

Ordinance 3239 and excerpt of code adopted November 2, 2021

ORDINANCE 3239

AN ORDINANCE AMENDING TITLE 17 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF): CHAPTER 32 TRANSPORTATION FACILITIES, SECTION 17.32.150 DRIVEWAYS; TO ALLOW STREET ACCESSED DRIVEWAYS FOR ALLEY ACCESSED LOTS.

* * * * *

WHEREAS, the City Commission established Title 17 of the OCCGF outlining provisions pertaining to, and known as, the Land Development Code; and

WHEREAS, Section 17.32.150 of the OCCGF contains standards for driveway construction which regulate the number, spacing, surface material, width, and location of driveways for both residentially and non-residentially zoned properties; and

WHEREAS, the current regulation contained in 17.32.150(B)(4)(c) of the OCCGF prohibits the construction of a street accessed driveway to serve properties that already have alley access unless such request is approved by both the Director of Planning and Community Development and the City Engineer; and

WHEREAS, City staff have concluded that this regulation is problematic because it provides no criteria for staff to allow such driveways, is inconsistent with the City's efforts to have more vehicles parked on private property, conflicts with City pavement maintenance and snow removal efforts, and conflicts with the context of many neighborhood areas where street accessed driveways are already in place; and

WHEREAS, City staff believe that it is in the community's best interest for property owners with alley accessed lots to have the option of having a single street accessed driveway of narrow width to address additional vehicle parking needs; and

WHEREAS, at its regularly scheduled September 28, 2021 meeting, the Great Falls Planning Advisory Board recommended that the City Commission adopted Ordinance 3239, and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

Section 1. OCCGF 17.32.150(B)(4)(c), is hereby amended as depicted by Exhibit “A” attached hereto and by reference incorporated herein, with deleted language identified by ~~strikeout~~ and inserted language **bolded**; and

Section 2. This ordinance shall be in full force and effect thirty (30) days after public hearing and final adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading October 19, 2021.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading November 2, 2021.

Bob Kelly, Mayor

ATTEST:

(CITY SEAL)

Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT:

Jeffrey Hindoien, City Attorney

State of Montana)
County of Cascade : ss
City of Great Falls)

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3239 on the Great Falls Civic Center posting board and the Great Falls City website.

Lisa Kunz, City Clerk

(CITY SEAL)

Exhibit B

17.32.150 Driveways.

- A. Generally. Prior to the installation of a driveway curb cut or other access point onto a public street or right-of-way, the developer or owner shall obtain approval from the City, and if applicable, the Montana Department of Transportation or Cascade County. The City Engineer may require site driveway plans prior to approval and the start of construction on any driveway accessing any public street or right-of-way within the City, and may deny, limit, or modify access.
- B. Width and Surfacing. Curb cuts shall not be wider than the widths listed in Exhibit 32-3. For single-family and duplex uses, the width of curb cuts shall conform to the standards listed in Exhibit 32-3 or the following, whichever is more restrictive:
1. For lots less than sixty-one (61) feet in width of frontage, the cumulative width of curb cuts shall not be more than thirty (30) percent of the lot frontage width.
 2. For lots sixty-one (61) feet or greater width of frontage, the cumulative width of curb cuts shall not be more than thirty-five (35) percent of the lot frontage width.
 3. For commercial and industrial zoning districts where commercial trucking or transportation is a significant use, driveway width may exceed widths listed in Exhibit 32-3 with approval of the City Engineer. If approved, boulevard landscaped area used for the additional driveway width shall be relocated elsewhere upon the private property.
 4. Driveway width shall not be wider than the curb cut bottom width (excluding driveway wings) for the entire length of the driveway. Exception: For single-family and two-family residential uses, driveways accessing a street may taper to be wider than the curb cut width at the street in order to accommodate vehicle parking needs. This allowance is subject to the following restrictions:
 - a. Maximum Additional Width - The additional width of the driveway to accommodate vehicle parking may not be more than ten (10) feet greater than the curb cut bottom width (excluding driveway wings). The combined driveway and associated parking area shall be limited to no more than forty (40) total feet, measured parallel to the residential structure's frontage, and not be located in front of the living area of the structure. See Exhibit 32-4.
 - b. Surfacing - The associated parking area shall be surfaced and maintained with Portland cement concrete, asphaltic concrete, pavers, or gravel conforming to the standards prescribed by the City Engineer. The main driveway area must be paved except noted in 17.32.150(B)(4)(d) and 17.32.150 (G).
 - c. Alley Accessed Lots - For those properties which are served by an alley, a single street-accessed driveway is allowed. The owner must obtain a permit, and the driveway shall be limited to no greater than twelve (12) feet in width. Such driveway must be surfaced and maintained with Portland cement concrete, asphaltic concrete, or pavers. Additionally, a driveway accessing an alley is allowed. Such driveway and associated parking area shall be surfaced and maintained with Portland cement concrete, asphaltic concrete, pavers, or gravel conforming to the standards prescribed by the City Engineer. The combined driveway and associated parking area accessing an alley shall be limited to no greater than nine hundred (900) square feet. See Exhibit 32-5. For lots that are one (1) acre or larger, the area of the combined driveway and associated parking area accessing an alley may not exceed six percent (6%) of the gross lot area.

- d. Unpaved Streets. Where a property abuts an unpaved street, a gravel driveway and associated parking area otherwise conforming to the chapter may be installed directly off the unpaved street.
- e. Separation for Sidewalk and Street Boulevard - For properties that do not contain sidewalks or have a sidewalk connected to the curb, associated parking areas shall not encroach beyond the front property line into the street boulevard. See Exhibit 32-4a. For properties where the sidewalk is separated from curb, the associated parking area shall only connect at a point where the driveway intersects the sidewalk. The remaining associated parking area must be set back from the sidewalk as shown in Exhibit 32-4b.
- f. Gravel Driveway and Parking Area Maintenance - All gravel driveways and associated parking areas shall be maintained to ensure that they do not become rutted, contain standing water, or contain noxious or nuisance weeds. Gravel shall not be tracked, erode, nor spill over any paved driveway or onto any public sidewalk, path, paved street, or adjacent property. Stormwater runoff from driveways associated parking areas shall not negatively impact adjacent properties.

Exhibit 32-3. Maximum curbcut widths

Type of Use	Maximum Width
Single-family residential & Two-family residential *(see 17.32.150(B) for further restrictions)	<ul style="list-style-type: none"> • One stall, 12 feet* • Two stalls, 20 feet* • Three or more stalls, 30 feet* • 30 feet is the maximum allowed width*
Multi-family	<ul style="list-style-type: none"> • 24 feet, two-way • 12 feet, one-way
Commercial zoning district	<ul style="list-style-type: none"> • 36 feet, two-way • 45 feet with City Engineer approval
Industrial zoning district	<ul style="list-style-type: none"> • 45 feet • 55 feet with City Engineer approval

Exhibit 32-4. Street accessed driveway and parking area

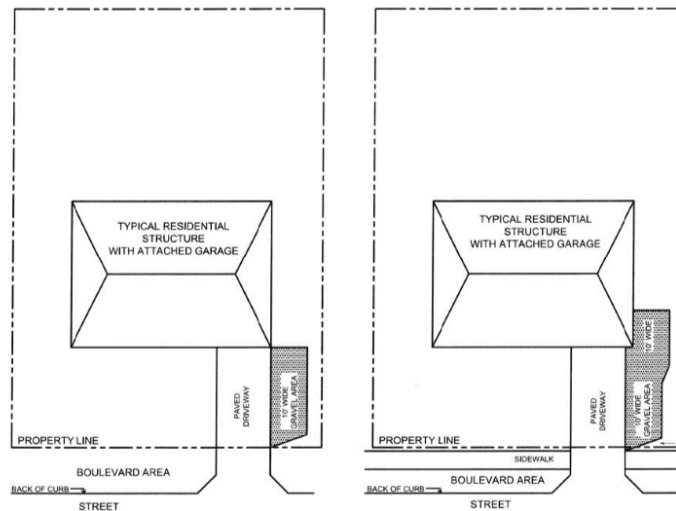
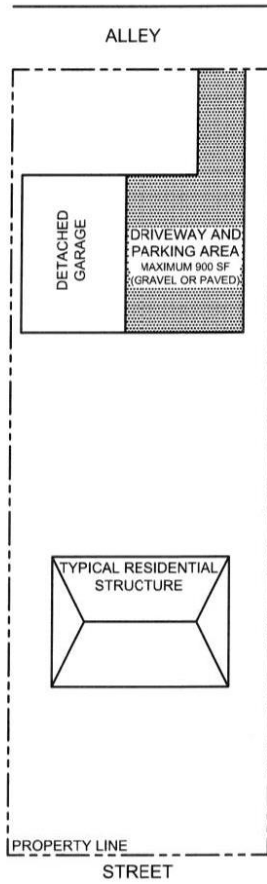


Exhibit 32-5. Alley accessed driveway and parking area



C. Number. The number of curb cuts shall conform to the standards listed in Exhibit 32.6.

Exhibit 32.6. Number of curb cuts

Residential Lot Frontage	Number Allowed
less than 101 feet	1
101 feet or more	2

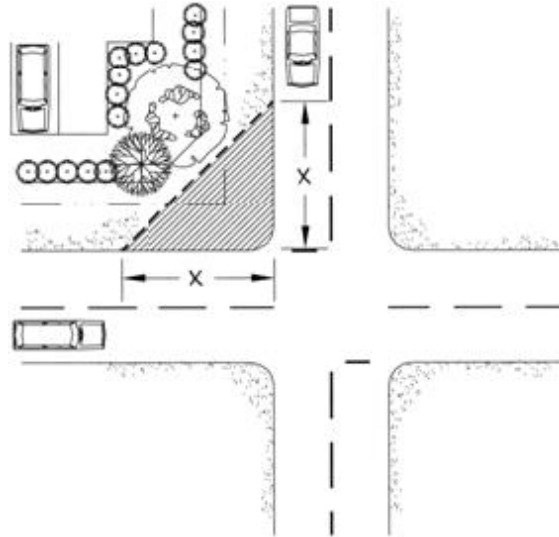
Commercial-Industrial/PLI Lot Frontage	Number Allowed
Less than 51 feet	1
51 feet to 400 feet	2
More than 400 feet	3

D. Location. Curb cuts shall be located at the discretion and by the approval of the City Engineer to ensure traffic safety and the character of the neighborhood is maintained.

E. Off-street parking. Approval of curb cuts to serve off-street parking that is not connected to a garage or covered carport in residential areas is discouraged and shall be at the discretion of the City Engineer. If approved, such driveways shall be of adequate length onto the private property to allow parking on the

private property beyond the building setback. "U" shaped driveways (one continuous driveway with two curb cuts) in single-family residential zoned areas are prohibited.

Exhibit 32.7. Clear visibility triangle



- F. Drainage structures. All driveways shall be constructed so as to not impair drainage within the right-of-way nor alter the stability of the roadway subgrade and at the same time not impair or materially alter drainage of the adjacent areas. All drainage structures required within the public right-of-way and under the driveways as a result of the property being developed shall be installed in accordance with the standards of the City.
- G. Driveway paving in the public right-of-way. Driveways connecting to a paved public street must be surfaced and maintained with Portland cement concrete from the back of curb to the front property line. The use of gravel for driveways connecting to a public street in the R-1 Zoning District may be allowed at the discretion of the City Engineer.

(Ord. 3239, 2021; Ord. 3155, 2017; Ord. 3087, 2012; Ord. 2950, 2007)