

RESOLUTION 10209

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW ESTABLISHMENT OF A “CONTRACTOR TYPE II” LAND USE UPON A PARCEL OF LAND ADDRESSED AS 600 2ND STREET SOUTH AND LEGALLY DESCRIBED AS LOT 2, BLOCK 9, BROADWATER BAY BUSINESS PARK ADDITION, SECTION 11, T20N, R3E, PMM, CASCADE COUNTY, MT.

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WHEREAS, the City of Great Falls has been petitioned to approve a Conditional Use Permit to allow for the establishment of a “Contractor Type II” land use upon the property legally described as Lot 2, Block 9, Broadwater Bay Business Park Addition, Sec. 11, T20N, R3E, PMM, Cascade County, Montana (subject property); and,

WHEREAS, the subject property is presently zoned M-2 Mixed Use Transitional, wherein a “Contractor Type II” land use is permitted upon receiving approval of a Conditional Use Permit; and,

WHEREAS, the proposed Conditional Use Permit for the establishment of a “Contractor Type II” land use upon the subject property meets the Basis of Decision requirements in the Official Code of the City of Great Falls (OCCGF) Section 17.16.36.040; and,

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on September 12, 2017 to consider said Conditional Use Permit application, and at the conclusion of said hearing passed a motion recommending a Conditional Use Permit for a “Contractor Type II” land use be granted for the subject property, subject to the following conditions:

CONDITIONS

1. Subsequent Modifications and Additions: If, after establishment of the conditional use, the owner proposes to expand or modify the use, buildings, and/or structures, the Director of the Planning and Community Development Department shall determine in writing if such proposed change would alter the finding for one or more review criteria found in OCCGF 17.16.36.040. If such proposed change would alter a finding, the proposal shall be submitted for review as a new conditional use application. If such proposed change would not alter a finding, the owner shall obtain all other permits as may be required.
2. Compliance with Title 17, Chapter 28, Exhibit 28-1: The following Design Review standard shall be met before any building permit is issued: *Exterior storage of materials. Exterior storage of materials in an M-2 zoning district shall be attractively screened.*
3. Expiration: The Conditional Use Permit shall expire one year after the date of issuance, if a Certificate of Occupancy has not been issued. The Administrator may extend the expiration date by up to one year if substantial work is ongoing. The Administrator may issue a Temporary Certificate of Occupancy that is valid for no more than one year if the only condition(s) remaining to be fulfilled involve landscaping that cannot be successfully established until the weather permits.
4. Abandonment: If the permitted conditional use ceases to operate for more than six months, the Conditional Use Permit shall expire.
5. General Code Compliance: The proposed project shall be developed consistent with the conditions of approval adopted by the City Commission, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
6. Acceptance of Conditions: No zoning or building permit shall be issued until the property owner acknowledges in writing that it has received, understands, and agrees to comply with the conditions of approval.

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

That a Conditional Use Permit be granted for a "Contractor Type II" land use at the property addressed as 600 2nd Street South, Great Falls, Montana, and legally described as Lot 2, Block 9, Broadwater Bay Business Park Addition, Sec. 11, T20N, R3E, PMM, Cascade County, Montana, conditioned upon the owner complying with the conditions listed herein; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective immediately upon its passage and approval.

PASSED AND ADOPTED by the City Commission of the City of Great Falls,
Montana, on October 3, 2017.

Bob Kelly, Mayor

ATTEST:

Darcy Dea, Deputy City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney