

Findings of Fact & Conclusions for Special Use Permit #010-2022

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. 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: We do use the street entrance off [of] 48 th and 13 th Ave South.
Staff Analysis: An increase in traffic is expected from the proposed use. At the time of writing this report, no comments have been received from the City of Great Falls Public Works Director.
(2) Provisions of services and utilities, including sewer, water, electrical, telecommunications, garbage collections, and fire protection.
Applicant Response: We do not have any utilities on the property. We have Solar panels for lighting. We have a 500 gallon water tank and we use port-o-potties for waste management. Which are maintained once a week.
Staff Analysis: The City-County Health Department has expressed concerns that the port-o-potties used for this proposed event and the Trail of Terrors event will not be sufficient to ensure proper wastewater needs and disposal. Applicant will be required to obtain the necessary approvals from the Health Department (See Condition #2).
(3) Soil erosion, sedimentation, and storm water runoff.
Applicant Response: We do nothing to effect erosion, sedimentation & stormwater run off. The property is not located in Cascade County's Municipal Separate Storm Sewer system district.
Staff Analysis: No new structures have been proposed. The Cascade County Municipal Sperate Storm Sewer System coordinator was contacted and due to the property being adjacent to the MS4 boundary, has concerns regarding garbage and litter being washed downgradient onto Gibson Flats if not properly disposed of (See Condition #6).
(4) Protection of public community, or private water supplies, including possible adverse effects on surface waters or groundwater.
Applicant Response: We do nothing to effect this. We have no props or anything that blocks the surface or ground water. We have no plans on hooking up to any water system for this proposal.

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<p>Staff Analysis: No water usage has been proposed. The applicant will not be hooking up to a public water system. Adverse impacts are not anticipated.</p>
<p>B. The proposed development will not substantially injure the value of adjoining property or is a public necessity.</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: We have put up 6 foot chain-link fencing and screening around the event area.</p>
<p>Staff Analysis: The site has been screened and approved by the Cascade County Planning Department during approval of the Trail of Terror SUP. At the time of writing this report, no comments have been received regarding any of the structures.</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: This proposal is not a public necessity. Therefore, impacts on the value of adjoining properties is not a justification to accommodate impact. Our only adjoining properties are businesss' no private homes.</p>
<p>Staff Analysis: The proposed use is not a public necessity. The impacts on the value to adjoining properties is not a justification for the use regardless of the impact to adjoining property values.</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: On the north, west and south are commercial and undeveloped. On the east side there is housing at least one block away and some separated by City of Great Falls [substation] land. We have put up 6 foot high chain-link with screening on this side.</p>
<p>Staff Analysis: Screening has been added to mitigate some of the potential conflicts with the residential uses to the west. Hours of operation would help mitigate the potential for noise impacts. The undeveloped and commercial uses to the north, east and south should be affected very little by any noise.</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>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>

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Applicant Response:

This proposal is for a use to support a local group within the community. It will not effect agriculture, mining, manufacturing, and forest products.

Staff Analysis:

The proposed use is anticipated to have little effect on the retention of businesses within Cascade County. The retail industry is likely to benefit the most as those that sell equipment for airsoft. The use would benefit a portion of the local community.

B. Stabilize and diversify the county's tax base by encouraging the sustainable use of its natural resources.

Applicant Response:

This proposal is not proposing the use of natural resources.

Staff Analysis:

This proposed use will have little to no impact on the diversification of the County's tax base through the use of sustainable resources.

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:

We are a non-profit group that directly works with the local community. This project is support this objective [sic] and to support a new program called C.A.M.P. This is a community air soft mentoring program. Matching young people up with professional adults. Teaching them to be responsible adults in our community.

Staff Analysis:

The proposed use will be able to utilize the youth/social services of Cascade County. The primary target audience is children. It is not expected to impact the manufacturing/heavy industry positively or negatively, or telecommunications.

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

Applicant Response:

This proposal is expected to have a positive impact on the development of cultural resources and tourism within the community. People travel around the world to visit different airsoft courses.

Staff Analysis:

The proposed use could have an impact on tourism.

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

Applicant Response:

We encourage community leaders and military personal to participate in mentoring our youth through airsoft. This will be a positive impact on our community and youth.

Staff Analysis:

The proposal encourages community leaders to provide mentoring the youth of Cascade County. Well-planned entrepreneurship may be created

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:

We hope to involve as many as possible. Our military and law enforcement is already supporting this project.

Staff Analysis:

This use is not anticipated to impact business support mechanisms in a positive or negative manner.

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

Applicant Response:

This project will attract local citizens and non-locals to the area. Promoting local shopping within the community.

Staff Analysis:

Using the Trail of Air to attract locals and non-locals to Cascade County would promote local shopping, and improve trade capture.

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:

This project will not negatively impact economic development effects.

Staff Analysis:

The Trail of Air will not negatively impact economic development efforts.

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I. Encourage the growth of the agricultural economy.

Applicant Response:

This proposal is not directly connected to the agriculture economy.

Staff Analysis:

The proposal does not affect the agricultural economy.

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

Applicant Response:

We have not proposed renewable energy sources.

Staff Analysis:

The applicant does not propose any alternate energy methods.

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 selected a location that does not disturb existing farmland or forests.

Staff Analysis:

The subject property does not infringe on existing farmland 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:

This project will not disturb any forest, rangelands, or streams.

Staff Analysis:

This proposal is in line with the preservation of Cascade County's scenic beauty, forests, streams, and abundant wildlife by locating the use in the proximity of a developed area.

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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:

This property is directly adjacent to the City of Great Falls and developed area within Cascade County. This proposal supports the objective.

Staff Analysis:

The property is located adjacent to the City of Great Falls and will maintain Cascade County's open space.

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

Applicant Response:

We use bottled water for drinking. We have a 500-gallon water and use Port-o-potties from Montana Waste. They are maintained once a week.

Staff Analysis:

The applicant will be required to obtain all appropriate permitting from the City-County Health Department (See Condition #3)

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 do not have a direct connection to this objective and is not expected to generate an impact.

Staff Analysis:

This use will have no impact on timber, mining, oil and gas production and renewable energies.

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

Applicant Response:

This property has not been identified as a Superfund or brownsfield site.

Staff Analysis:

The property has not been identified as a Superfund or Brownsfield Site¹.

¹ [Search for Superfund Sites Where You Live | US EPA](#)

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Goal 3: Maintain Agricultural economy

A. Protect the most productive soil types.

Applicant Response:

According to the NRCS Websoil survey Map generated on the USDA government website the property contains farmland of statewide importance. We have planted over 100 white pine trees.

Staff Analysis:

According to the USDA Websoil Survey² the property is split into two different soil groups. 53.1% is Gerber Silty Clay Loam, and 46.9% is Bitton and Roy soils. The Gerber Silty Clay Loam is considered farmland of statewide importance, while the Bitton and Roy Soils are not.

B. Continue to protect soils against erosion.

Applicant Response:

We have planted over 100 white pine trees and more coming.

Staff Analysis:

Soils on the property are not expected to have significant erosion. Condition #1 is in place to require any permits from state or federal agencies such as the DEQ for their General Stormwater Discharge Permit if construction activity is over one acre. There is also an adequate amount of vegetation and no slopes greater than 25%.

C. Protect the floodplain from non-agricultural development.

Applicant Response:

The property is not located in a regulated floodplain plan.

Staff Analysis:

This property is not located in the regulated floodplain.

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

Applicant Response:

This project will not influence the agricultural industry.

Staff Analysis:

The proposal will not influence the agriculture industry.

² <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>

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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.

Applicant Response:

We have several military personals that help with the airsoft community.

B. Promote the location of additional military missions in Cascade County.

Applicant Response:

We have no intent of additional military locations.

C. Encourage the reactivation of the runway at Malmstrom Air Force Base for fixed wing operations.

Applicant Response:

The property is not located within 2,400 feet of a missile alert facility or a launch facility.

D. Refer to the Joint Land Use Study for resolving conflicts and promoting mission compatible development.

Applicant Response:

The property is in the height military overlay district C which restricts structures greater than 150 feet in height.

Staff Analysis:

No structures on the subject property may be 150 feet or greater. (See Condition #3)

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:

This proposal has little or no impact on Cascade County's citizens independent lifestyle.

Staff Analysis:

The proposed use is not anticipated to impact Cascade County's citizens independent lifestyle.

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.

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Applicant Response:

The property is not known to be a cultural/historic site or an archeological area.

Staff Analysis:

The subject property is not known to be a cultural/historical site or an archeological area.

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:

This property is located within the Sand Coulee volunteer fire department response area and is not located in the wildland/urban interface.

Staff Analysis:

The proposed subject property will be serviced by the Sand Coulee Fire Department and is considered having a low-risk terrain/fuel hazard not located in the Wildland Urban Interface³.

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

Applicant Response:

We are a nonprofit and we support educational programs and offer recreational opportunities.

Staff Analysis:

The proposal promotes outdoor recreation, and the development of educational programs. There is no connection to health services, but the proposal is not anticipated to have an impact on health services.

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

Applicant Response:

This project proposal is unlikely to have a negative impact on the municipal or joint land use plans.

Staff Analysis:

This project proposal is unlikely to have a negative impact on the municipal or joint land use plans.

³ Based on the Community Fire Plan Wildland-Urban Interface Cascade County and Dearborn FSA Map.