

RESOLUTION 10546

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A “TYPE II COMMUNITY RESIDENTIAL FACILITY” LAND USE UPON A PARCEL OF LAND ADDRESSED AS 2201 11TH ST SW AND LEGALLY DESCRIBED AS LOT 7 BLOCK 5 OF THE MONTANA ADDITION, SEC. 15, 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 “Type II Community Residential Facility” land use upon the property legally described as as Lot 7, Block 5, the Montana Addition, Section 15, T20N, R3E, P.M.M., Cascade County, Montana (subject property); and,

WHEREAS, the subject property is presently zoned R-2 Single-family medium density, wherein a "Type II Community Residential Facility" land use is permitted upon receiving approval of a Conditional Use Permit; and,

WHEREAS, the proposed Conditional Use Permit for the establishment of a “Type II Community Residential Facility” 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 January 9, 2024, to consider said Conditional Use Permit application and, at the conclusion of said hearing, passed a motion recommending a Conditional Use Permit for a “Type II Community Residential Facility” land use be denied by the City Commission for the subject property. If City Commission approves the request, the approval will be subject to the following conditions:

1. **General Code Compliance.** The proposed project shall be developed consistent with the conditions in this report, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
2. **Land Use & Zoning.** The proposed plans shall conform to the R-2 Single-family Medium Density zoning district development standards contained within the Official Code of the City of Great Falls.
3. **Building Permit Review.** The final architectural drawings and specifications for improvements to the subject property shall be submitted to the Planning and Community Development Department for review and approval.
4. **Acceptance of Conditions:** No zoning or building permits shall be issued until the property owner acknowledges in writing that it has received, understands, and agrees to comply with the conditions of approval.

WHEREAS, the City Commission having allowed for proper public notice, conducted a public hearing to consider said application, and considered the comments and recommendations made by the Zoning Commission.

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

That a Conditional Use Permit be granted for a “Type II Community Residential Facility” land use upon the property legally described as as Lot 7, Block 5, the Montana Addition, Section 15, T20N, R3E, P.M.M., Cascade County, Montana conditioned upon the owner complying with the conditions listed herein; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that, pursuant to the Official Code of the City of Great Falls (OOCGF) 17.16.36.090, the permit shall be considered a covenant that runs with the land and shall be binding on all subsequent property owners. Additionally, pursuant to OOCGF 17.16.36.100, the Conditional Use Permit shall expire one (1) year after the date of issuance unless substantial work has commenced under the permit and continues in good faith to completion. If the Conditional Use is established, but ceases to operate for more than six (6) months, the Conditional Use Permit shall expire.

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective from and after the date of the filing of said document in the office of the Cascade County Clerk and Recorder.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on June 4, 2024.

Cory Reeves, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David Dennis, City Attorney