

ORDINANCE 3068

AN ORDINANCE AMENDING TITLE 17, CHAPTER 20 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), BY ADDING SECTION 175 TITLED "COMMUNITY GARDENS"

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WHEREAS, it is the intent of the City Commission of the City of Great Falls to provide for and protect the health, safety and welfare of the citizens of Great Falls, promote residential harmony and ensure the well-being of proper maintenance of community gardens through effective regulation; and,

WHEREAS, the City Commission of the City of Great Falls acknowledges that having community gardens within an established neighborhood helps promotes community pride; and,

WHEREAS, it is the intent of the City Commission of the City of Great Falls to provide and maintain, for the citizens of Great Falls, opportunities for the healthy consumption of locally produced foods and products; and,

WHEREAS, the City Commission of the City of Great Falls, acknowledges that the act of food production within a community garden may improve the quality of life of its residents; and,

WHEREAS, there will be flexibility and consistency in the establishment of community gardens; and,

WHEREAS, the City Commission of the City of Great Falls establishes special standards that will require groups, organizations, or associations wishing to establish a community garden to provide the Planning and Community Development Department; a dimensioned site plan, contact information for the designated garden coordinator, a set of operating standards and a user agreement; and,

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

- Section 1. That Title 17, Chapter 20, of the Official Code of the City of Great Falls (OCCGF), be amended by adding Section 175, titled "Community Gardens" as depicted in Exhibit "A" attached hereto; and,
- Section 2. That the table of contents of Exhibit 20-1 of Title 17, Chapter 20, be amended as depicted in Exhibit "B" attached hereto, which removes any language indicated by a strike-out and adds any language which is bolded; and,
- Section 2. This ordinance shall be in full force and effect thirty (30) days after second reading and final adoption by the City Commission.

APPROVED by the City Commission on first reading March 15, 2011.

PASSED, APPROVED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on second reading April 5, 2011.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

James W. Santoro, 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 hereby certify that I did post, as required by law and as prescribed and directed by the City Commission, Ordinance 3068 in three places within the limits of said City to-wit:

On the Bulletin Board, first floor, Civic Center Building;
On the Bulletin Board, first floor, Cascade County Court House;
On the Bulletin Board, Great Falls Public Library

(Seal of the City)

Lisa Kunz, City Clerk

Article 6
SPECIAL STANDARDS FOR PRINCIPAL USES

Sections:

17.20.6.005	Agricultural, horticulture, nursery	17.20.6.170	Cemetery
17.20.6.010	Mobile home park	17.20.6.175	Community Gardens
17.20.6.020	Residence, zero lot line	17.20.6.180	Worship facility
17.20.6.040	Residence, multi-family	17.20.6.200	Educational facility (K-12)
17.20.6.050	Townhouse	17.20.6.210	Composting facility
17.20.6.060	Residence, manufactured/factory-built	17.20.6.220	Recycling center
17.20.6.070	Campground or recreational vehicle park	17.20.6.230	Solid waste transfer station
17.20.6.080	Tavern	17.20.6.240	Amateur radio station
17.20.6.090	Commercial kennel	17.20.6.250	Telecommunications facility
17.20.6.100	Sexually-oriented business	17.20.6.260	Heli-pad
17.20.6.110	Veterinary clinic, small animal	17.20.6.270	Contractor yard, type I
17.20.6.120	Vehicle repair	17.20.6.280	Contractor yard, type II
17.20.6.130	Mini-storage facility	17.20.6.290	Junk yard
17.20.6.140	Casino, type I	17.20.6.300	Light manufacturing and assembly
17.20.6.150	Casino, type II	17.20.6.310	Motor vehicle graveyard
17.20.6.160	Animal shelter	17.20.6.320	Motor vehicle wrecking facility

17.20.6.175 Community Gardens

Prior to establishment or operation of a new community garden, the group proposing to establish the garden must submit the following documentation to, and receive written approval to proceed from, the Planning and Community Development Department:

- A. Dimensioned Site Plan.** A site plan that includes the location and layout of garden plots and the location of any proposed structures or fences.
- B. Garden Coordinator.** The name, telephone number and email address of the garden coordinator responsible for coordinating and managing the community garden.
- C. Operating standards.** Operating rules addressing, at a minimum, the tax and governance structure of the community garden, hours of operation, maintenance responsibilities and security measures.
- D. User Agreement.** A user agreement signed by the garden coordinator and the property owner.

The Planning and Community Development Department may require additional conditions be met for the protection of the community. The aforementioned information shall be kept on file in the Department. The group shall be responsible for providing the Department revised documents reflecting any significant or pertinent changes to operation or management of the garden. The Department shall investigate any citizen complaints and enforce established standards if necessary.

Exhibit B

Title 17, Chapter 20

Community Services / Uses	R-1	R-2	R-3	R-5	R-6	R-9	R-10	C-1	C-2	C-3	C-4	C-5	M-1	M-2	PLI	POS	AI	I-1	I-2	Special Standards
	Administrative governmental center	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	C	P	-	-
Animal shelter	-	-	-	-	-	-	-	-	C	C	-	-	C	C	C	-	P	P	-	17.20.6.160
Cemetery	C	C	C	C	C	C	C	-	-	-	-	-	-	-	P	P	P	-	-	17.20.6.170
Civic use facility	C	C	C	C	C	C	C	-	P	-	P	P	P	P	P	C	-	-	-	
Community center	C	C	C	C	C	C	C	C	P	-	P	P	P	P	P	C	-	-	-	
Community cultural facility	C	C	C	C	C	C	C	P	P	-	P	P	P	P	P	C	-	-	-	
Community garden	P	CP	CP	CP	CP	CP	CP	-C	-C	-C	-C	-C	P	P	P	P	P	C	C	17.20.6.175
Public safety facility	C	C	C	C	C	C	C	C	P	C	P	P	P	P	P	-	P	P	-	
Worship facility	C	C	C	C	C	C	C	P	-	-	C	P	P	P	-	-	P	-	-	17.20.6.180

- The use is not permitted in the district

C The use is allowed through the conditional use process

P The use is permitted in the district by right, consistent with the development standards contained in Article 6 of this chapter, as appropriate