

November 12, 2020

AGENDA # 1

Agenda Action Report
Prepared for the
Cascade County Commission

ITEM: Planning Board’s recommendations for text & map revisions to Cascade County Zoning Regulations (“CCZR”) adopted April 26, 2005 (Resolution# 05-018) & last revised June 26, 2018 (Resolution# 18-54)

REGARDING: Public Hearing scheduled for November 12, 2020

ACTION REQUESTED: Consideration and action on proposed zoning map and text revisions to the CCZR

INITIATED & PRESENTED BY: Cascade County Planning Department

GENERAL INFORMATION

Purpose

The Cascade County Planning Department (“Department”), in an effort to improve planning and zoning services, proposed substantial revisions to the Cascade County Zoning Regulations (“CCZR”) pursuant to the Part 2 zoning of Title 76 of the Montana Code Annotated (“MCA”). This Report will provide information on the revisions to the current zoning district boundaries and regulation text as proposed in the staff-initiated draft, as well as recommendations made to the Commission by the Cascade County Planning Board (“Planning Board”). A fully annotated description of the proposed revisions is provided in Appendix 9. The proposed draft is a working document, initially created by the Department, designed to encourage public comment and participation in the revision process as it progresses through the Planning Board and the Cascade County Board of Commissioners (“Commissioners”).

Rationale, explanation, and analysis for the proposed changes have been included as appendices to this Report. The Mixed Use 40 District considerations and analysis has been included despite the Planning Board’s recommendation to deny the creation of a Mixed Use 40 District in order to show transparency within this public process and the changes that have occurred since the initial inception of these proposed revision.

The information that follows reflects the Planning Board’s recommendations and the vast public comments received and is broken into the following sections and color-coded to make the information more manageable within this Report:

1. Splitting the current Agricultural District into two (2) separate districts:
 - a. Text and Map Amendments to create the Mixed Use – 20 District
 - b. Text and Map Amendments to retain with modification the Agricultural District
2. Map Amendments to rezone parts of the Black Eagle area currently zoned Commercial and Urban Residential to Mixed Use
3. Text Amendments related to Medical Marijuana land uses:
 - a. Definition changes
 - b. Setback/buffer zone changes
 - c. Use expansion
4. All other text amendments to CCZR §§ 1 through 18:
 - a. Definition changes
 - b. Fencing provisions
 - c. Sign provision
 - d. Enforcement provisions
 - e. Ministerial changes, including permitting provisions

Jurisdiction Boundary

The “Zoning Jurisdictional Area” includes the entirety of Cascade County, exclusive of the incorporated towns and cities of Great Falls, Belt, Cascade, and Neihart, as referred to in the last revised CCZR (Resolution# 18-54, dated June 26, 2018).

Vicinity Map

Refer to Appendix 7 containing the map titled “2020 Cascade County Proposed Zoning Map.”

Legal Description of Boundaries for Proposed Rezones

Refer to Appendix 8 for the legal descriptions of the Agricultural District rezone to Mixed Use 20 and Agricultural District, and the Black Eagle area rezone from Commercial and Urban Residential to Mixed Use.

Public Notice:

Notice of this public hearing was published in the Great Falls Tribune on Sunday September 27th and Sunday, October 4th of 2020.

Procedural History

- On January 17th, 2019, two copies of the revised CCZR were posted to the Department website for public review. One copy provided tracked changes and the other provided a clean draft version.
- On Tuesday, February 19th, 2019, the Planning Board held the first public hearing to provide a public forum on the proposed revisions to the zoning map boundaries and regulation. Notice of the meeting was published in the Great Falls Tribune on Sunday, February 3rd and Sunday, February 10th, of 2019.
- On Tuesday March 26th, 2019, the Planning Board held a second public hearing to provide a public forum on the proposed revisions to the zoning map boundaries and regulation. Notice of the meeting was published in the Great Falls Tribune on Sunday, February 24th and Sunday March 3rd, 2019.
- During the April 16th, 2019 Planning Board meeting, the Board discussed the Growth Policy in response to public comments provided in previous meetings and in written comments. The Board directed the Department to conduct the five-year review of the Growth Policy and report on the findings at the May 21st, 2019 meeting.
- On Tuesday May 21st, 2019, the Planning Board discussed the proposed zoning map and text revisions and directed the Department to draft a revised policy for medical marijuana registered premises and propose expanding the use to the Commercial District for the next meeting for the proposed revisions.
- The Department made two changes to the proposed draft of the zoning regulations. These changes are documented in Appendix 12. The first change is the proposed revision to medical marijuana registered premises and testing labs. The second change is the correction of an error identified in §18. Both changes are described in Appendix 9.
- On September 10, 2019, the Planning Board moved to recommend the following:
 - Unanimously recommended 1) the definition “Registered Premise” to be explicitly included in both CCZR §2 “Definitions” and in CCZR §7 for the respective Districts in the Regulations, and 2) to allow medical marijuana as a permitted principal use in the Agricultural District, the proposed Mixed Use 20 (MU-20) District, the Commercial District, the Industrial (I-1) District, and the Heavy Industrial (I-2) District.

- Unanimously recommended 1) the definition “Medical Marijuana Testing Facility” to be added to CCZR §2 “Definitions” and §7 of the respective Districts in the Regulation, and 2) to allow medical marijuana testing facilities as a permitted principal use in the Agricultural District, MU-20 District, the Commercial District, I-1 District, and I-2 District.
- On a vote of 4-3, the Planning Board recommended:
 - Denial of proposed Sub-Section 7.7 “Mixed Use 40 (MU-40)” District;
 - Retention of the current Agricultural District;
 - Adoption of the remaining revisions in §§ 1 through 18 of the CCZR; and
 - Adoption of the text revisions and zoning map boundaries for the MU-20 District upon a finding they are in accordance with the Cascade County Growth Policy and MCA § 76-2-203.
- Written public comments have been accepted on a rolling basis since January 17th, 2019. As of the finalization of this Report on October 2, 2020, the Department has received 187 written comments on the proposed revisions and provided them to the Commission for consideration prior to this meeting. Appendix 10 provides a brief thematic analysis of the comments received as of June 4th, 2019.
- Meeting Minutes regarding the proposed revisions are on file with the Office of the Clerk & Recorder and are referenced as follows:
 - February 19, 2019: R0368459
 - March 26, 2019: R0369490
 - April 16, 2019:
 - May 21, 2019: R0371731
 - June 12, 2019: R0374967
 - July 23, 2019: R0374969
 - August 20, 2019: R0380242
 - September 10, 2019: R0388489

EVALUATION OF THE PROPOSED ZONING REGULATIONS TEXT AND MAP REVISIONS BASED ON STATUTORY CRITERIA

This section addresses the statutory criteria and guidelines for zoning regulations pursuant to §76-2-203 Montana Code Annotated.

Whether the proposed zoning regulation/map revisions are made in accordance with the Growth Policy

The proposed zoning regulations and map revisions fall within the jurisdiction of the Cascade County Growth Policy, adopted May 27, 2014 (Resolution# 14-45). The following goals and objectives of the Growth Policy have been identified throughout this Report to establish substantial compliance for each relevant revision:

Goal 1: Sustain and strengthen the economic well-being of Cascade County's citizens.

Objective A: Stimulate the retention and expansion of existing businesses, new businesses, value-added businesses, wholesale and retail businesses, and industries including agriculture, mining, manufacturing/processing, and forest products.

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

Objective 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.

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

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

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

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

Objective 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.

Objective I: Encourage the growth of the agricultural economy.

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

Objective 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.

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

Objective 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.

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

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

Goal 3: Maintain agricultural economy.

Objective A: Protect the most productive soil types.

Objective B: Continue to protect soils against erosion.

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

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

Objective 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.

Objective C: Promote fire prevention measures throughout the county, giving special emphasis to the extreme fire hazards present at the wildland/urban interface.

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

Goal 9: Foster the heritage of the area in agriculture and forestry in recognition of their economic contribution and the intrinsic natural beauty of grazing areas, farmlands, and forests.

Objective C: Require appropriate fencing of rural residential developments to keep livestock out and allow free movement along traditional stock driveways.

Objective E: Ensure development plans provide protection from the introduction and spread of noxious weeds.

Objective F: Encourage open buffers between rural residences and adjoining agricultural lands.

Goal 10: Minimize impact to wildlife and fisheries.

Objective A: Encourage developers to coordinate with Montana Fish, Wildlife, and Parks in the pre-application phase to protect wildlife from negative impacts caused by development.

Objective B: Encourage subdivision designs that do not restrict wildlife movement and preserve important wildlife habitat and corridors.

Objective C: Direct homeowners to educational resources that provide strategies to avoid homeowner wildlife conflict.

Goal 11: *Protect and maintain Cascade County's rural character, encourage efficient use of land.*

Objective A: Preserve the county's open space setting by encouraging cluster development.

Goal 12: *Support effort to ensure residents of Cascade County have an opportunity to obtain safe, sanitary, and affordable housing.*

Objective A: Work to maintain an adequate land supply for diversity of all housing opportunities.

Objective B: Consider the locational needs of various types of housing with regard to proximity of employment, and access to transportation and services.

Objective F: Encourage group homes, foster care facilities, and facilities for other special populations are equitably distributed throughout the county, yet near daily services.

The creation of the MU-20 and the newly proposed Agricultural District supports Goal 1, Objective A is supported as described in detail in Appendix 2. Goal 2, Objectives A through E is support by the split in the current Agricultural District by retaining a 20-acre minimum lot size in the MU-20 District and increasing the minimum lot size in the proposed Ag District to a 40-acre minimum. By increasing the minimum lot size in the Ag District, it also serves to preserve the County's scenic beauty and natural resources by limiting the intensity of development and commercial uses. The proposed Ag District emphasize the continuance of agricultural uses typical of farming and ranching. Goal 3, Objectives A, C, and D is supported by maintaining larger minimum lot sizes, with low density development, and reducing commercial uses that do not have either a historical or agricultural nexus in the Districts, and by allowing value-added agricultural uses with an SUP in the Districts that will encourage utilization of locally sourced agricultural commodities. Goal 5, Objective A, Goal 9, Objective F, and Goal 11, Objective A are also supported as described in Appendix 2. Therefore, the text and map amendments splitting the current Agricultural District into MU-20 and Ag Districts is in substantial compliance with the Growth Policy.

It is expected that the map amendment proposal to the Commercial and Urban Residential (UR) areas of Black Eagle to Mixed Use (MU) would sustain and strengthen the economic well-being of Cascade County's citizens in support of Goal 1 of the Growth Policy. The businesses in Black Eagle currently operating in the Commercial District are not expected to be impacted negatively by this change as those uses will continue to be allowed in the MU District. Businesses in Black Eagle that are currently operating as non-conforming uses in the UR District will be able to expand their business without being subject to the limitations for nonconforming uses. Additionally, moving to MU will allow property owners currently zoned UR an opportunity to engage in entrepreneurial uses on their property. It is anticipated that Objectives A, B, C, E, F, G, and H would see direct benefits from this proposal. It is not expected that Objectives D and J would be directly impacted by this goal, as this proposal does not directly encourage the development of cultural resources, tourism, or alternate methods of energy production. Given that the area of the proposed Map Amendment does not have a historical or current

trend of agricultural development, it is not expected that Objective I would be directly impacted by this proposal.

Given that the area of the proposed map amendment is an urbanized and developed area it is not expected that Goal 2 will be negatively impacted by this proposal. Objectives A and E relate to the development of natural resources, which will continue to be limited in the MU District as they have been in the UR and Commercial Districts. Objectives A, B, and C relate to the preservation of natural resources and open space, which are both limited in the area. Impacts to Objective D's assurance of clean air and water will be mitigated by the presence of the Black Eagle municipal water and sewer system, as well as the landscaping standards of the MU District.

The proposal is not expected to have a positive or negative impact on Goal 3. This proposal does not have an impact on Objectives A, B, or D as this is not related to agricultural development or the utilization of productive soils. The Black Eagle area is also subject to the requirements of the County's Municipal Separate Storm Sewer System (MS4) which have been designed to mitigate the impacts of soil erosion and the discharge of pollutants into the local waterways. Objective C is addressed by the provisions of the Cascade County Floodplain Regulations.

The proposal is expected to have a direct positive impact on Objective A of Goal 5 by bringing existing non-conforming property uses into conformity and allowing property owners greater latitude in how they may use their property under the zoning code. Objective D will be supported by allowing the development of uses permitted in the RR-5, SR-1, and SR-2 Districts, which includes educational facilities, public buildings, public safety facilities, care homes, day cares, and community residential facilities with eight occupants or less. Health care centers and facilities will be permitted principal uses in this area, and indoor/outdoor sports and entertainment facilities will be allowed through the Special Use Permit process. With regards to Objective B, the amendment could provide an opportunity for historic businesses that have fallen out of use and are currently classed as UR to resume a commercial use of the property. Objective C is unlikely to be impacted as the area is covered by the Black Eagle Volunteer Fire Department and is supplied with fire suppression systems and hydrants through the Black Eagle Water & Sewer District.

The text amendments related to medical marijuana (MMJ) are support by Goal 1, Objectives A, E, G, and I of the Growth Policy. An expansion of the MMJ-related land uses in other zoning districts, in addition to the Heavy Industrial (I-2) District, will aid in stimulating and retaining existing and new businesses to operate, cultivate, process, and/or manufacture. An MMJ use expansion will foster and stimulate well-planned entrepreneurship by promoting the growth of a state regulated industry. Goal 1, Objective G is supported by making it easier for local MMJ cardholding patients to obtain goods and services in their local community rather than taking their business to other Montana counties. By expanding the MMJ uses outside of the I-2 District, cultivation of MMJ in areas more suitable will support the growth and continuance of the agricultural economy in support of Goal 1, Objective J and Goal 2, Objective A. In the event, MMJ processing/manufacturing of medical marijuana-infused products is permitted, Goal 3, Objective D is supported through the development of a value-added agricultural product. Adoption of the 500-foot setback/buffer requirement would support Goal 5, Objective A to minimize local governmental intervention that an added 1000-foot setback/buffer requirement would add to MMJ operations. Goal 5, Objective D is support through the expansion of

the MMJ uses and reduction in setback requirements to encourage development of health services for county MMJ cardholding patients.

The agricultural-related definition changes are congruent with Goal 1, Objectives A, C, and I by better defining agricultural uses and types; Goal 2, Objective A, and B, through the expansion of terminology or terminological clarification, and Goal 3, Objective D by clarifying what constitutes “value-added agriculture.” The new land uses defined for “Butcher Shop,” “Concession Stand,” “Event Center,” “Retirement Home,” and distilleries support Goal 1, Objective A, C, and E by encouraging business growth, retention, and entrepreneurship by continually update land uses in the regulations reflective of the change of land uses in the county. The addition of the wild-life friendly fencing provision directly supports Goal 9, Objective C of the Growth Policy to support keeping livestock out and Goal 10, Objective A to minimize impact to wildlife. The changes to the sign supplemental regulations support Goal 1, Objectives A and D by helping promote new and existing business and the development of cultural resources and tourism. Further, the sign supplemental regulations supports Goal 6 by making transportation systems safer and more efficient.

Finding #1

The proposed zoning regulation and map revisions have been made in accordance with the Growth Policy and demonstrate substantial compliance.

Whether the proposed zoning regulation text and map revisions are designed to:

a. Secure safety from fire and other dangers;

The majority of lots in the proposed Mixed Use – 20 (MU-20) District are located in the Wildland-Urban Interface (WUI) according to the 2008 Cascade County Community Wildfire Protection Plan. Low risk terrain/fuel hazard areas exist along the Missouri River and Interstate 15 corridor, the Smith River drainage, and along the Sun River to its confluence with the Missouri River. Moderate and high-risk terrain/fuel hazard areas exist in the Dearborn area and around the towns of Monarch and Neihart within the Little Belt Mountains. The minimum lot size of 20 acres ensures that any potential new development in the District would consist of low-density development unless located on a lot subdivided before County-wide zoning took effect in 2005, or created through a subdivision exemption. This reduces overall exposure to risk and the likelihood of any future encroachment into the WUI by residential and commercial developments thus reducing exposure to fire hazard.

The MU-20 District primarily follows major transportation corridors that connect the urban and rural residents of the county to the surrounding county communities and beyond. These corridors consist of U.S. Highway 89, Interstate 15, and Montana Highway 200 paired with an international airport and several railways. The proximity to transportation infrastructure facilitates quick response times and provides excellent access for emergency services. The MU-20 District is served by several rural fire departments throughout the county including Simms, Fort Shaw, Vaughn, Ulm, Dearborn, Cascade, Farmer Rancher, Sand Coulee, Belt Rural, Gore Hill, Neihart, and Monarch.

The MU-20 District contains areas in Zone A and Zone AE along the Missouri River, Sun River, north of Belt in the Belt Creek drainage, and southeast of the City of Great Falls in the Sand Coulee drainage.

Most of the Agricultural (Ag) District is not located in the WUI. The exceptions are the areas south of Hardy in the foothills of the Big Belt Mountains, the Smith River drainage, and the foothills of the Little

Belt Mountains. The historical land use in these areas is largely pastureland for livestock which is a crucial tool in reducing fuels throughout the county's grasslands. The minimum lot size of 40 acres ensures that any potential new development in the district would consist of low-density development unless located on a previously described lot. This reduces the overall exposure to risk and the likelihood of any future encroachment into the WUI by new developments thus reducing exposure to fire hazard. This district is served by several rural fire departments throughout the county including Simms, Fort Shaw, Vaughn, Ulm, Dearborn, Farmer Rancher, Sand Coulee, Belt Rural, Neihart, and Monarch.

The Ag District contains few flood hazard areas. Developments in these areas are subject to local floodplain regulations which are designed to protect residents from flood hazard.

Additionally, the MU-20 and Ag Districts require most allowed uses to go through a special use permit process. The special use permit process ensures that: (1) proposed developments are considered on a case-by-case basis; (2) subject to a public comment; (3) reviewed by interested agencies; (4) required to adhere to additional standards; and, (5) contingent upon Zoning Board of Adjustment approval. This is an important aspect of this district because it allows for a wide range of potential uses while protecting against any issues that might arise based on the unique characteristics of the chosen site and proposed development. This is a security against proposals that may have higher levels of risk within the large district.

The Black Eagle area rezone is not expected to create any additional dangers in the area. The Black Eagle area is served by the Black Eagle Volunteer Fire Department. The map amendment will not change the physical characteristics of the properties. A change of use of a property could increase the risk of fire, however fire codes are established by the State and any newly permitted structures or altered structures will be required to meet building codes.

The MMJ-related expansion of the uses into various zoning district poses a risk for fire and chemical spills. Extraction of THC requires any licensee with a state issued chemical manufacturing endorsement to obtain facility and equipment approval for use by the local fire code official among other safety related requirements to help prevent and respond to an emergency situation.¹ The other MMJ uses do not have more of a risk of fire compared to other land uses and will be serviced by volunteer fire departments.

None of the other proposed changes are expected to have a negative impact on fire protection or other dangers.

Finding #2

The proposed zoning map and text revisions are designed to secure safety from fire and other dangers for the following reasons: (1) the Districts are serviced by several volunteer fire departments; (2) the MU-20 District, with higher residential use, is located along major transportation corridors that provide quick access for emergency services; (3) large minimum lot sizes in the MU-20 and Ag Districts do not allow for dense development in the WUI; (4) extensive application of special use permit process

¹ ARM 37.107.204(2): <http://www.mtrules.org/gateway/ruleno.asp?RN=37.107.204>

provides security against unique hazards within the large Districts; and (5) local floodplain regulations protect residents in Special Flood Hazard Areas.

Finding #3

The text amendment expanding MMJ land uses to various zoning districts, definition changes, and the supplemental provision regarding setback requirement from schools and places of worship do not provide a mechanism to secure safety from fires or chemical spills related to chemical manufacturing of MMJ. These risk are mitigated by the state's requirement to obtain approval from the local fire code official and existing fires service from the respective volunteer fire departments.

b. Promote public health, public safety, and general welfare; and

The proposed division of the Agricultural District into the MU-20 and Ag Districts is designed to promote suitable developments in areas located along three major transportation routes thus providing quick access for emergency services and mobility for residents in the case of an emergency. Limiting further dense development in the area through large minimum lot sizes minimizes risk to residents and emergency service providers while reducing the potential responsibility to protect life and property in remote areas with difficult access. The Cascade County Sheriff's Department provides police services to the county. Emergency service providers can anticipate emergencies that are similar in character to existing uses in the MU-20 and Ag Districts. Several volunteer fire departments (VFD) service the county.

The Black Eagle are rezone is not anticipated to negatively impact public health, safety and general welfare, and may in fact have a positive long-term impact on area by opening access to the health sector. Black Eagle is served by the Black Eagle Volunteer Fire Department.

The expansion of MMJ will promote public health as it relates to cardholding patients who have debilitating medical conditions by making MMJ more accessible to them. The expansion of the MMJ uses in other zoning districts creates a potential public safety risk given that marijuana in general remains classified as a Schedule I drug,² which continues to be define by the Federal government as a drugs with no currently acceptable medical use with a high potential for abuse.³ The Cascade County Sheriff's Office will provide law enforcement services.

The other proposed changes are not anticipated to negatively impact public health, safety, and general welfare.

Finding #4

The proposed zoning map and regulation revisions have been designed to promote public health, public safety, and general welfare by: (1) ensuring the Districts have sufficient access; (2) encouraging new developments in the Districts to occur along major transportation routes to ensure easy access for emergency services; (3) limiting new developments in the areas to low-density development; and (4) retaining the same character of uses within the Districts.

² MCA §50-32-222(4)(x): <https://leg.mt.gov/bills/mca/50/32/50-32-222.htm>

³ Drug Fact Sheet: Marijuana/Cannabis: <https://www.dea.gov/sites/default/files/2020-06/Marijuana-Cannabis-2020.pdf>

c. Facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

The proposed MU-20 District is mostly located along U.S. Highway 89, Interstate 15, and Montana Highway 200. These highways are co-located with railways and supplemented by air travel through Great Falls International Airport.

Transportation in much of the proposed Ag District is limited to gravel and dirt roadways in variable conditions, or small aircraft. Many commercial uses allowed in the current Agricultural District were removed from the proposed Ag District to redirect such developments to other Districts with suitable transportation infrastructure.

Water and sewerage uses are permitted through the City-County Health Department, the Montana Department of Environmental Quality, and the Department of Natural Resources and Conservation. It is unlikely that this proposed zoning change will have an impact on water rights or the permitting processes of other agencies. However, the increase in minimum lot sizes in the proposed Agricultural District will further restrict the density of development which could have a net positive impact on the provision of adequate water and sewerage.

Minimal impacts to schools servicing the MU-20 and the proposed Ag Districts are anticipated. Prevailing subdivision trends in the county suggest that the large minimum lot size of the two proposed Districts will greatly limit subdivisions for residential use while encouraging residential subdivision developments in large lot residential districts, e.g. the SR-1, SR-2, and RR-5 Districts. School enrollments are not expected to change in any significant way as a result.

Current parks and public lands are already in place and new ones are unlikely to be created since Montana Code Annotated § 76-3-621 (3)(a) states that “A park dedication may not be required for: ... land proposed for subdivision into parcels larger than 5 acres.” New public lands would likely be created through either conservation easements from private entities or through acquisitions by other agencies.

The Black Eagle area subject to the rezone already has established transportation, water, sewerage, schools, and parks in or in the vicinity of the subject area, which will not be effected by this map amendment.

The expansion of MMJ uses to the proposed Ag District provides concerns for adequate transportation infrastructure and the ability of emergency services consisting predominately of volunteer fire departments, to adequately respond to more industrial and commercial uses related to MMJ. Additionally, these types of land uses are subject to setback requirements of at least 500 feet from church, synagogue, or other place of worship or as a school or postsecondary school. Water and sewer for these facilities would be provided like other land uses that are permitted in the respective zoning districts.

The other proposed changes are not anticipated to negatively impact transportation, water, sewerage, schools, and/or parks in the county. Standard signage requirement prevent distracting drivers, while also informing them businesses, public facilities, and road cautions.

Finding #5

The proposed zoning map and regulation revisions facilitate the adequate provision of transportation by locating land uses with higher traffic impacts along transportation corridors in the MU-20 District and by discouraging dense development.

Finding #6

The adequate provision of water and sewer are facilitated through a separate process that will not be affected by these proposed zoning changes.

Finding #7

The adequate provision of schools is facilitated by limiting dense development in the MU-20 and Ag Districts and redirects developments to more suitable residential zoning districts.

Finding #8

The adequate provision of parks is not expected to be impacted under the proposed zoning map and regulation revisions.

Finding #9

The adequate provision of transportation is not provided for in the Ag District to support more industrial and commercial uses related to MMJ.

In evaluating the proposed zoning regulation and map revisions, consideration shall be given to:

a. Reasonable provision of adequate light and air;

The MU-20 and Ag Districts have lot size, set back, and lot coverage requirements. The minimum lot size for these Districts are 20 acres and 40 acres, respectively. Both Districts have set back requirements as follows: 30 feet for the front yard, 6 for the side yards, and 10 for the rear yard.

The MU rezone of the Black Eagle area involves the proposed minimum lot size for the MU District and the following existing set back requirements: 15 feet for the front yard, 6 feet for the side yards, and 10 feet for the rear yard, which provide for adequate light and air.

Similarly, the respective zoning district in which a MMJ-related land use is located will have proposed minimum lot sizes, setback, and lot coverage requirements to serve to ensure there are reasonable provisions of adequate light and air.

The other proposed changes are not anticipated to negatively impact provisions for adequate light or air. Sign setbacks reduce the risk of negative impact on adjoining properties.

Finding #10

The proposed zoning regulation and map revisions would provide adequate light and air to the areas included in the rezone proposals because future development would be required to meet the minimum lot size, set back, and lot coverage requirements.

b. The effect on motorized and non-motorized transportation systems;

The MU-20 District primarily follows arterial roadways and collectors throughout the county. Several highways are bounded by the District including Interstate 15, MT Highway 89, and MT Highway 200. The proposed rezone from Agricultural to MU-20 has the potential to increase traffic since the uses in this District consist of residential and commercial use. Most new developments in this District will require an approved Special Use Permit before operation may begin. The Special Use Permit application process involves outreach to relevant transportation agencies (Cascade County Road & Bridge and/or Montana Department of Transportation) depending on the access road(s) involved. This process serves as a check on the burden to roadways based upon the details of the proposed use.

The proposed Ag District covers remote areas in Cascade County with limited access due to seasonal weather fluctuations, the difficulty of the terrain, and geomorphology. The proposed Agricultural District has the potential to decrease traffic in this district since many commercial service-based uses currently allowed in the current Agricultural District will no longer be an allowed use. This will reduce the flow rate of traffic using and reduce the frequency and need for maintenance and repair of the transportation system.

The Black Eagle area proposed for rezone from UR and Commercial to MU primarily consists of paved and maintained roads. There are no established non-motorized transportation systems in the proposed rezone areas. The rezone is expected to have marginal impacts on traffic in the area since the existing uses in the area are both residential and commercial with many non-conforming uses. Black Eagle is one of the few areas in the County with existing sidewalks. Zoning and other development requirements, such as those for off-street parking and approaches, will continue to mitigate traffic impacts.

The MMJ-related changes are unlikely to effect non-motorized transportation systems within the respective zoning district where located. However, like any new business that attracts regular patrons and who have employees, motorized transportations systems will see an increase with additional MMJ land uses. All off-street parking requirements and approaches will mitigate potential traffic impacts.

The other proposed changes are not anticipated to negatively impact motorized and/or non-motorized transportation systems.

Finding #11

Effects on motorized transportation systems is expected to be minimal because the transportation systems in the MU-20 District are largely paved, maintained, and capable of handling fluctuations in traffic.

Finding #12

Effects on motorized transportation systems are expected to be reduced in the Ag District as the result of removing commercial service-based uses currently allowed in the Ag District.

Finding #13

Effects on motorized transportation in the Black Eagle Mixed Use District are expected to maintain the current status quo given that the current nonconforming uses in that area will continue to operate but

would become conforming uses of the Mixed Use District having no impact on the current transportation system.

Finding #14

No effects on non-motorized transportation systems are expected as a result of the Black Eagle rezone since there are no established non-motorized transportation systems in any of the proposed Districts.

Finding #15

Effects on motorized transportation systems are expected to be minimal as a result of the MMJ-related changes given off-street parking requirements and approaches.

Finding #16

Effects on non-motorized transportation systems are not expected as a result of the MMJ-related changes.

c. Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities;

It is unlikely that urban growth will be affected by this proposal. Small rural townsites in the county such as Simms, Cascade, and Ulm will continue to be surrounded by parcels with a minimum lot size of 20 acres and a mix of allowed uses stemming from the character of the current Agricultural District. The incorporated town of Belt will continue to be adjacent to the existing MU District and beyond that will largely be in proximity to the proposed MU-20 District. Neihart is almost entirely surrounded by public lands; however, the privately owned lands to the northeast will be zoned MU-20 with most uses allowed only with an approved Special Use Permit.

The residential, commercial, and industrial zoning Districts in the vicinity of Great Falls will remain unchanged, and the proposed rezoning of Black Eagle from UR and Commercial to MU is harmonious with the historical and current land uses in that area. The zoning surrounding the area consists of City of Great Falls Heavy Industrial, and Cascade County Light Industrial, Heavy Industrial, and Open Space. The proposed MU rezoning will be more in line with the surrounding uses than the current UR District.

Notably, the City of Great Falls does not allow for MMJ-related land uses within its jurisdiction. The expansion of the MMJ land uses go beyond current established transportation corridors in the county through the inclusion of the expansion into the Ag District. MMJ land uses would only be disallowed in RR-5, SR-1, SR-2, UR, and OS Districts.

The other proposed changes are not anticipated to negatively impact compatible urban growth in the vicinity of cities and towns.

Finding #17

The proposed zoning map and regulation amendments are not expected to produce any compatibility issues with the towns in the county or the City of Great Falls for the creation of the MU-20 and new Ag Districts, or the Black Eagle area rezone. The character of land use in these proposed Districts parallels that of the existing Districts.

Finding #18

The proposed zoning text amendments related to MMJ is expected to produce compatibility issues the City of Great Falls as such MMJ land uses are prohibited by ordinance.

**d. The character of the district and its peculiar suitability for particular uses;
and**

The character of the Districts and their peculiar suitability for particular uses is best measured by implementing the “Little Test.” The Little Test is applied to determine whether spot zoning would occur during the rezoning process. Spot zoning can occur when one or more parcels within a larger zoning district change their zoning district to benefit those few parcels and the uses are not in common with the surrounding land uses, zoning district(s), as well as the communities Growth Policy. The test was established by legal precedent in the case of *Little v. Board of County Commissioners* (1981) and uses a three-prong test (*Little Test*). All three factors must be met to determine that spot zoning has or would occur during a zoning change. The following is an evaluation of the *Little Test* pertaining to the proposed zone changes in Cascade County.

The desired zoning allows uses that differ significantly from the prevailing uses in the area.

The areas being rezoned from Agricultural (A) to Mixed Use - 20 (MU-20) consists of a mix of residential, commercial, recreational, industrial, and agricultural uses. This is evidenced by Map 2 and Map 3 in the staff report materials. The proposed uses for the MU-20 District do not differ significantly from the prevailing uses in the area.

The area retained as the Ag District consists of a mix of residential, commercial, recreational, industrial, and agricultural uses. This is evidenced by Map 2 and Map 3 in the staff report materials. The proposed uses for the Ag District do not differ significantly from the prevailing uses in the area.

The Black Eagle area rezone from UR and Commercial to MU justification in Appendix 6 describes the reasoning behind the rezone proposal. The primary reason concerns existing and prevailing uses in the area and their non-conformity under their current zoning as UR. The proposed rezone is to accommodate prevailing uses in the area through the allowance of residential and limited commercial uses provided by the MU District. These proposed zoning changes will not allow uses that differ significantly from the prevailing uses in the area.

Whether the area proposed to be rezoned would be small in terms of the number of landowners that would benefit from the change.

The divide of the current Agricultural District to MU-20 District and the new Ag District would affect approximately 1,253,701 acres of land in the county and approximately 4350 landowners. The current Agricultural District is the largest zoning district in the county. Under the proposed rezone, the proposed Ag District would be the largest district followed by MU-20. Given the large number of affected landowners, the rezone will benefit a large number of landowners.

The rezone from Urban Residential (UR) and Commercial (C) to Mixed Use (MU) would affect approximately 152 acres of land and approximately 434 landowners. Given the large number

of affected landowners, it is evident that the rezone would not be a benefit to only a small number of landowners.

Whether the desired zoning would be in the nature of special legislation designed to benefit one or a few landowners at the expense of the surrounding landowners or the general public.

Appendix 2 provides justifications for the division of the current Agricultural District into MU-20 and the proposed Ag District and is in accordance with the Growth Policy. Appendix 6 provides justifications for the division of the rezone from UR and C Districts to MU in the Black Eagle area. The scope and scale of changes and affected landowners shows the proposed rezones do not constitute special legislation designed to benefit one or a few landowners. To the contrary, the proposed rezones are intended to benefit the general public.

In summary, all three criteria must be met for the application to potentially be considered spot zoning. The proposed zoning revisions do not appear to be at risk of spot zoning as it does not meet any of the three criteria.

The MMJ-related changes do not constitute a rezone. However, by expanding the MMJ land uses into the Ag, MU-20, MU, Commercial, and I-1 Districts, including the existing use in the I-2 District, could affect many landowners in the county. The Ag District would be suitable for MMJ cultivation as it relates to an agricultural use of the land, assuming medical marijuana is grown outdoors at least part of the year. Further processing is consistent with the value-added agricultural commodity processing facility use allowed in the Ag District. However, the commercial nature of dispensaries is not compatible with the predominately rural residential and agricultural uses as they relate to farming and ranching in the Ag District. Conversely, manufacturing, processing, and dispensing are more compatible with uses found in I-2 and I-2 intended for more intensive industrial and non-residential uses. MMJ dispensaries would be more suitable to zoning districts requiring landscaping to improve public health and safety from public nuisance issues and accommodate any unusual business hours and traffic, which would limit such uses to the Commercial, I-1, I-2, and MU Districts.

The other proposed changes are not anticipated to negatively impact the character of any zoning district or the suitability of the uses of those districts.

Finding #19

The proposed zoning map changes appear suitable for the character of the Districts and do not appear to constitute spot zoning due to the large amount of acreage and landowners that would benefit from the changes. The zoning changes would not allow uses that differ significantly from the prevailing uses in the areas affected.

e. Conserving the values of buildings and encouraging the most appropriate uses of land throughout the jurisdictional area.

The existence of non-conforming uses and buildings in the proposed MU-20 and proposed Ag Districts will not be affected further than they would be under the current zoning regulations. No active uses or buildings will be required to be discontinued as part of this proposal. Additionally, by moving more intensive uses away from more densely developed residential areas, the potential negative impacts of these uses on the property values of existing development will be mitigated.

The consideration of appropriate land uses was one of the driving forces behind the split of the Agricultural District. The character of the proposed MU-20 District is to further residential development and uses that are low intensity in nature. The removal of currently permissible uses such as feedlots, junk/salvage yards, oil and gas exploration, and industrial distilleries from the proposed MU-20 District will help preserve the rural character of this District and restrict the development of intensive uses in proximity to otherwise low-intensity or residential uses. By allowing these types of uses to be continued in the proposed Ag District through either the Special Use Permit process, or as permitted principal uses, will reduce barriers to farming and agricultural operations that exist in the low-population density areas of the county.

The proposal to rezone Black Eagle will conserve the value of existing buildings and uses given that many non-conforming uses will be brought into conformance and will allow future growth compatible with existing and historic developments. It may provide an opportunity to restore or enhance historic structures and commercial buildings that have fallen out of use such as restaurants and taverns.

The MMJ-related changes should not change the values of buildings or discourage the most appropriate uses of the land. By allowing MMJ land uses in the MU-20 and Ag Districts, it may reduce the number of other types of agricultural uses of the land and facilities if demand and industry growth flourishes. Many public comments expressed the need for additional options for property choices based on the limitation for new MMJ businesses to find suitable locations within the county.

The other proposed changes are not anticipated to negatively impact existing building values. The definition changes assist in ensuring the appropriate uses of the land are utilized using more specific terminology describing different land uses. Changes to the permitting and enforcement regulations encourage land uses are permitted appropriately and consistently.

Finding #20

Building values are not expected to be negatively impacted by this proposal and may see positive benefits. Existing buildings and uses in the Agricultural District will continue unabated. Intensive uses currently allowed anywhere in the Agricultural District will be largely limited to the Ag District thus protecting the higher residential density areas of the MU-20 District.

Finding #21

The Black Eagle area is not expected to be negatively impacted by this proposal and may see positive benefit. Existing buildings and uses in the area will continue unabated while some land uses which are currently non-conforming will become conforming.

Finding #22

The MMJ-related changes are not expected to negatively impact building values.

f. Must, as nearly as possible, be made compatible with the zoning ordinances of nearby municipalities.

The incorporated townsites in Cascade County include the cities of Great Falls, Belt, Neihart, and Cascade. The MU-20 District is proposed to be located along major transportation corridors in Cascade County that are surrounded by the current Agricultural District. The proposed location of the MU-20 District is based on higher population density and smaller parcel size being more common in these

areas. The proposed MU-20 District acts as a buffer between denser MU development and the less dense and intensive uses in the proposed Ag District. This proposal aims to increase compatibility with municipalities within the County by providing a buffer from intensive uses and expansion areas for mixed uses on the borders of pre-existing urban areas. This incentivizes developments to locate in proximity to pre-existing developments.

The parcels within the unincorporated community of Black Eagle are currently zoned either UR or Commercial. Black Eagle consists of high residential density along with small scale commercial operations throughout. Rezoning this area to MU will continue to allow residential development as well as limited commercial uses while bringing pre-existing nonconforming commercial uses into compliance.

As stated above, the City of Great Falls prohibits MMJ land uses within its jurisdiction. The current allowance of MMJ land uses in the I-2 District, is more compatible with the City's prohibition compared to the vast expansion recommended by the Planning Board.

The other proposed changes are not anticipated to negatively impact zoning ordinances of nearby municipalities.

Finding #23

The proposed zoning revisions will not negatively impact the compatibility of zoning ordinances of municipalities in Cascade County in regards to the creation of the MU-20 and new Ag Districts, or as a result of the Black Eagle rezone.

Finding #24

The proposed zoning revisions are incompatible with the Great Falls as it relates to allowing MMJ-related land uses.

SUMMARY OF FINDINGS

Finding #1

The proposed zoning regulation and map revisions have been made in accordance with the Growth Policy and demonstrate substantial compliance.

Finding #2

The proposed zoning map and regulation revisions are designed to secure safety from fire and other dangers for the following reasons: (1) the Districts are serviced by several volunteer fire departments; (2) the MU-20 District, with higher residential use, is located along major transportation corridors that provide quick access for emergency services; (3) large minimum lot sizes do not allow for dense development in the WUI; (4) extensive application of special use permit process provides security against unique hazards within the large Districts; and (5) local floodplain regulations protect residents in Special Flood Hazard Areas.

Finding #3

The text amendment expanding MMJ land uses to various zoning districts, definition changes, and the supplemental provision regarding setback requirement from schools and places of worship do not provide

a mechanism to secure safety from fires or chemical spills related to chemical manufacturing of MMJ. These risks are mitigated by the state's requirement to obtain approval from the local fire code official and existing fire service from the respective volunteer fire departments.

Finding #4

The proposed zoning map and regulation revisions have been designed to promote public health, public safety, and general welfare by: (1) ensuring the Districts have sufficient access; (2) encouraging new developments in the Districts to occur along major transportation routes to ensure easy access for emergency services; (3) limiting new developments in the areas to low-density development; and (4) retaining the same character of uses within the Districts.

Finding #5

The proposed zoning map and regulation revisions facilitate the adequate provision of transportation by locating land uses with higher traffic impacts along transportation corridors in the MU-20 District and by discouraging dense development.

Finding #6

The adequate provision of water and sewer are facilitated through a separate process that will not be affected by these proposed zoning changes.

Finding #7

The adequate provision of schools is facilitated by limiting dense development in the MU-20 and Ag Districts and redirects developments to more suitable residential zoning districts.

Finding #8

The adequate provision of parks is not expected to be impacted under the proposed zoning map and regulation revisions.

Finding #9

The adequate provision of transportation is not provided for in the Ag District to support more industrial and commercial uses related to MMJ.

Finding #10

The proposed zoning regulation and map revisions would provide adequate light and air to the areas included in the rezone proposals because future development would be required to meet the minimum lot size, set back, and lot coverage requirements.

Finding #11

Effects on motorized transportation systems is expected to be minimal because the transportation systems in the MU-20 District are largely paved, maintained, and capable of handling fluctuations in traffic.

Finding #12

Effects on motorized transportation systems are expected to be reduced in the Ag District as the result of removing commercial service-based uses currently allowed in the Ag District.

Finding #13

Effects on motorized transportation in the Black Eagle Mixed Use District are expected to maintain the current status quo given that the current nonconforming uses in that area will continue to operate but would become conforming uses of the Mixed Use District having no impact on the current transportation system.

Finding #14

No effects on non-motorized transportation systems are expected as a result of the Black Eagle rezone since there are no established non-motorized transportation systems in any of the proposed Districts.

Finding #15

Effects on motorized transportation systems are expected to be minimal as a result of the MMJ-related changes given off-street parking requirements and approaches.

Finding #16

Effects on non-motorized transportation systems are not expected as a result of the MMJ-related changes.

Finding #17

The proposed zoning map and regulation amendments are not expected to produce any compatibility issues with the towns in the county or the City of Great Falls for the creation of the MU-20 and new Ag Districts, or the Black Eagle area rezone. The character of land use in these proposed Districts parallels that of the existing Districts.

Finding #18

The proposed zoning text amendments related to MMJ is expected to produce compatibility issues the City of Great Falls as such MMJ land uses are prohibited by ordinance.

Finding #19

The proposed zoning map changes appear suitable for the character of the Districts and do not appear to constitute spot zoning due to the large amount of acreage and landowners that would benefit from the changes. The zoning changes would not allow uses that differ significantly from the prevailing uses in the areas affected.

Finding #20

Building values are not expected to be negatively impacted by this proposal and may see positive benefits. Existing buildings and uses in the Agricultural District will continue unabated. Intensive uses currently allowed anywhere in the Agricultural District will be largely limited to the Ag District thus protecting the higher residential density areas of the MU-20 District.

Finding #21

The Black Eagle area is not expected to be negatively impacted by this proposal and may see positive benefit. Existing buildings and uses in the area will continue unabated while some land uses which are currently non-conforming will become conforming.

Finding #22

The MMJ-related changes are not expected to negatively impact building values.

Finding #23

The proposed zoning revisions will not negatively impact the compatibility of zoning ordinances of municipalities in Cascade County in regards to the creation of the MU-20 and new Ag Districts, or as a result of the Black Eagle rezone.

Finding #24

The proposed zoning revisions are incompatible with the Great Falls as it relates to allowing MMJ-related land uses.

CONCLUSION

The Commission should use the criteria provided above to guide their recommendation to adopt all, or part of, the proposed revisions of the Cascade County Zoning Regulations. As guiding criteria, there is no requirement that all criteria must be satisfied, only that they be evaluated and used as a guide to the Board's decision to recommend adoption of the revisions.

MOTIONS

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

Agricultural District Split:

1. After consideration of public comments, testimony, and the Staff Report and supporting materials, I move the Board of Cascade County Commissioner **DENY** the proposed map and text amendments to the Cascade County Zoning Regulations to divide the current Agricultural District into a Mixed Use – 20 District and remaining Agricultural District upon a finding that such map amendment is not in substantial compliance with the Cascade County Growth Policy and MCA § 76-2-203.

OR

2. "After consideration of public comments, testimony, and the Staff Report and supporting materials, I move the Board of Cascade County Commissioners **ADOPT** the proposed map and text amendments to the Cascade County Zoning Regulations in accordance with the recommendation of the Cascade County Planning Board to divide the current Agricultural District into a Mixed Use -20 District, and retain the remainder of property as the Agricultural District, but with the following text **MODIFICATIONS** to the Agricultural District:
 - a. **ADD** an "Intent" statement that reads: "The Agricultural District is intended to protect and preserve agricultural land and uses, including land uses incidental to agricultural production and rural residential living characteristic of traditional farming and ranching."
 - b. **MODIFY** the "Minimum Lot Area" requirement from twenty (20) acres to forty (40) acres.
 - c. **REMOVE** land uses including "General Sales," "Shopping Center," "Manufacture Housing Sales," "Nursing Home," "Parking Garage," and "Warehouse."
 - d. **ADD** the land use as requiring a Special Use Permit: "Value Added Agricultural Commodity Processing Facility. This may include processing, manufacturing, storage, and the like."

Black Eagle Rezone:

1. After consideration of public comments, testimony, and the Staff Report and supporting materials, I move the Board of Cascade County Commissioner **DENY** the proposed map amendment to the Cascade County Zoning Regulations rezoning the Black Eagle area currently zoned Commercial and Urban Residential upon a finding that such map amendment is not in substantial compliance with the Cascade County Growth Policy and MCA § 76-2-203.

OR

2. After consideration of public comments, testimony, and the Staff Report and supporting materials, I move the Board of Cascade County Commissioners to **ADOPT** the proposed map amendment to the Cascade County Zoning Regulations in accordance with the recommendation made by the Cascade County Planning Board to the rezone the Black Eagle area currently zoned as Commercial and Urban Residential to Mixed Use upon a finding that this map amendment is in substantial compliance with the Cascade County Growth Policy and MCA § 76-2-203.

MMJ-Related Changes:

Refer to the *Supplemental Staff Report for Medical Marijuana-Related Revisions to the Cascade County Zoning Regulations* with motions for consideration.

All Other Changes:

1. After consideration of public comments, testimony, and the Staff Report and supporting materials, I move the Board of Cascade County Commissioner **DENY** all other proposed text amendments to the Cascade County Zoning Regulations upon a finding that such text amendments are not in substantial compliance with the Cascade County Growth Policy and MCA § 76-2-203.

OR

2. After consideration of public comments, testimony, and the Staff Report and supporting materials, I move the Board of Cascade County Commissioner **ADOPT** all other proposed text amendments to the Cascade County Zoning Regulations upon a finding that such text amendments substantially comply with the Cascade County Growth Policy and MCA § 76-2-203.

OR

3. After consideration of public comments, testimony, and the Staff Report and supporting materials, I move the Board of Cascade County Commissioner **ADOPT** the other proposed text amendments to the Cascade County Zoning Regulations upon a finding that such text amendments substantially comply with the Cascade County Growth Policy and MCA § 76-2-203 with the following **MODIFICATIONS**:
 - a. **REMOVE** CCZR § 8.5(j) which reads: “Compliance with Circular DEQ 8 (issued by the Montana Department of Environmental Quality) to mitigate and detain storm water discharge.”
 - b. **REMOVE** CCZR § 10.2(4)(h) which reads: “Compliance with Circular DEQ 8 (issued by the Montana Department of Environmental Quality) to mitigate and detain storm water discharge.”

Attachments:

- Appendix 1: Definition Changes and Sources;
- Appendix 2: Agricultural District Zoning Change Justification;
- Appendix 3: Agricultural/MU-20/MU-40 Comparison Table;
- Appendix 4: Agricultural Term Revisions;
- Appendix 5: Agricultural Scenario;
- Appendix 6: Black Eagle Rezone Justification;
- Appendix 7: Vicinity Map;
- Appendix 8: Legal Descriptions;
- Appendix 9: Annotated Changes and Growth Policy Compliance;
- Appendix 10: Summary of Written Public Comments;

- Appendix 11: MU-20/MU-40 Rezone FAQ;
- Appendix 12: What's New?,
- Map 1: Cluster and Outlier Map;
- Map 2: Issued Permits Overlay Map;
- Map 3: Splitting a Large Rural District Along Residential Lines
- Planning Board Draft Zoning Text and Map Revisions
- Planning Department Draft Zoning Text and Map Revisions
- Current Cascade County Zoning Regulations
- Revised Appendix 2
- Revised CCZR § 7.7 "Agricultural District"
- Additional Public Comments