

**STAFF REPORT
ZONING BOARD OF ADJUSTMENT
Thursday, July 21, 2022
9:00 a.m.**

**Room 105 Courthouse Annex, Cascade County Commissioners Chambers
& Via Zoom (an online platform, see www.cascadecountymt.gov for more information)**

SUP #010-2022

SUBJECT PROPERTY INFORMATION									
Name of Applicants:	Sparkettes of Montana 1221 7 th Ave. South Great Falls, MT 59405								
Owners:	Value Mart Associates LLP 625 Central Ave. W, Ste 200 Great Falls, MT 59404								
Legal Description:	W ½ NE ¼ of Section 16, Township 20 North, Range 4 East, PMM Cascade County, MT								
Geo- Code:	02-3016-16-1-01-06-0000								
Parcel Number:	2630700								
Existing Zoning:	Mixed-Use 20 (MU-20) District								
Requested Action:	Approval of a Special Use Permit (“SUP”) to allow the use of Outdoor Entertainment								
Surrounding Land Uses/Zoning:	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">North</td> <td>Commercial/Commercial (“C”) District (County), General Commercial (“C-2”) & Planned Unit Development (“PUD”) (City)</td> </tr> <tr> <td>South</td> <td>Commercial/ MU-20 & Light Industrial (“I-1”) District (County)</td> </tr> <tr> <td>East</td> <td>Undeveloped land, Commercial/ C District (County)</td> </tr> <tr> <td>West</td> <td>Undeveloped land, Residential/ MU-20 District (County), PUD (City), & Single-Family Medium Density (“R-2”) (City)</td> </tr> </table>	North	Commercial/Commercial (“C”) District (County), General Commercial (“C-2”) & Planned Unit Development (“PUD”) (City)	South	Commercial/ MU-20 & Light Industrial (“I-1”) District (County)	East	Undeveloped land, Commercial/ C District (County)	West	Undeveloped land, Residential/ MU-20 District (County), PUD (City), & Single-Family Medium Density (“R-2”) (City)
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West	Undeveloped land, Residential/ MU-20 District (County), PUD (City), & Single-Family Medium Density (“R-2”) (City)								
Current Land Use:	Outdoor Entertainment								
Applicable Regulations:	Cascade County Zoning Regulations (CCZR) §§ 7.6.11(27) & 10								

General Information:

The Cascade County Zoning Board of Adjustment (ZBOA) is in receipt of a SUP Application from the Sparkettes of Montana to allow the use of “Outdoor Entertainment” on the Subject Property. The Applicant is requesting that a SUP be granted as required by Sections 7.6.11(27) & 10 of the CCZR. The standards set forth in Section 10 of the CCZR are applicable

to Special Use Permits. Notably, this property is not known to be in violation of the CCZR or any other County ordinances, and county taxes are current.

Legal Notice of the Application and the public hearing was published in the Great Falls Tribune on July 10, 2022, and July 17, 2022 and mailed to adjacent property owners, via certified mail, on July 6, 2022.

Findings with Respect to the Analysis Criteria

The Planning Department provides that the following analysis, findings and conclusion for each of the required criteria provided under the controlling sections of the Zoning Regulations in the Findings of Fact and Conclusions for SUP #010-2022, incorporated by reference into this Staff Report and attached.

Section 10.7 Operations

Operations in connection with the SUP shall not be more objectionable to nearby properties by reason of noise, fumes, vibrations, or flashing lights, than would be the operation of any permitted use.

Staff: The use of the property is not expected to create impacts related to fumes and vibrations. Noise and sight are the two most prominent factors that need mitigation. Screening and hours of operation have been added as conditions to mitigate these factors.

Motions:

The following motions are provided for the Board's consideration:

- A. Move that Special Use Permit #010-2022 to allow Outdoor Entertainment on Parcel #2630700, be **denied** due to (ZBOA member proposing denial must delineate legal reason that the application be denied); or
- B. Move the Board to adopt the Staff Report in its entirety and **approve** Special Use Permit #010-2022 to allow Outdoor Entertainment on Parcel #2630700 subject to the following conditions:
 1. The Applicant obtains any other required county, state, or federal permits and approvals, and comply with the laws, rules, regulations, and/or ordinances associated with any other permits and approvals.
 2. Applicant obtains an approved Subsurface Wastewater Treatment System Permit from the City-County Health Department prior to installation of any wastewater treatment system if required or approval to allow for an alternative wastewater disposal system.
 3. No structures can exceed 150 feet in height.
 4. Operational hours shall be limited to 7:00 a.m. to 7:00 p.m.

5. Adequate screening shall be installed and maintained around the perimeter of the event area. Adequate screening shall be at least 6 feet tall and site obscuring.
6. All debris shall be properly disposed within 48 hours after an event.

Attachments:

- Findings of Fact & Conclusions for SUP #010-2022
- Special Use Permit Application
- Site Plan
- Vicinity & Zoning Maps
- Applicable Zoning Regulations
- Comment

cc: Sparkettes of Montana