

Findings of Fact & Conclusions for Special Use Permit #023-2023

The Department provides the following analysis, findings and conclusions for each of the required criteria provided under the controlling sections of the Zoning Regulations. Conditions may be required that the ZBOA determines if implemented, will mitigate potential conflicts in order to reach these conclusions.

Standards Applicable to Special Uses (CCZR § 10.6)
A. The proposed development will not materially endanger the public health or safety
(1) Traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections, and sight lines at street intersections and approaches.
Applicant Response: <i>none: Dry garage will be set at the rear (south) of property. It will not effect any of the above.</i>
Staff Analysis: The property can be accessed by 17 th St SW, a county road. The potential shop will minimally increase the number of car trips on this street and can be handled by current roadway. Request for comment was sent to County Road and Bridge on September 7, at the time of writing this report no comments have been received.
(2) Provisions of services and utilities, including sewer, water, electrical, telecommunications, garbage collections, and fire protection.
Applicant Response: <i>None: Dry garage will be set at south/ rear of property.</i>
Staff Analysis: The development would be served by Great Falls Fire Department Station 4 and Cascade County Sherriff's Office for emergency services. The property has access to electric services from Northwestern Energy. The property will need to be addressed for these services to be utilized per Condition #2. Request for comment was sent to these agencies on September 7, at the time of writing this report no comments have been received.
(3) Soil erosion, sedimentation, and storm water runoff.
Applicant Response: <i>None: property has minimal slope.</i>
Staff Analysis: Overall, a significant amount of erosion and sedimentation is not anticipated. Applicant has proposed no plans to reduce soil erosion, sedimentation and storm water runoff as a result of this construction project; therefore, this goal is not supported and requires mitigation. This property is located within the Municipal Separate Storm Sewer System (MS4) jurisdiction. Proposed Condition #5 requires a <i>Storm Water Discharge & Erosion Control Plan</i> to minimize soil erosion, sedimentation, and storm water runoff as a result of the land disturbances caused by construction of the proposed project and reestablishment of ground cover of at least 70% of the pre-disturbance area, or permanent Best Management Practices to be installed.
(4) Protection of public community, or private water supplies, including possible adverse effects on surface waters or groundwater.
Applicant Response: <i>None: Dry garage with no wet utilities.</i>
Staff Analysis: The Applicant does not currently plan to use any water or wastewater on the property; and, therefore, would not have an effect on this goal with its intended use as a private garage.
B. The proposed development will not substantially injure the value of adjoining property or is a public necessity.
(1) The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved.
Applicant Response: <i>Dry Building (garage) is for personal use including storage, personal property maintenance.</i>

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<p>Staff Analysis: The proposed development is in the Suburban Residential 1 (SR-1) zoning classification which allows for residential uses. Garage is for personal storage and use. The land use would be in line with the character of the surrounding uses and development.</p>
<p>(2) Whether the proposed development is so necessary to the public health, safety, and general welfare of the community or County as a whole as to justify it regardless of its impact on the value of adjoining property.</p>
<p>Applicant Response: <i>Not for public use.</i></p>
<p>Staff Analysis: The proposed development is not so necessary to the public health, safety, and general welfare of the community or County as a whole as to justify it regardless of its impact on the value of adjoining property.</p>
<p>C. The proposed development will be in harmony with the area in which it is located.</p>
<p>(1) The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved.</p>
<p>Applicant Response: <i>Detached garages are common in the area.</i></p>
<p>Staff Analysis: The proposed development is in the Suburban Residential 1 (SR-1) zoning classification which allows for residential uses. Garage is for personal storage and use. The land use would be in line with character of the existing surrounding residential-type uses and development in that area.</p>
<p>D. The proposed development will be consistent with the Cascade County Growth Policy.</p>
<p>(1) Consistency with the Growth Policy objectives for the various planning areas, its definitions of the various land use classifications and activity centers, and its locational standards.</p>
<p>Applicant Response: <i>We will abide and respect all rules set forth by the Cascade County Board of County Commissioners. With respect to the Cascade County Growth Policy.</i></p>
<p>Staff Analysis: Proposed development supports Goal 11, Protect and maintain Cascade County’s rural character, encourage efficient use of land.¹</p>
<p>Goal 1: Sustain and strengthen the economic well-being of Cascade County’s citizens.</p>
<p>A. Stimulate the retention of existing businesses and expansion of existing businesses, new businesses, value-added businesses, wholesale and retail businesses, and industries including agriculture, mining, manufacturing/processing, and forest products.</p>
<p>Applicant Response: <i>We always use/support local businesses, produce and products first if offered the choice.</i></p>
<p>Staff Analysis: The proposed accessory use will likely have little to no effect on the retention of any type of businesses within Cascade County, other than storage space for items that may be purchased within the county.</p>
<p>B. Stabilize and diversify the county’s tax base by encouraging the sustainable use of its natural resources.</p>

¹ [Currently-Adopted-Growth-Policy-PDF \(cascadecountymt.gov\)](https://www.cascadecountymt.gov/Current-Adopted-Growth-Policy-PDF)

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Applicant Response: *We always use local produce, products and energy first.*

Staff Analysis: Proposed accessory use will assist to increase the county's tax base.

- C. *Identify and pursue primary business development that complements existing business, which is compatible with communities, and utilizes available assets. Identify and pursue targeted business development opportunities to include, but not limited to, manufacturing/heavy industry, telecommunications, and youth/social services.***

Applicant Response: *None: Dry garage built for personal use.*

Staff Analysis: The proposed accessory use is for private, residential-type use; therefore, it will not negatively impact business.

- D. *Promote the development of cultural resources and tourism to broaden Cascade County's economic base.***

Applicant Response: *None: Dry garage built for personal use.*

Staff Analysis: The placement of the accessory use will not negatively impact tourism or cultural resources.

- E. *Foster and stimulate well-planned entrepreneurship among the county's citizenry.***

Applicant Response: *None: Dry garage built for personal use.*

Staff Analysis: Proposed accessory use would not support this goal as this is for private, residential-type use.

- F. *Promote a strong local business environment. Encourage and strengthen business support mechanisms such as chambers of commerce, development organizations and business roundtable organizations.***

Applicant Response: *None: Dry garage built for personal use.*

Staff Analysis: The proposed accessory use is residential and will not negatively impact business support mechanisms.

- G. *Improve local trade capture for Cascade County businesses. Promote local shopping as well as well-planned businesses and new businesses.***

Applicant Response: *None: Dry garage built for personal use.*

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Staff Analysis: The proposed accessory use will not negatively impact business and could indirectly promote local shopping and new business growth within Cascade County.

H. Network with and support other economic development efforts in the region and statewide, in recognition of Cascade County's interdependence with other communities and to leverage available local resources.

Applicant Response: *None: Dry garage built for personal use.*

Staff Analysis: The proposed accessory use will not negatively impact economic development efforts of the community.

I. Encourage the growth of the agricultural economy.

Applicant Response: *We always buy local products, produce and energy if able to.*

Staff Analysis: The proposed accessory use is in the established University Addition subdivision adjacent to the City of Great Falls. This property is not in agricultural production and lot size is small for such a use. There is no anticipated adverse impact to the agricultural economy with the addition of an accessory structure.

J. Stimulate the growth of the economy by encouraging the use of alternate methods of energy production, including wind energy.

Applicant Response: *None: with support local power grids with time.*

Staff Analysis: The Applicant does not plan on utilizing any alternate methods of energy production, proposed development would not support this goal.

Goal 2: Protect and maintain Cascade County's rural character and the community's historic relationship with the natural resource development.

Objectives:

A. Foster the continuance of agriculture and forestry in recognition of their economic contribution and the intrinsic natural beauty of grazing areas, farmlands and forests.

Applicant Response: *We are placing the building in area of the property which preserves the natural existing trees & plants.*

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Staff Analysis: Please see Staff Analysis for Goal 1(l) above. The placement of the accessory structure on a residential lot will not have a negative impact on grazing, farmlands, or forests.

B. *Preserve Cascade County's scenic beauty and conserve its forests, rangelands, and streams, with their abundant wildlife and good fisheries.*

Applicant Response: *We are placing the building in area of the property which preserves the natural existing trees & plants.*

Staff Analysis: The proposed accessory structure would support this goal by locating development in an already urbanized area. Thus, conserving forests and rangelands in other areas of Cascade County.

C. *Preserve Cascade County's open space setting by encouraging new development to locate near existing towns and rural settlements and by discouraging poorly designed, land subdivisions and commercial development.*

Applicant Response: *A dry garage designed with a modern appearance.*

Staff Analysis: Proposed development would be located within an area that is already developed and therefore would support this goal. Property is located adjacent to the City of Great Falls property and in a platted subdivision that has already been developed.

D. *Assure clean air, clean water, a healthful environment, and good community appearance.*

Applicant Response: *A dry garage with a modern design.*

Staff Analysis: Property owner does plan to use new materials and a pre-designed garage which would support this goal and with minimal land disturbance proposed around the perimeter of the structure footprint. See photos of model in application provided.

E. *Support the development of natural resources including but not limited to timber, mining, oil and gas production, and renewable energy production.*

Applicant Response: *We support all of the above mentioned.*

Staff Analysis: The proposed accessory use would utilize natural resources, such as timber, for the structure, which helps support and maintain the timber industry.

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F. Continue to work with federal and state agencies to redevelop properties within Cascade County which are currently undergoing Superfund and Brownfields processes.

Applicant Response: *We are building a dry garage with personal finances.*

Staff Analysis: According to the EPA Cleanups in my community map², proposed development is not located within an area currently undergoing a Superfund or Brownfield process.

Goal 3: Maintain Agricultural economy

A. Protect the most productive soil types.

Applicant Response: *Building will not be used for Ag use and land it will be placed on is not currently being used for any Ag use.*

Staff Analysis: According to the USDA web soil survey³ there are no prime farmlands of statewide importance located on the property. Therefore, the placement of the accessory structure on this property is protecting the most productive soil types by locating development in an area that is not prime farmland.

B. Continue to protect soils against erosion.

Applicant Response: *We will incorporate the newest and best roof drainage devices to help mitigate soil erosion.*

Staff Analysis: Proper roof drainage system would reduce soil erosion. Further, per Condition #5, the property owner will be required to follow the *Storm Water Discharge & Erosion Control Plan* to minimize soil erosion, sedimentation, and storm water runoff as a result of the land disturbances caused by construction of the proposed project and reestablishment of ground cover of at least 70% of the pre-disturbance area, or permanent Best Management Practices to be installed.

C. Protect the floodplain from non-agricultural development.

Applicant Response: *None. We are not aware that this area is a floodplain.*

Staff Analysis: According to FEMA Firm Panel⁴ 30013C0602E property is not located in the floodplain.

² [Cleanups in My Community | Cleaning Up Our Land, Water and Air | US EPA](#)

³ [Web Soil Survey \(usda.gov\)](#)

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D. Support the development of value-added agricultural industry in Cascade County utilizing the products from the regional area.

Applicant Response: *Always will use local grown & created products first.*

Staff Analysis: The proposed accessory structure will not adversely affect the agricultural industry.

Goal 4: Retain the presence of the US Military in Cascade County.

Objectives:

- A. Encourage the federal congressional delegation to actively support maintaining the current mission status at a minimum.*
- B. Promote the location of additional military missions in Cascade County.*
- C. Encourage the reactivation of the runway at Malmstrom Air Force Base for fixed wing operations.*
- D. Refer to the Joint Land Use Study for resolving conflicts and promoting mission compatible development.*

Applicant Response: *We support our local military resources. We support our local military missions. We are not within the 1,200 ft radius of a (LF)*

Staff Analysis: Property is located in the Outer Horizontal Surface MOD-F of the Malmstrom Air Force Base runway; therefore, no structures greater than 500 feet can be built on the property, per Condition #3. The subject property is not located within 1,200 or 2,400 feet of a missile alert or launch facility. The placement of the accessory structure will not negatively affect the military presence of Malmstrom Air Force Base.

Goal 5: Preserve and enhance the rural, friendly and independent lifestyle currently enjoyed by Cascade County's citizens.

Objectives:

- A. Maintain Cascade County's citizens independent lifestyle and minimize local governmental intervention, to the extent possible, consistent with the requirements of a continually evolving economy and constantly changing population.*

Applicant Response: *We are trying to develop our bare lot. With that, we will bring more tax dollars in with hope it will be put back into the community.*

Staff Analysis: The proposed accessory use will likely have little to no impact on Cascade County's citizens' rural lifestyles.

⁴ [FEMA's National Flood Hazard Layer \(NFHL\) Viewer \(arcgis.com\)](https://www.arcgis.com)

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B. *Preserve and promote Cascade County's rich cultural heritage, rooted in natural resource development and reflected in its numerous cultural/historic sites and archaeological areas.*

Applicant Response: *We hope that our tax dollars and local government continue to fund our local museums and historical sites.*

Staff Analysis: The property is not located on a known cultural/historic or archeological site; and, therefore, would support this goal.

C. *Promote fire prevention measures throughout the county, giving special emphasis to the extreme fire hazards present at the wild land/urban interface.*

Applicant Response: *Understand the risks with any activity that could cause hot sparks or open flames and how to mitigate the fire hazard.*

Staff Analysis: According to Community Fire Plan Wildland-Urban Interface Cascade County and Dearborn FSA map, property is not located in the Wildland-Urban Interface and has low risk of fire.

D. *Encourage the continued development of educational programs and facilities, recreational opportunities and spaces and health services for all county residents.*

Applicant Response: *We support the above statement.*

Staff Analysis: The placement of the accessory structure will not negatively affect continued development of educational programs and facilities, recreational opportunities and spaces, or health services for all county residents.

(2) Consistency with the municipal and joint land use plans incorporated by the Growth Policy.

Applicant Response: *We will abide and respect all rules set forth by the Cascade County Board of County Commissioners. With respect to the Cascade County Growth Policy.*

Staff Analysis: The proposed accessory use will be consistent with the municipal and joint land use plans.