AGENDA

2/15/2022
9:00 AM

1. Call To Order

2. Roll Call

3. Minutes

   Documents:

   DRAF PB MTG MINUTES 12-21-21.PDF
   DRAFT PB MTG MINUTES 1-18-2022.PDF

4. Old Business

   4.I. Board Election Of Officers
       i. Board Discussion & Action

   4.II. Annual Report
       i. Board Discussion

   Documents:

   2021 ANNUAL REPORT.PDF

4.III. Growth Policy Review
   i. Board Discussion

5. New Business

   5.I. Cascade County Floodplain Regulations Revisions
       i. Introduction

6. Board Matters
7. **Public Comments Regarding Matters That Are Not Addressed On This Agenda Within The Zoning Board Of Adjustment’s Jurisdiction**

8. **Adjournment**
**Board Members:** Dexter Busby, Dan Johnstone, Richard Liebert, Elliot Merja, Bruce Moore, Sara Murphy, and Rob Skawinski.

**NOTICE:** PURSUANT TO MCA 2-3-212(1), THE OFFICIAL RECORD OF THE MINUTES OF THE MEETING IS IN AUDIO FORM, LOCATED AT CASCADECOUNTYMT.GOV AND THE PLANNING OFFICE. THIS IS A WRITTEN RECORD OF THIS MEETING TO REFLECT ALL THE PROCEEDINGS OF THE BOARD. MCA 7-4-2611 (2)(B). TIMESTAMPS ARE INDICATED IN RED, WITHIN EACH AGENDA ITEM BELOW, AND WILL DIRECT YOU TO THE PRECISE LOCATION SHOULD YOU WISH TO REVIEW THE AUDIO SEGMENT.

THESE MINUTES ARE PARAPHRASED AND REFLECT THE PROCEEDINGS OF THE CASCADE COUNTY PLANNING BOARD AND ARE CONSIDERED A DRAFT UNTIL FORMALLY APPROVED BY THE PLANNING BOARD.

**STAFF ATTENDEES:** Carey Ann Haight, Phoebe Marcenek, Alisha Osborne and Charity Yonker.

**PUBLIC ATTENDEES:** None.

1. **CALL TO ORDER:** Chairman Elliot Merja called the meeting to order at 9:10 AM [00:08:34].

2. **ROLL CALL:**
   - **BOARD MEMBERS PRESENT:** Dan Johnstone, Richard Liebert, Elliot Merja (via telecom), and Bruce Moore.
   - **BOARD MEMBERS ABSENT:** Dexter Busby, Sara Murphy, and Rob Skawinski.

3. **APPROVAL OF THE MINUTES:**
   - **Draft Meeting Minutes for October 19, 2021** [00:09:34]
     1. **Board Discussion & Decision**
        - **Elliot Merja:** Asks if there are any corrections for those minutes.
        - **Richard Liebert:** Says he will make a motion to approve the minutes.
        - **Elliot Merja:** Asks if there is a second.
        - **Bruce Moore:** Says he will second the motion.
        - **Elliot Merja:** Asks if there is any further discussion. [None heard]. Mr. Merja calls for a vote.

        *All in Favor, motion carries [4 – 0].*

4. **OLD BUSINESS:** None.

5. **NEW BUSINESS:**
A. Tentative 2022 Planning Board Meeting Schedule. [00:10:57]

Elliot Merja: Asks what is proposed to us.

Charity Yonker: Says the schedule is set for the third Tuesday of every month at 9:00 AM.

2. Board Discussion [00:11:17]

Elliot Merja: Asks if there is any discussion about it.

Richard Liebert: Says it seems straight-forward.

Elliot Merja: Says that he would entertain a motion to approve the meeting times.

Bruce Moore: Says he will make a motion.

Elliot Merja: Says he is sorry and asks if he heard a motion to approve the meeting times.

Bruce Moore: Says yes, he will make a motion to approve.

Elliot Merja: Says there is a motion on the table to approve and asks if he hears a second.

Richard Liebert: Says he will second the motion to approve the Board’s schedule for 2022.

Elliot Merja: Asks if there is any further discussion. Hearing none, Mr. Merja calls for a vote.

_All in Favor, motion carries [ 4 – 0]._

4. BOARD MATTERS [00:12:42]

A. Board Member Term Expirations

Charity Yonker: Says Mr. Busby, Mr. Moore and Mr. Johnstone’s terms are expiring at the end of the month, and invites them to reapply or if they know other people, they can spread the word.

Elliot Merja: Asks how they should go about reapplying.

Charity Yonker: Says we have included the Board applications in the packets sent out, or they may contact Bonnie at the Commission Office and she will send an application, and also that it will need to be drop off with Bonnie at the Commission.

Elliot Merja: Asks when the Board will be reorganized.

Charity Yonker: Says that she has talked to Bonnie and in January she will provide the submitted applications to the Commissioners for their consideration. Sometime in January, hopefully before the next Planning Board meeting, the Commission will take action to elect the members.

Elliot Merja: Asks Ms. Yonker what is next on the agenda.

Charity Yonker: Says that is it for Board Matters, unless there are other Board Matters for discussion.

Elliot Merja: Asks if there is anything else the Board would like to discuss.

Richard Liebert: Asks if Ms. Yonker can elaborate on that Gibson Flats fire, as he finds it reprehensible the alleged arsonists did what they did, but perhaps Ms. Yonker can elaborate on
the permitting for one, and two, the townhouses at Foothills development and whether it will be an issue.

**Charity Yonker:** Says she will address the Gibson Flats Fire. The Commissioners have waived the floodplain permit fees and also the zoning permit fees until December 31, 2022, to help in the recovery process. The Commission has arranged to have disposal bins for residents to help with disposal of the debris. She says the next topic is the Foothills Townhomes and says that we have received an appeal from the ZBOA decision approving, I believe, four townhome locations in Foothills that will go to the Commission on appeal, probably in January. We don’t have a meeting set in scheduled at the moment.

Ms. Yonker says there was a letter that Mr. Kuether had presented to the ZBOA, but the ZBOA decided not to further that letter to the Planning Board, but there was some discussion of how to treat second dwelling units and if they should be treated differently. So, of course if the Planning Board feels it is necessary, the Planning Board could instruct the Planning Department to look into any issues regarding zoning regulations.

**Elliot Merja:** Asks if there are any further questions for the Planning Department.

**Richard Liebert:** Says no.

**Elliot Merja:** Asks if he is still here [via telecom].

**Charity Yonker:** Says yep, he is still here.

**Elliot Merja:** Asks if there is any other business for the Planning Department.

**Richard Liebert:** Says happy holidays, and on a sad note, a Planning Board member from years ago, Tom Lorang, passed away from a stroke and there will be a wake tonight at Holy Spirit Catholic Church and a funeral tomorrow at ten-thirty (10:30 am). He was very involved in the civic side of the community, school board, and community and so forth and had been on the Planning Board and worked with the Conservation District to get the water well put up twenty-one (21) years ago. I don’t know if you knew that or not. That’s all.

**Elliot Merja:** Says we are losing a lot of good people. If there is no other further business, for the Planning Board or discussion, he would entertain a motion to adjourn.

**Richard Liebert:** Says so moved.

**Charity Yonker:** Asks Mr. Merja if before adjourning, he wants to call for public comment.

**Elliot Merja:** Says that’s right. Mr. Merja asks if there are any public comments online or in there.

**Charity Yonker:** Says we do not, we have no one in the audience and no one on Zoom.

**Elliot Merja:** Says he is having trouble hearing and asks for confirmation that there is no other public.

**Charity Yonker:** Says we do not.

**Elliot Merja:** Says okay and that we can entertain a motion to adjourn.
Richard Liebert: Says so moved.

Dan Johnstone: Says he will second that.

Elliot Merja: Asks if there is a second. Says he heard the second and asked if there is any further discussion. Hearing none, Mr. Merja calls for a vote.

*All in Favor, motion carries [4 – 0].*

5. Adjournment at 09:20 AM [19:04]
**Board Members:** Dexter Busby, Dan Johnstone, Richard Liebert, Elliot Merja, Bruce Moore, Sara Murphy, and Rob Skawinski.

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**STAFF ATTENDEES:** Carey Ann Haight, Amber Hobbs, Alisha Osborne and Charity Yonker

**PUBLIC ATTENDEES:** None.

1. **CALL TO ORDER:** Chairman Elliot Merja called the meeting to order at 9:02 AM, [00:01:16].

2. **ROLL CALL:**
   - **BOARD MEMBERS PRESENT:** Richard Liebert, Elliot Merja and Rob Skawinski
   - **BOARD MEMBERS ABSENT:** Dexter Busby, Dan Johnstone, Bruce Moore and Sara Murphy.

   **Elliot Merja:** Asks who the members are who are needing reappointment.

   **Charity Yonker:** Says they are Dan, Dexter and Bruce. The Commissioners are looking at doing reappointments at the next meeting at the end of January.

   **Elliot Merja:** Says okay.

3. **APPROVAL OF THE MINUTES:**
   A. **Draft Meeting Minutes for December 21, 2021,** [00:02:49].

   **1. Board Discussion & Decision**

   **Elliot Merja:** Asks if there are any additions or subtractions.

   **Richard Liebert:** Says he read them online and appreciates those being online, and moves the minutes be accepted.

   **Elliot Merja:** Says we have moved to accept the minutes and asks if there is a second.

   **Rob Skawinski:** Says he will second that.

   **Elliot Merja:** Asks if there is any further discussion. Hearing none, he calls for a vote.
4. OLD BUSINESS: None.

5. NEW BUSINESS:

A. Board Election of Officers [09:04 AM] [00:03:30].

1. Board Discussion

Elliot Merja: Says he feels the rest of the Board should be present before deciding officers. He asks if it works for everybody.

Richard Liebert: Says yes, he would agree with that. He moves that new business be postponed until the next meeting.

Elliot Merja: Says okay, as far as Board elections go.

Richard Liebert: Says he agrees.

Elliot Merja: Asks if the Board needs a motion. He says it has been moved to have the board elections moved to next meeting and asks if there is a second.

Rob Skawinski: Seconds the motion.

Elliot Merja: Calls for a vote.

All in Favor, motion carries [3 – 0].

B. Annual Report [00:04:16].

1. Board Discussion

Elliot Merja: Asks if the Board wants to go through the annual report or wait until the rest of the Board is there.

Richard Liebert: Says he recommends the annual report be postponed until the next meeting so the members who get re-appointed or appointed newly will have the benefit of the annual report, so it is a more substantial discussion.

Elliot Merja: Says okay and seconds the motion, asking for further discussion. Hearing none, he calls for a vote.

All in Favor, motion carries [3 – 0].

Richard Liebert: Says he would like to say the annual report looks fine, it is very thorough, and he appreciates having that online so they can all read ahead.

Elliot Merja: Says cool, now we can go to the growth policy.

C. Growth Policy Review [00:05:08].

1. Board Discussion
Richard Liebert: Says he recommends that be postponed until the next meeting. As mentioned before with the annual report, there will be a more thorough discussion of that topic since we have also completed the census report.

Elliot Merja: Asks if there is a second on that.

Rob Skawinski: Says he will second that.

Elliot Merja: Calls for a vote.

*All in Favor, motion carries [3 – 0].*

### 6. BOARD MATTERS 9:06 AM, [00:05:51].

#### A. Adobe Creek

Elliot Merja: Asks if there are any Board matters, they would like to bring up. He asks if there is any discussion to bring up for the Planning Department. He then asks the Planning Department if they are “public”. Mr. Merja says there is a comment he would like to add, and he asks if the Adobe Creek meeting is on the January 20th, 2022.

Charity Yonker: Says it is on the twentieth at eight o’clock.

Elliot Merja: Asks if they decided it was right at that eighty-thousand-dollar threshold and whether they had to get more quotes.

Charity Yonker: Says she is not sure but believes they are reviewing a contract, and the Commissioners could be taking action on that contract.

Elliot Merja: Says okay, he just saw [he struggles to find the word].

Carey Ann Haight: Says she can comment on that too, if that is okay with Mr. Merja.

Elliot Merja: Says sure, that would be great.

Carey Ann Haight: Says we have been in the process of trying to get some bids, so the plan is to meet and review the bids to the extent that there is something that looks like we can move forward, and wanted to make sure it was publicly noticed with the forty-eight hour notice, and they do anticipate being able to act, but they must have that notice in order to meet and discuss and to have the potential to act if in a position to do so.

Elliot Merja: Says that is great. He says he hadn’t heard anything and saw it on the agenda and thought he would ask. Mr. Merja says that is all he has and asks if anyone else has anything.

Charity Yonker: Says she will process reimbursements for mileage by the end of this month.

Richard Liebert: Says he did get a check a couple months ago but that was form the weed district.

Charity Yonker: Says okay.

Richard Liebert: Says he forgetting they have a weed district, so he was [inaudible].

Elliot Merja: Says okay, cool.
Richard Liebert: Says he got a little bit back from his chemicals, not much though.
Elliot Merja: Says it is better than nothing.
Richard Liebert: Says they do not pay out for contractors for that, but he digresses.
Elliot Merja: Says if there is nothing else...
Richard Liebert: Moves to adjourn.
Elliot Merja: Asks for a second.
Rob Skawinski: Seconds the motion.
Elliot Merja: Says they are adjourned.

7. Adjournment at 9:09 AM, [00:08:49].
2021 ANNUAL REPORT
TO THE CASCADE COUNTY
PLANNING BOARD

PREPARED BY:
CASCADE COUNTY PLANNING DEPARTMENT
121 4TH STREET NORTH, SUITE 2H/I
GREAT FALLS, MT 59401
(406) 454-6905
<table>
<thead>
<tr>
<th>TABLE OF CONTENTS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>BACKGROUND</td>
<td>1</td>
</tr>
<tr>
<td>CERTIFICATES OF SURVEY</td>
<td>2</td>
</tr>
<tr>
<td>MAP ROOM</td>
<td>3</td>
</tr>
<tr>
<td>PLATS FILED</td>
<td>3</td>
</tr>
<tr>
<td>SUBDIVISION ACTIVITY</td>
<td>4</td>
</tr>
<tr>
<td>COMMUNITY DECAY, LITTER, &amp; JUNK VEHICLE ORDINANCES</td>
<td>5</td>
</tr>
<tr>
<td>COUNTY ZONING</td>
<td>7</td>
</tr>
<tr>
<td>ZONING BOARD OF ADJUSTMENTS</td>
<td>10</td>
</tr>
<tr>
<td>PLANNING BOARD</td>
<td>11</td>
</tr>
<tr>
<td>FLOODPLAIN REGULATIONS</td>
<td>12</td>
</tr>
<tr>
<td>DEPARTMENT PERSONNEL</td>
<td>14</td>
</tr>
<tr>
<td>FY2022 BUDGET</td>
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</tr>
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<td>FY2022 STRATEGIC PLAN &amp; GOALS</td>
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</tr>
</tbody>
</table>
BACKGROUND

The Bylaws adopted by the Cascade County Planning Board provide that the Annual Meeting shall be held for the purpose of electing officers, receiving annual reports of officer, staff, committees, and for such business that may arise. This Annual Report is prepared in response to that requirement.

On October 10, 1973, the Board of Cascade County Commissioners passed a Resolution of Intention to create the Cascade County Planning Board. Following a public hearing and receiving no protests, the final Resolution forming the Cascade County Planning Board was passed on November 19, 1973. On January 22, 1974, the Cascade County Planning Board held their first meeting. The Board has continued to meet regularly since that time.

The Cascade County Development Plan was adopted by the Cascade County Commission in 1979, amended in 1982, 1998 and 2006. In 2014, the Commissioners adopted an updated Cascade County Growth Policy which had been significantly rewritten. Population trends, economic conditions, and local services showed a positive trend for growth in Cascade County. Two new sections were added under Conditional Development Areas called the Military Height Zones Conditional Development Areas and the Military Runway Accident Potential Zones. Details about developing in these areas are covered in the Cascade County Zoning Regulations.

In 2003, the State of Montana Legislature amended the laws regarding development plans. Through the passing of Senate Bill 326, all governing bodies that had a development plan were allowed to revise it following the procedures set out in Title 76, Chapter 1, Part 6, of the Montana Code Annotated (MCA). The Cascade County Growth Policy was formally adopted in September of 2006 by Resolution #06-66 after an extensive public process and updated in May of 2014 by Resolution #14-45.

The Cascade County Growth Policy is a living document that is reviewed and updated periodically in order to address changes within the community that may alter guide to address the community needs and direction that the Board of County Commissioners want to implement and protect. Generally, these plans are updated every five years. In 2019 the Planning Board reviewed the Growth Policy per statutory requirements and ultimately decided to leave the document unchanged pending obtaining 2020 Census data. The 2020 Census Bureau released the number showing a total growth of approximately 3,087 people in the entire county, amounting to a 3.7 percent increase over the ten-year period. The City of Great Falls saw approximately 63 percent of that growth.

The Cascade County Planning Division and Geographic Information Systems (GIS) Division functioned under the purview of the Public Works Department from 2010 to 2019. In 2019, they were reorganized under the Board of County Commissioners as the Planning Department and the GIS Department.
CERTIFICATES OF SURVEY

Of our many customer services, one of the less noticeable responsibilities of the Cascade County Planning Department is the review of Certificates of Surveys and Plats. Under the provisions outlined in Title 76, Chapter 3, Montana Code Annotated, certain divisions and aggregations of land are exempt from subdivision review but are subject to the Montana Subdivision and Platting Act's surveying requirements. These typically include, lot aggregations, boundary line adjustments, family conveyances, the creation of tracts to be used for agricultural purposes, etc. A review of each proposed Certificates of Survey is conducted weekly with the City-County Health Department, the Clerk & Recorder's Office, and the Planning Department. Time is spent reviewing the exempted Certificates of Surveys and providing guidance to surveyors and engineers to prepare for filing.

In 2021, there were thirty-five (35) Certificates of Surveys filed: two (2) were in the City of Great Falls and the other thirty-three (33) were in Cascade County.

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<thead>
<tr>
<th>Category</th>
<th>Number of Surveys Filed in County</th>
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<tr>
<td>Boundary Line Adjustment (76-3-207(1)(a,d,e))</td>
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<tr>
<td>Court Ordered (76-3-201(1)(a))</td>
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<tr>
<td>Divided by County Road</td>
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<tr>
<td>Create Public Utility Site</td>
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<tr>
<td>Agricultural Exemption (76-3-201(1)(b))</td>
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<tr>
<td>Family Conveyance (76-3-207(1)(b))</td>
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<td>Retracement of Existing Parcel</td>
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<td>Aggregation of Lots (76-3-207(1)(f))</td>
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<td><strong>Total COS Filed in 2021</strong></td>
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<td>City of Great Falls</td>
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<tr>
<td>Cascade County</td>
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MAP ROOM

Thirty-five (35) Plats were cataloged and recorded in our files by our Mapping Technician, Greg Avent, for both the City of Great Falls, Town of Belt, and Cascade County. Of the thirteen (13) Plats filed in the County, there were four (4) boundary line adjustments, six (6) aggregation of lots, two (2) major subdivisions, and one (1) retracement. These represent all the activity within Cascade County, including the incorporated areas outside of Great Falls. The City of Great Falls filed twenty-one (21) Plats and the Town of Belt filed one (1) Plat. The Map Room material has been helpful to people of many walks of life, including landowners, potential land buyers, realtors, title companies, surveyors, consultants, researchers.

Not only are there maps but there are also old records of rights-of-way, aerial photos over time, and corner recordation for locations of surveyor pins. With our resources on hand, we are able to reproduce in a large format and electronically many of these items upon request. In 2021, the road surveys were moved and filed with the Clerk & Recorder’s Office.

PLATS FILED IN 2021

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<th>Category</th>
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<tr>
<td>Aggregate Lots (76-3-207(1)(f))</td>
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<td>Relocation of Common Boundary Lines (76-3-207(1)(a,d,e))</td>
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<td><strong>Town of Belt</strong></td>
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\(^1\) The Amended Plats file for aggregations also included discontinuations of streets and/or alleys.
SUBDIVISION ACTIVITY

Subdivision activity can often go unnoticed in the actual amount of time and preparation that is spent on proposals that never come to fruition. A pre-application meeting is held for each of the proposed subdivisions with the developer, surveyor, engineer, sanitarians representing the City-County Health Department, and Planners. Time is spent reviewing the proposed projects and providing developers with information pertinent to their plans. The following numbers do not begin to reflect those meetings since many do not go forward with their project.

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<th># of Minor</th>
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Minor subdivisions (creating five lots or fewer) and major subdivisions (creating six lots or more) are reviewed by the Department. After review, the proposed subdivision is presented to the Planning Board for their recommendations to the Board of Cascade County Commissioners for preliminary approval. Once the Commissioners approve the preliminary plat, the developer must satisfy any conditions set forth by the Commissioners prior to obtaining final plat approval.

With these subdivision regulations, a much more thorough review for each application is necessary than in years past. This review requires more time and research to make sure that the process and application is comprehensive. It necessitates additional requirements on the developer as well, which generates further questions for the Department. Two major subdivisions obtained final approval and filed Final Plats in 2021 in the County.
COMMUNITY DECAY, LITTER, & JUNK VEHICLES ORDINANCES

In September of 1985, the Cascade County Commissioners adopted a County Community Decay Ordinance. The program that developed around the ordinance is one that works to maintain standards of appearance, and removal of blight and decay in the county. The Commissioners originally placed the program in the City-County Health Department Solid Waste Division.

In 2007, the Solid Waste Division was transferred under the oversight of the former Road Department. In August of 2008, the Solid Waste Division was privatized and the Community Decay Ordinance and a newly created Littering Ordinance were put under the Planning Department for administration and compliance.

Our Compliance Officer had a busy year in 2021. The Planning Department fielded a total of fifty-eight (58) Community Decay and Junk Vehicle complaints for the year. Several of these complaints were follow-up complaints from the previous year and we had two (2) complaints for duplicate addresses, while three (3) complaints were voided due to being out of our jurisdiction.

After conducting fifty (50) “initial” field inspections, we issued forty-one (41) Notice of Violation Letters. Notably, the Planning Department started a new strategy in 2021 of issuing Notice of Violation Letters for all verified complaints. We no longer issue warning letters unless a complaint cannot be verified but a history of the violations exists. Nineteen (19) violators complied with our notice, while ten (10) cases remain open/in progress for 2021. Of these 29 cases, numerous site visits and follow-up letters were required to encourage the violators to fully comply with our notice. These follow-up letters are not included in the reported forty-one (41) Notice of Violation Letters listed in the table. During an investigation, we conduct an initial site visit, follow-up site visits as necessary, and a final site visit to verify compliance or prior to referral to the County Attorney’s office. During these visits we photograph the progress and maintain these photos as part of the case file and issue follow-up Notice of Violation letters as applicable.

Of the forty-one (41) confirmed violations identified in 2021, twelve (12) Community Decay cases were referred to the County Attorney’s Office for prosecution.

The Planning Department also conducted follow-up site visits and follow-up Notice of Violation letters to several outstanding violators from 2020. Several of these unresolved complaints had multiple referrals to the County Attorney’s Office for prosecution. There are currently eighteen (18) cases, previously referred in 2020, that remain outstanding. A combined total of thirty (30) Community Decay cases presently await prosecution.

Two (2) unresolved but active cases remain open/in progress from 2020. These violators showed some progress towards remediation but required multiple site visits and follow-up Notice of Violation letters as we continue to encourage their full compliance.

Junk vehicles continue to trickle in at a slow rate for the Junk Vehicle Program. This last year we received four (4) direct haul vehicles transferred to Pacific Recycling. Based on information
received during our site visits, an aggressive, county wide, advertising of the “Free” Motor Vehicle Recycling and Disposal Program may entice residents to participate in the program and could benefit the community.

<table>
<thead>
<tr>
<th>YEAR</th>
<th>COMPLAINTS FIELD INSPECTED</th>
<th>WARNING LETTERS</th>
<th>NOTICE OF VIOLATION</th>
<th>VERIFIED COMPLIANCE</th>
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<tbody>
<tr>
<td>2010</td>
<td></td>
<td>37</td>
<td>6</td>
<td>31</td>
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<td>2011</td>
<td>120</td>
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<td>2014</td>
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<td>2015</td>
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<td>2016</td>
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<td>2017</td>
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<td>2018</td>
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<td>2019</td>
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<td>2020</td>
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<td>23</td>
<td>18</td>
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<td>2021</td>
<td>50</td>
<td>0</td>
<td>41</td>
<td>19</td>
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</table>
The County Planning Department regulates all zoning activity in the County exclusive of the incorporated communities of Belt, Cascade, Great Falls, and Neihart. The zoning regulations use a hybrid of the former zoning regulations, along with a permitting system to verify that new projects meet the appropriate land use and development standards. The zoning jurisdictional area was created by the Board of Cascade County Commissioners on April 26, 2005, by Resolution #05-018. The Cascade County Zoning Regulations were thereafter revised in 2007, 2009, 2012, twice in 2016, 2017, and 2018, in an effort to clarify definitions, zoning processes, and introduce new permits or uses in accordance with community development trends. The revisions started in 2018 were finalized in February of 2021. Zoning revisions again ensued following Montana’s 67th Legislative Session and were finalized at the end of December.

Fees

The fees have not been changed since 2007 when some of the zoning application fees were revised to reflect the actual costs of staff processing times and legal notices. These changes were adopted by the County Commissioners on October 23, 2007, after much discussion with the public, staff and the Planning Board. Fee adjustment will continue to be a topic of discussion this year to reflect current administrative costs and incorporate survey review and determination requests fees.
Revisions

In 2009, staff undertook re-writing and updating the zoning regulations. Many work sessions were conducted as well as a survey with the owners of those properties that would be affected by a change within the unincorporated towns to a Multi/Mixed Use Zone. The new zoning regulations were adopted by Resolution 09-82 on August 25, 2009, allowing those communities to support a local business in their town’s hub center by right rather than requesting a special use permit. Allowing a second (2nd) residence per lot has been allowed in some zone districts where they can meet health department requirements as well as setbacks in their zone district.

In 2012, staff refined the zoning regulations and submitted those changes to the Planning Board for review. On December 18, 2012, County Commissioners approved the revised zoning regulations. These changes combined the Flood Road Zoning Regulations within the county regulations rather than a separate document and adding the Military Overlay District which places height limitations for building construction over 50, 150, and 500 feet tall in certain areas. A variance may be necessary if there are conflicts over height restrictions within the Military Overlay District.

County Departments work together to facilitate effective communication. We closely work with the City-County Health Department—Environmental Division, the Public Works Road and Bridge Division, the MS4 Stormwater Runoff Coordinator, and GIS Department. This holistic approach helps assist citizens and the County in ensuring proper permitting is occurring throughout the County.

In 2016, the Cascade County Zoning Regulations were revised with corrections to formatting, making sure that the Montana Codes Annotated and the Administrative Rules of Montana were correct along with other sections of the Zoning Regulations. A new type of Special Use Permit was added, the Unclassified Use Permit. The Unclassified Use Permit Section was added to the regulations to allow uses possessing characteristics of such unique and special forms that each use shall be considered as an individual case regardless of their underlying zone district. The new regulations were adopted by the Cascade County Commission on June 14, 2016. The first UUP Applications were for proposed solar power plants on five (5) separate parcels in 2016.

In 2017, zoning regulations were revised to match changes in state laws regarding medical marijuana and definitions added to clarify language. Uses were added to the uses permitted with a Special Use Permit in an Agricultural district. Additionally, in 2020, our office processed four (4) re-zoning applications, two (2) of which were withdrawn or voided. The Department also process one text/map amendment that was initiated by the County Commissioners to rezone a
number of parcels around and including the Rainbow Dam property from Open Space to Agricultural.

The 2021 Cascade County Zoning Regulations were finalized at the beginning of the year after a lengthy review process. Those revisions focus on creating the Mixed Use – 20 District, which was carved out of the Agricultural District along major transportation and amenity corridors. The revised Agricultural District was also revised to strengthen protection and preservation of agricultural lands and uses to reflect uses incidental to agricultural production and rural residential living characteristic of traditional farming and ranching. The Black Eagle Area was also rezoned to Mixed Use from Urban Residential and Commercial for the purpose of bring historical uses in the area into conformance and encouraging similar development in the area to continue and grow. Many definitions were updated to reflect changes in the law and the times. While medical marijuana land uses were discussed in detail, the only resulting revision to the Regulations was a decrease in the setback requirement from 1000 feet to 500 feet in accordance with State licensing requirements and to decrease development restrictions for such uses in the Heavy Industrial District.

A second zoning revision process was initiated in the fall with the passage of the Montana Marijuana and Taxation Act that legalized adult-use marijuana. The zoning revisions were passed by the Commission on December 28, 2021, and serve to regulate both adult-use and medical marijuana for commercial and industrial land uses.

Permitting

The Department saw a steep increase in overall permitting coming out of the 2020 COVID pandemic. Location/Conformance (L/C) Permits are issued new buildings, structures, signs, foundation, land use, and changes in land use. Three hundred and seventy (370) L/C Permit Applications were received (104 more than the previous year), and three hundred and twenty-seven (327) L/C Permits were approved, up seventy-seven (77) from 2020. Part of the February 2021 zoning revisions imposed a three-month expiration on L/C Permit Application that cannot be issued due to insufficiency in the applications. Eight (8) L/C Permit Applications expired, three (3) were withdrawn or voided, and one (1) was denied.
### 2021 Permits/Approvals

<table>
<thead>
<tr>
<th>Permit/Approval Category</th>
<th>Number of Applications Received</th>
<th>Number of Permits/Approvals</th>
<th>Permit Applications Pending</th>
<th>Number of Permits Not Issued</th>
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</thead>
<tbody>
<tr>
<td>L/C Permits</td>
<td>370</td>
<td>327*</td>
<td>62</td>
<td>12</td>
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<tr>
<td>Firework Permits</td>
<td>21</td>
<td>21</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Special Use Permits</td>
<td>37</td>
<td>29</td>
<td>6</td>
<td>2</td>
</tr>
<tr>
<td>Floodplain Permits</td>
<td>23</td>
<td>12</td>
<td>14</td>
<td>0</td>
</tr>
<tr>
<td>Road Abandonment</td>
<td>5</td>
<td>5</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Unclassified Use Permit</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

*Includes permits approved for application submitted in the previous year.

Special Use Permits and Unclassified Use Permits are processed by our office. Special Use Permit and Unclassified Use Permit public hearings are held before the Zoning Board of Adjustment (ZBOA). The ZBOA conducts a public hearing to hear the Staff Report which presents the application materials; listen to the Applicant's proposal; listen to proponents and opponents of the proposal; and then approve the application, deny the application, or approve the application with conditions. This year, staff received thirty-seven (37) Special Use Permit Applications.

Fireworks Permits are required for selling fireworks in the county during the 4th of July and year end celebrations in December and reviewed and issued by the Planning Department. The Department conducts an on-site inspection for each firework stand prior to issuing the permit. In 2021, twenty-one (21) permits were issued for the sale of fireworks.

### ZONING BOARD OF ADJUSTMENT

The Zoning Board of Adjustment (ZBOA) is a five member board that makes decisions on Special Use Permits, Unclassified Use Permits, Variances, and Appeals of the Zoning Administrator’s decisions. A public hearing is scheduled when an application is received, deemed complete by Planning staff, and all notifications have been completed. The members are appointed by the County Commissioners.

The Zoning Board of Adjustment (ZBOA) had two positions that expired at the end of December, 2021. The Commissioners will appoint two new members at the end of January.

The 2021 Zoning Board of Adjustment members were:

1. Charles Kuether, term expired 12/31/21;
2. Ken Thornton, term to expire 12/31/22;
3. Kathryn Hanning, term to expire 12/31/22;
4. Leonard Reed, term expired 12/31/21; and
5. John Harding, term to expire 12/31/22.
PLANNING BOARD

The Cascade County Planning Board serves in an advisory capacity to presently established boards and officials. Planning Board members are appointed by the county commissioners for a two-year term. County policy generally limits board members to three consecutive two-year terms.

The 2021 Planning Board members were:
1. Elliot Merja, indefinite;
2. Dexter Busby, term expired 12/31/2021;
3. Dan Johnstone, term expired 12/31/2021;
4. Bruce Moore, term expired 12/31/2021;
5. Sarah Murphy, term to expire 12/31/2022;
6. Richard Liebert, term to expire 12/31/2022; and
7. Rob Skawinski, term to expire 12/31/2022.

The three (3) open positions for the Planning Board will be filled pending Commission appointment by the end of January.
FLOODPLAIN REGULATIONS

On February 15, 1980, the Cascade County Planning Department began to administer floodplain regulations within its jurisdictional area. In January of 1984, the Planning Director was designated Floodplain Administrator for all of the unincorporated areas of Cascade County. Changes in federal and state laws required that local floodplain regulations be amended in 1991 and March 12, 2013. The regulations, which took effect in 2002 and were revised in 2013, increased the Floodplain Permit fees from $100.00 to $250.00 due to the increased workload caused by the amendments.

In 1991, Cascade County was one of only a few Montana communities that was accepted into the Federal Emergency Management Agency’s (FEMA) Community Rating System (CRS) program. As a result, Cascade County citizens required to purchase flood insurance receive a 10% reduction in those insurance rates. The CRS Program requires renewal annually. As part of our participation in the program, the Department continues to provide assistance on floodplain matters to the general public, real estate agents, appraisers, insurance agents, and lending institutions, in addition to administering and enforcing the Cascade County Floodplain Regulations.

In 2013, work was completed with FEMA to update digital Flood Insurance Rate Maps (D-FIRMs) which allows staff and public to obtain the maps digitally for overlaying upon existing parcels. The county participated in co-hosting a meeting at the City of Great Falls with an open house for the public to answer their various questions as well as host several speakers from the state and FEMA.

New floodplain regulations were adopted by the county on February 15, 2002 and again with Resolution # 13-19 on March 19th, 2013. They were rewritten because of new digital FIRM (d-firms) maps produced by FEMA. Cascade County officially adopted the D-FIRMS on March 19, 2013.

We have been using a GIS program with zoning and flood layers which has simplified our work efforts when determining zoning and floodplain status. The GIS Department combined the zoning maps with flood zone overlay maps which has helped make our work much more accurate. He also helped with the CRS site visit by mapping open spaces and low-density zoned areas within the county.
FEMA has also begun offering the 100-year floodplain maps to the public with a KML file that opens within the computer application Google Earth. Now anyone with access to a computer can download the files from FEMA’s website and see which parcels the floodplain covers throughout the USA.

The 2018 year was an active year as far as flooding in our area. The emergency operations center (EOC) was activated in anticipation of flooding events along the Sun, Missouri, and Dearborn rivers as a result of runoff from near record levels of snowpack in the mountains.

Both the 2019 and 2020 year was less severe than 2018, but had typical flooding issues along the Sun River during the spring runoff period.

The previous flooding event in 2011 saw the Sun River, the Missouri, Belt Creek, and the Sand Coulee in particular cause havoc in their respective areas. Areas in and around Great Falls, Belt, and Sun River were especially hit hard. In a matter of days, the floods were very widespread because of the flat topography.

Many people scrambled to get insurance to only find there was a waiting period of 30 days before they were insured! Our staff was part of those in the community documenting the extent of the flooding. In our office, we have more than one hundred photos of the damage and extent of the flooding. Hundreds of miles were traveled accessing and documenting the damage by the flooding event.

The Department currently has one Certified Floodplain Managers (CFM). In 2022, the Department plans to certify four (4) additional employees as Certified Floodplain Managers. Having employees with CFM certification allows the Planning Department to provide a greater level of support when navigating floodplain permitting and regulations. The value of learning about flood issues throughout the United States is hard to place a price on. The lessons of Hurricanes Katrina, Sandy, Harvey, and other areas affected by flooding, show the value of the floodplain permitting process.

Our levee systems protect several areas that fall within the jurisdiction of the City of Great Falls, Cascade County, and the levee districts such as Vaughn and Sun River. In the past, the Army Corps of Engineers would re-certify and stand behind the integrity of the levees and certify that they have met and continue to meet current standards for certification. A meeting was held in Glasgow, Montana, in 2015, to discuss the status of levees throughout the state. FEMA and the Army Corps of Engineers had representatives at the meeting to discuss re-certification of the levees and answer questions. It was a great opportunity to learn firsthand the status of levees in Montana and how to recertify the levees for the interest of our community members.
We continue to see the community members apply for Floodplain Permits. In 2021, the County received twenty-three (23) Floodplain Permit Applications, up eight (8) from the previous year. Inspections are done before and after for confirmation of compliance to their Floodplain Permits. Our office is able to assist property owners, realtors, lenders, and insurance agents with their flooding issues and property floodplain determinations.

Every five (5) years the County's participation in the National Flood Insurance Program’s Community Rating System (CRS) is evaluated and rated based upon activities completed by the county. Between 2016 and 2017, the Department worked closely with the State of Montana’s Department of Natural Resources’ Floodplain Management Program and FEMA’s Region VIII offices to ensure the county retained its current rating of an 8 in the CRS program.

We continue to engage in outreach and enforcement. This year, we conducted the five-year CRS audit for continued participation in the CRS Program. We expect to go to a 7 Class Rating which provides a 15% flood insurance discount to county residents, an additional 5% discount from the previous 8 Class Rating.

In 2022, the Department intends to bring forward floodplain regulation revisions. The current floodplain regulations were taken from the model floodplain regulations prepared by the state in 2013. In 2014, the state revised the model floodplain regulations and in 2021 the state revised the 2014 model regulations as a result in part of federal floodplain management changes.

# Department Personnel

**Charity N. Yonker** joined the Cascade County in 2018 as a Civil Deputy County Attorney and started the Planning Director position in March of 2020 in the wake of the COVID-19 pandemic. Charity was born in Ronan, Montana and graduated with a Bachelor of Science in Anthropology, with a minor in Linguistics from Western Oregon University. She worked in social services prior to attending the University of Wyoming College of Law. After law school and prior to working for the County, Charity worked in a private law firm in Bozeman litigating civil and criminal cases. She enjoys traveling, home remodeling projects, and spending time in the great outdoors with her family.

**Greg Avent** has been with Cascade County since October of 1998. He is a Mapping Technician who provides the Planning Department with technical assistance in the areas of cartography, surveying, road construction inspection and approval, floodplain management, computer expertise, and in providing exhibits for staff reports and oral presentations. His past experience with Montana Department of Transportation has been an asset with his understanding of the road maps, recordation of easements, etc. Greg attended a national floodplain school in Maryland during September of 2003. Greg manages the Plat Room, and his expertise is very useful to realtors, surveyors, title companies, and attorneys.

**Kevin Angland** joined the Planning Department as a Planner in September of 2021. He is a graduate of Billings Senior High School and the University of Montana with a Bachelor of Arts in
Community and Environmental Planning, with a certificate in Geographic Information Systems (GIS). In his free time, Kevin enjoys fly fishing, skiing, and backpacking.

**Kareece Dafoe** joined the Planning Department in July 2021. She is originally from Great Falls and graduated from Great Falls High School. She is also a graduate of University of Montana, Missoula, where she studied Sociology and Criminology. After college she moved to Las Vegas, NV working in transportation & railcars and being a Realtor®. She returned to Great Falls to enjoy camping, fishing, and being with friends and family.

**Amber Hobbs** joined the County as a Planner in March of 2020. She is originally from Maryland but has been able to call the Intermountain West home for almost eight years now. After attended Idaho State University, where she received a bachelor’s degree in Geology with an emphasis in Geographic Information Systems, she completed an internship with NASA DEVELOP where she worked to improve wildfire timing and severity forecasting in the Eastern Great Basin. Amber enjoys working with the community and has an affection for land use planning. With a background in Geology, Amber reveres the Montana backcountry and enjoys hiking, looking for interesting rock formations, and beautiful mountain views.

**Gary Poore** joined the Planning Department in September of 2021 as the Code Compliance Officer. His previous experience includes 6 years as Criminal Records Clerk with the Cascade County Sheriff’s Office, 22 years as a small business owner/partner in Commercial Janitorial Services, retired MSgt, USAF after 20 years, and earned a Bachelor of Science Degree in Business Administration through the University of Great Falls.

**Alisha Osborne** joined the Planning Department in October of 2021 as the Administrative Assistant. She is a Navy Veteran and has done two deployments on the USS Peleliu, ending active service in 2009. She has been deployed to places like Asia, Australia, the Middle East and the South Pacific. After graduating with a Bachelor of Applied Science in Homeland Security and Emergency Management in 2019, she spent two years working for the Washington Military Department as a Logistics Coordinator, coordinating PPE procurement, firefighting mobilizations and decontamination stations.

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**FY2022 BUDGET**

The Planning Department was provided with an overall operating budget of $386,074 for FY2022. The Department has six fulltime employees. The Department will continue reviewing and updating regulations and ordinances, processing land use applications, permits, and Citizen Complaints, conducting enforcement, answering general inquiries regarding zoning, floodplain and other land use, providing maps, processing road abandonments/discontinuations, and other services.
FY2022 STRATEGIC PLAN & GOALS

For FY2022, the Department will pursue the following strategic plan and goals to increase community resilience, keep up to date with changing times, and to improve public outreach and participation:

I. Administer and enforce land use regulations and ordinances.
II. Provide quality public services by offering accurate and timely information.
III. Review and process development applications and consider their potential impacts to the community at large.
IV. Increase community outreach by informing citizens of programs and services offered.
V. Continue to encourage increased citizen engagement into public processes.

It is our goal to obtain floodplain certifications and maintain on-going floodplain continuing education credits. We plan on attending the Montana Floodplain Managers Conference in March in Butte. In 2021, we attended the Montana Association of Planners (MAP) Conference in Missoula a three-day conference covering a number of land use topics, which we will also plan on attending in 2022. The MAP Conference provides a great opportunity to hear and learn about what other communities in Montana are doing in Planning.

The Community Decay and Litter Ordinances need to be revised. The Department would also like to incorporate the Buildings for Lease or Rent Regulation into the Cascade County Zoning Regulations to help streamline the regulatory process for citizens and the Department. It is the desire to relocate the Map Room to the Clerk & Recorder’s Office. Additionally, the Department plans to present a request to adjust the fee schedule to the Commission this year.

Moreover, the Planning Department continues to provide planning and land use expertise to the Board of Cascade County Commissioners, the Cascade County Planning Board, the Cascade County Zoning Board of Adjustment, and the citizens of Cascade County. Daily inquiries are received from prospective buyers, current owners, and future developers of property in Cascade County. The Department continues to produce reports that are designed to aid the Boards in making recommendation and taking action. The Department processed approximately 200 Determination Requests last year for property owners, prospective buyers, real estate agents, etc. and plans to continue to offer this service.

In 2021, the Department obtained the ability to take electronic payments in the office and over the phone. This has made payment and permit application processing easier for individuals who reside out-of-state and/or only seasonally in the county. While 2021 saw the introduction of electronic payment for the Department, the Department remains hopeful that updated permitting and enforcement software will be acquired through the county.

Respectfully submitted,

Charity N. Yonker
Planning Director