great Falls MPO and MDT. This count program is documented in a technical memorandum, titled "Great Falls Urban Transportation Study Area, Traffic Count Program".

Methodology: Traffic volumes in the Great Falls area will be counted by the MDT and PCD in accordance with the traffic count program. Tabulated traffic data for the Great Falls area will be submitted to MDT by April 1.

Traffic counts performed by The MPO will be provided by the Great Falls Public Works Department during FY21 for the lump sum of \$6,500. As well, additional bike/ped counts may be initiated if staff time allows.

As time and resources allow, various data will be gathered and updated for the major street network including roadway width, speed and delay, turning movements, number of lanes, pavement condition, signalized intersections, etc. This activity will primarily update the information presented and illustrated in Chapter 2 "Existing Conditions" of the Great Falls Area Transportation Plan. Further use and development of web-based transportation information will be investigated. As time and resources allow, the traffic count program and count locations will be reviewed, in coordination with the City Public Works Department and MDT.

Other relevant transportation data will be gathered/compiled under this activity. Performance standards may be considered for development, based upon Federal and State guidance from MAP-21 and FAST Act.

A baseline Pavement Condition Survey has been developed for the area, including creation of a standard methodology for update. A baseline Sidewalk Inventory will be kept up-to-date for the area, including ADA ramps.

<u>Staffing:</u>		<u>Administrative</u>		<u>Technical</u>		<u>Clerical</u>
(Weeks)		0		3		0
<u>Funding:</u>	<u>PL</u>	<u>State</u>	<u>FTA</u>	<u>Local</u>		<u>Total</u>
PCD (FY20)	12,121	1,879	0	0		14,000
PCD (FY21)	12,121	1,879	0	0		14,000

301    Transportation System Data Base Program (continued)

Functional Agency Responsibility: PCD and MDT will be responsible for counts as specified in the Great Falls Traffic Count Program. PCD, MDT and the City of Great Falls will be responsible for development of other data, as appropriate.

Products:

- 1) An updated Traffic Count Program
- 2) Updated data base information
- 3) Provision of data on the internet
- 4) Pavement Condition Index



41.13.01 - LONG RANGE TRANSPORTATION PLANNING - SYSTEM LEVEL

WORK ELEMENT:

302 Transportation Plans, Analyses, Assessments and Consistency Determinations

Objectives:

- 1) To conduct periodic reviews of the Transportation Plan, including analysis of projected traffic volumes, land use, accidents and funding data.
- 2) To maintain accurate estimates of socioeconomic indicators.
- 3) To address FAST-ACT planning requirements in the Transportation Study Area, as appropriate.
- 4) To support MDT traffic modeling in the transportation planning process

Previous Work: In cooperation with the MDT, staff has prepared updates of the Long Range Transportation Plan. Additionally, socioeconomic estimates were monitored for population, dwelling units and employment for the Transportation Planning Area. Completed a minor update to the Long Range Transportation Plan in FY2018, as well as an Amendment in FY2019.

Methodology:

The coordination of air quality and transportation plans and programs will continue to the extent appropriate and in accordance with applicable requirements. Other environmental factors such as noise, water quality, aesthetics, etc., will be considered to the extent appropriate during major transportation planning decisions in accordance with applicable requirements.

Context-sensitive, smart growth and land use/transportation planning opportunities in the Great Falls area will be investigated to the extent appropriate.

Sub-area transportation studies will be performed as necessary to supplement the LRTP. Review and reporting of Transportation Planning Performance Measures will occur under this work element.

Initial steps toward a 2022 LRTP Update will begin. There is a slight possibility that consultant services may be secured toward the end of the Fiscal Year (Up to \$20,000 may be expended during the Fiscal Year), including advertising costs for the selection process.

Completion of the North Great Falls Sub-Area Transportation Study (consultant): (Estimated \$50,000 Fed/State, \$10,000 Local) remaining on contract in FFY2021.

<u>Staffing:</u>		<u>Administrative</u>		<u>Technical</u>		<u>Clerical</u>
(Weeks)		4		8		2
<u>Funding:</u>	<u>PL</u>	<u>State</u>	<u>FTA</u>	<u>Local</u>		<u>Total</u>
PCD (FY20)	110,822	17,178	0	10,000		138,000
PCD (FY21)	89,964	15,036	0	10,000		115,000

Functional Agency Responsibilities: PCD will be responsible for all work.

Products:

- 1) A compliant Long Range Transportation Plan (LRTP)
- 2) A North Great Falls Sub-Area Transportation Study

41.14.00 - SHORT RANGE TRANSPORTATION PLANNING

WORK ELEMENT:

400 Transit Program Administration

Objectives: To provide program support, general administration, grant administration, and training in support of transit planning activities.

Previous Work (FY20): Stayed abreast of federal/state requirements concerning grants, funding and planning. Improved 5303 grant reporting. Performed research for planning resources. Attended general transit-related meetings. Improved data-keeping methodologies. Performed general grant oversight. Updated the UPWP work elements for FY21. Updated the Coordinated Transportation Plan. Worked on Transit Asset Management Plan. Continued activities undertaken in FY2019.

Methodology (FY21): All administrative functions necessary in support of transit planning activities will be performed. Quarterly progress and expenditure reports will be prepared and transmitted to the Planning Advisory Board to maintain federal funding support. Furthermore, this UPWP will be revised when deemed necessary. The FY2022 UPWP for transit planning activities will also be developed under this line item. Maintain coordination with 5310 providers and as the lead agency, develop and apply for capital grants for new vehicles as decided by the Great Falls Transportation Advisory Committee. The Coordinated Transportation Plan will be updated via the Great Falls Transportation Advisory Committee. Continuation of activities undertaken in FY2020.

The General Manager will participate in recognized and approved training programs in order to improve skills and capabilities. General Manager will assimilate regulations and codes to keep abreast of federal, state, and local requirements as they relate to the transit planning process. This will include review of FAST Act provisions and development of strategies to comply with same. To maintain interaction and feedback with appropriate citizen and professional groups, the General Manager will participate with the TAC, PCC, GFTAC, citizen advisory boards, and others as needed. Grant administration functions will be performed. Develop FTA mandated Transit Asset Management Plan.

Staffing: The staff hours for this project will be charged to this program with monthly verifiable time sheets for actual measurable work completed.

General Manager:                      560 hrs. = 14 weeks

<u>Funding:</u>	<u>PL</u>	<u>FTA</u>	<u>Local</u>	<u>Total</u>
GFTD (FY20)	0	15,244	3,811	19,055
GFTD (FY21)	0	15,244	3,811	19,055

Functional Agency Responsibilities: The Great Falls Transit District will be responsible for all work.

Products:

- 1) An ongoing administrative program to carry out the transit planning function, including quarterly progress and expenditure reports
- 2) FFY2021 UPWP work elements
- 3) An updated Coordinated Public Transportation Plan
- 4) Transit Asset Management Plan.
- 5) Federal Safety Plan.

41.14.00 - SHORT RANGE TRANSPORTATION PLANNING

WORK ELEMENT:

401 Transit Service Planning and Assessment

Objectives: To provide the citizens of Great Falls with acceptable transportation alternatives to single-occupancy private vehicles in the future. To continually assess transportation needs in both developed and developing areas. To provide intermodal options (e.g., bike and bus, park and ride, etc.). To afford viable public transportation during times of constrained financial resources.

Previous Work (FY20): Maintained performance-indicator reports. Considered required service modifications for a more effective system. Assessed the effects of the downtown transfer center; researched possible improvements for the transfer center and for the transfer center's general management. Performed general planning for system improvements including route changes, schedule changes, and locations for amenities such as bus shelters. Conducted National Transit Database passenger mile counts. Performed general transit planning. Continued activities undertaken in FY2018.

Methodology (FY21): Continuation of activities undertaken in FY2020 including research to determine if there is the possibility additional service hours or routes could be added to the system in the future. Develop a plan for integrating items from the Transit Development Plan completed in 2011, when funding allows for expansion. Study where fixed bus stops should be, should we move to a fixed stop system. Continuation of activities undertaken in FY2020.

Staffing: The staff hours for this project will be charged to this program with monthly verifiable time sheets for actual measurable work completed.

	Transit Staff:	1644 hrs. = 41 weeks		
<u>Funding:</u>	<u>PL</u>	<u>FTA</u>	<u>Local</u>	<u>Total</u>
GFTD (FY20)	0	51,518	12,879	64,397
GFTD (FY21)	0	35,518	8,879	44,397

Functional Agency Responsibilities: The Great Falls Transit District will be responsible for all work.

Products:

- 1) Monthly summary showing financial position and ridership summary by month
- 2) On-going ridership tracking by route
- 3) Grant applications and revisions
- 4) System assessment documentation (e.g., survey results, locational needs, etc.)
- 5) Update of Transfer Center roof and interior repairs and painting
- 6) Current National Transit Database passenger count

41.14.00 - SHORT RANGE TRANSPORTATION PLANNING

WORK ELEMENT:

402 Transit Service Enhancement

Objectives: To improve service and ridership in existing transit system.

Previous Work (FY20): Made beneficial changes to GFTD Internet site. Revised historical ridership data and current data for increased accuracy in analysis. Prepared National Transit Database reports. Provided monthly ridership analysis. Gathered information from public for planning purposes. Identified groups in the community for marketing efforts. Continued activities undertaken in FY19.

Methodology (FY21): Continue to identify groups in the community for marketing efforts. Assess public reaction to routes, schedules, marketing tools, and alterations of such. Complete National Transit Database reports. Upkeep monthly ridership figures and summary figures for effective decision-making. Innovate in establishing new reports and figures to better shed light on important decisions for Great Falls Transit. Assess overall system functioning. Develop a more robust Internet site. Produce general flyers and signs for maximum public awareness of system and system changes. Continuation of activities undertaken in FY20.

Staffing: The staff hours for this project will be charged to this program with monthly verifiable time sheets for actual measurable work completed.

Transit Staff:	485 hrs. = 12 weeks			
<u>Funding:</u>	<u>PL</u>	<u>FTA</u>	<u>Local</u>	<u>Total</u>
GFTD (FY20)	0	10,712	2,678	13,390
GFTD (FY21)	0	10,712	2,678	13,390

Functional Agency Responsibilities: The Great Falls Transit District will be responsible for all work.

Products:

- 1) Transit ridership by month (i.e., including inter-modal)
- 2) Performance indicators by month
- 3) Ridership comparisons by month
- 4) Marketing tools

41.14.00 - SHORT RANGE TRANSPORTATION PLANNING

WORK ELEMENT:

403 Transit ADA Implementation

Objectives: To ensure optimal use of Great Falls Transit District funds in meeting elderly and disabled transportation needs for both specialized and fixed-route transportation in accordance with Federal Americans with Disabilities Act (ADA) regulations.

Previous Work (FY20): Continued activities undertaken in FY19. Maintained an open communication for planning purposes with elderly and disabled people in the community through the ADA Advisory Committee. Identified means to address transit and special transportation needs including efforts to assess both short and long-term paratransit needs of the community and efforts to evaluate organizational and fiscal means to address transportation needs. Closely monitored ACCESS service. Revised and improved ACCESS data reporting. Explored the possibility of expanding coordinated transportation with other agencies and 5310 providers in the Great Falls area.

Methodology (FY21): Continuation of activities undertaken in FY20. Plan additional sensitivity training for GFTD operators and other employees. Continue general administration of ACCESS program as well as records maintenance for future decision making. Research alternative means of serving seniors and people with disabilities through cost-effective programs. Study the consequences for seniors, people with disabilities, and for the ACCESS program of implementing fixed stops on the fixed route system. Localize and plan for wheelchair pads at necessary locations. Devise plans to attract seniors and passengers with disabilities to GFTD’s fixed routes.

Staffing: The staff hours for this project will be charged to this program with monthly verifiable time sheets for actual measurable work completed.

ADA Coordinator:	1708 hrs. = 43 weeks
Transit Staff:	<u>1340 hrs. = 34 weeks</u>
	3048 hrs. = 77 weeks

<u>Funding:</u>	<u>PL</u>	<u>FTA</u>	Local	<u>Total</u>
GFTD (FY20)	0	38,728	9,682	48,410
GFTD (FY21)	0	38,728	9,682	48,410

Functional Agency Responsibilities: The Great Falls Transit District will be responsible for all work.

Products:

- 1) Elderly and disabled transportation service database
- 2) Elderly and disabled transportation service certification
- 3) Elderly and disabled transportation service contract maintenance
- 4) Elderly and disabled transportation service financial statement
- 5) Elderly and disabled transportation service ridership (i.e., monthly)
- 6) ADA Advisory Committee minutes

41.15.00 - TRANSPORTATION IMPROVEMENT PROGRAM

WORK ELEMENT:

600 Transportation Improvement Program (TIP)

Objective: To maintain a Transportation Improvement Program (TIP), which reflects the current implementation status of the transportation plan and transit development program, and conforms to Federal TIP guidance.

Previous Work: The Great Falls TIP was first adopted by the PCC during FY 1976, and has been updated on a regular basis, as needed. As well, the Administrative Amendment and Amendment processes were used for minor updates.

Methodology: The TIP will be updated and/or amended. During the program period of the adopted TIP, revisions will be conducted as needed in response to changes in the transportation plan, project priorities, funding, etc., and in response to requests to include and modify transit funded programs and projects.

Modifications necessary for compliance with Federal TIP regulations will be made. It is anticipated that a full update of the TIP will be performed in FFY2021.

Air quality conformity determinations of the TIP will be conducted as appropriate and in accordance with the Clean Air Act Amendments of 1990 and the latest transportation funding act. Interagency consultation procedures will be followed, as appropriate.

<u>Staffing:</u>	<u>Administrative</u>		<u>Technical</u>		<u>Clerical</u>
(Weeks)	0		2		0
<u>Funding:</u>	<u>PL</u>	<u>State</u>	<u>FTA</u>	<u>Local</u>	<u>Total</u>
PCD (FY20)	4,675	725	0	0	5,400
PCD (FY21)	4,675	725	0	0	5,400

Functional Agency Responsibility: PCD will be responsible for all work.

Product: A current, compliant Transportation Improvement Program.

**TABLE 1  
FEDERAL FISCAL YEAR 2021 FUNDING SUMMARY  
(OCTOBER 1, 2020 - SEPTEMBER 30, 2021)**

WORK ELEMENT	FFY 2020 ESTIMATED ACTUAL COSTS*	FFY 2020 ESTIMATED COST	FFY 2021 ESTIMATED COST	SOURCES					DISBURSEMENT			
				PL	State	FTA 5303	SHPO	LOCAL	PCD	MDT	GFTD	
41.11.00-PROGRAM SUPPORT & ADMIN												
<b>100</b> PROG ADMIN & PARTICIPATION	103575	120000	128000	106493	16507	0	0	5000	128000	0	0	
<b>101</b> SERVICE	29983	69000	71000	57143	8857	0	0	5000	71000	0	0	
41.12.00-GEN DEV & COMP PLANNING												
<b>200</b> INFO & DATABASE PROGRAM	31438	32275	45000	25974	4026	0	0	15000	45000	0	0	
<b>202</b> LAND USE & DEVELOPMENT REVIEW	384014	433000	530000	0	0	0	0	530000	530000	0	0	
<b>203</b> GROWTH POLICY DEV & IMP	76136	75000	75000	0	0	0	0	75000	75000	0	0	
<b>204</b> HISTORIC PRESERVATION	104220	100000	100000	0	0	0	5225	94775	100000	0	0	
<b>205</b> CODE ENFORCEMENT	85402	90000	90000	0	0	0	0	90000	90000	0	0	
41.13.01-LR TRANS PLNNG-SYS LEVEL												
<b>300</b> TRANS PLAN IMPL & PROJ DEV	88090	185400	200000	173160	26840	0	0	0	200000	0	0	
<b>301</b> TRANS SYSTEM DATA BASE PROG	7307	14000	14000	12121	1879	0	0	0	14000	0	0	
<b>302</b> TRANS PLANS, ANALYSIS, ETC	46669	138000	115000	90909	14091	0	0	10000	115000	0	0	
41.14.00-SHORT RANGE TRANS PLNNG												
<b>400</b> TRANSIT PROGRAM ADMIN.	23584	19055	19055	0	0	15244	0	3811	0	0	19055	
<b>401</b> TRANSIT SERV PLNNG & ASSESS	46377	64397	44397	0	0	35518	0	8879	0	0	44397	
<b>402</b> TRANSIT SERVICE ENHANCEMENT	11448	13390	13390	0	0	10712	0	2678	0	0	13390	
<b>403</b> TRANSIT ADA IMPLEMENTATION	37921	48410	48410	0	0	38728	0	9682	0	0	48410	
41.15.00-TRANS IMPROVEMENT PROG.												
<b>600</b> TRANS IMPROVEMENT PROGRAM	1521	5400	5400	4675	725	0	0	0	5400	0	0	
<b>TOTALS</b>	--	--	1498652	470476	72924	100202	5225	849825	1373400	0	125252	

\* estimated utilizing 4th quarter of FFY2020

TABLE 2  
 FUNDING PRORATION  
 (OCTOBER 1, 2020 - SEPTEMBER 30, 2021)

WORK ELEMENT	RECIPIENT	FUNDING PRORATION PERCENTAGES				TOTALS
		PL*	FTA 5303	SHPO	LOCAL	
100 PROG ADMINISTRATION & PARTICIPATION	Planning	96%	0%	0%	4%	100%
101 SERVICE	Planning	93%	0%	0%	7%	100%
200 INFO. & DATABASE PROGRAM	Planning	50%	0%	0%	50%	100%
204 HISTORIC PRESERVATION	Planning	0%	0%	5%	95%	100%
302 TRANS PLANS, ANALYSIS, ETC	Planning	100%	0%	0%	0%	100%
400 TRANSIT PROGRAM ADMINISTRATION	GFTD	0%	80%	0%	20%	100%
401 TRANSIT SERV PLNG & ASSESSMENT	GFTD	0%	80%	0%	20%	100%
402 TRANSIT SERVICE ENHANCEMENT	GFTD	0%	80%	0%	20%	100%
403 TRANSIT ADA IMPLEMENTATION	GFTD	0%	80%	0%	20%	100%

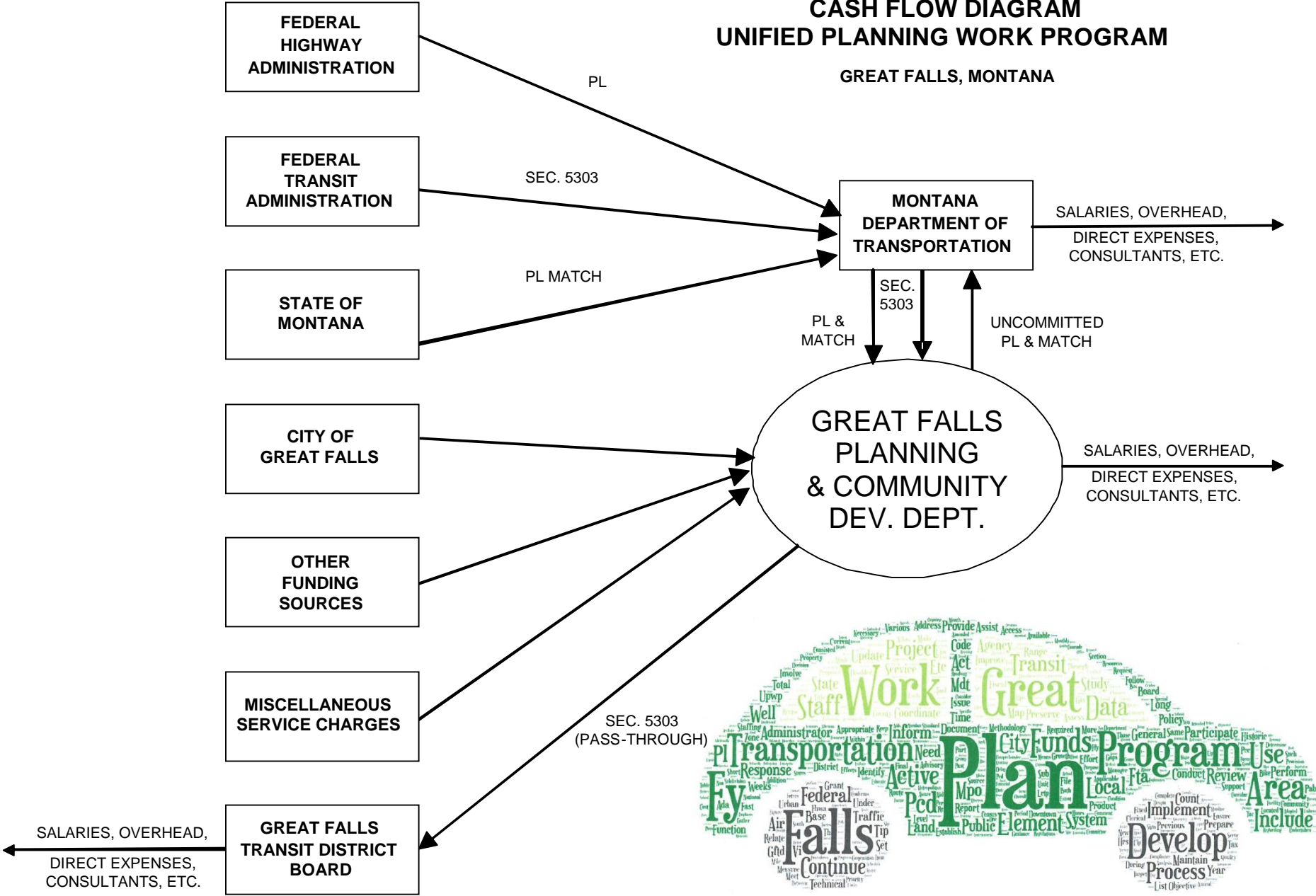
\* Includes State match of 13.42%.

Note: As this table applies to salary reimbursement rates, this table does not include some direct-reimbursement items such as consultant services



# CASH FLOW DIAGRAM UNIFIED PLANNING WORK PROGRAM

GREAT FALLS, MONTANA



COST ALLOCATION PLAN

INTRODUCTION:

The following plan provides a procedure for preparing reimbursement requisitions for PL-104 (f), FTA Section 5303 and other planning funds received by the Great Falls Planning & Community Development Department in performance of its duties as staff for the MPO.

IDENTIFICATION OF COSTS

The costs encountered in conducting this work program are delineated below by type:

<u>Direct</u>	<u>Indirect</u>	<u>Fringe Benefits</u>
Salaries	Legal Services	FICA
Mileage	Reproduction (Supplies, equipment)	PERS
Advertising	Office Supplies	Industrial Accident
Travel	Audit Services	Unemployment Insurance
Interview & Moving	Postage	Sick Leave
Printing & Publication	Dues & Subscriptions	Vacation
Staff Training Costs	Telephone	Paid Holidays
Consultants	Office Equipment & Maintenance	Employee Health Insurance
Other	Rent	Military Leave
		Jury Duty

ALLOCATION OF COSTS

Direct costs will be charged to the work program line items to which they apply. A record of staff time and expenditures will be kept to document expenses incurred against each line item.

Based upon a recommendation by the Audit Unit of the Montana Department of Transportation, the indirect rate is based upon eligible indirect costs from the previous year. Due to inconsistent staff levels, this rate fluctuates from year-to-year. This rate is supported by an indirect cost allocation plan submitted to the Montana Department of Transportation and the Federal cognizant agency. From the calculations in the Indirect Cost Allocation Plan, a rate of 41% of direct salary expenditures for indirect costs will be used. The calculated rate will be applied to the Unified Planning Work Program fiscal year of October 1 through September 30, and is a predetermined, fixed rate that is not subject to change during the stated period.

Fringe benefits will be calculated at a rate of 66% of the direct salaries charged to each line item. This rate is supported by documentation submitted to and approved by the Montana Department of Transportation. The calculated rate will be applied to the Unified Planning Work Program fiscal year of October 1 through September 30, and is a predetermined, fixed rate that is not subject to change during the stated period.

The degree of participation by each funding agency is based on the participation percentages that have been determined for each line item. Each funding agency will provide their share of the total charges made against each line item according to the percentages indicated in the Funding Proration Table. However, approved, eligible direct line items that are chargeable to PL will be reimbursed on a 100% basis, and will not be part of the percentage calculations in the Funding Proration Table.