

RESOLUTION 10567

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO EXPAND A NONCONFORMING USE TO CONSTRUCT A BUILDING ADDITION ONTO THE EXISTING CHURCH LOCATED IN THE R-2 ZONING DISTRICT UPON THE PROPERTY ADDRESSED AS 800 SACAJAWEA DRIVE, GREAT FALLS, MONTANA.

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WHEREAS, Mountain View Evangelical Lutheran Church has submitted an application for a Conditional Use Permit to expand its nonconforming use to construct a building addition onto the existing worship facility upon the property addressed as 800 Sacajawea Avenue, Great Falls, Montana legally described as lots 1, 16-18 of Block 6, N Riverview Terrace Addition Section 5 Part 1, Section 36, T21N, R3E, Cascade County, Montana; and,

WHEREAS, the subject property is presently within the R-2 Single-Family Medium Density zoning district, wherein the nonconforming use of a “worship facility” was established in 1966; and,

WHEREAS, an expansion of the nonconforming use to include a building addition is allowed upon approval of a Conditional Use Permit; and,

WHEREAS, the proposed Conditional Use Permit to allow the expansion of a nonconforming “worship 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 28th, 2025, to consider said Conditional Use Permit application, and at the conclusion of said hearing passed a motion recommending a Conditional Use Permit be granted for the subject property to allow for the nonconforming use to construct a building addition, subject to the following conditions:

**Conditions of Approval:**

- 1. Modifications:** It is understood that minor changes are often necessary during the development and operation of a conditional use. The Administrator (the Administrator is the City employee assigned by the City Manager to administer

conditional uses) is hereby authorized to permit minor changes, as provided below.

- 2. Changes in Use:** Conditional uses are regulated as such because the use presents the possibility of significant impacts on the community. Therefore, changes in conditional uses must be strictly limited. A significant change in the type or level of activity, may void the conditional use permit. Proposed changes shall be submitted to the Administrator, who may require that the permit be amended following the same public process used for its adoption.
- 3. Expiration:** The conditional use permit shall expire one (1) year after the date of issuance, if the operation has not been established for the applicant's request. The Administrator may extend the expiration date if substantial work is ongoing.
- 4. Abandonment:** If a conditional use ceases to operate for more than six (6) months, the conditional use permit is void.
- 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 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 COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

That a Conditional Use Permit be granted to expand the nonconforming use of a "worship facility" to construct a building addition onto the existing worship facility for the property addressed as 800 Sacajawea Drive, Great Falls, 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 (OCCGF) 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 OCCGF 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 immediately upon its passage and approval.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on March 18, 2025.

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Cory Reeves, Mayor

ATTEST:

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Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

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David Dennis, City Attorney