



# CITY COUNCIL OPERATIONS AGENDA

**May 13, 2024 – 5:00 PM | Council Chamber, City Hall**

- 1. Call Meeting to order:**
- 2. Approval of Minutes –**
  - a. Regular Meeting: April 8, 2024
- 3. Public Comment – (Limit to three minutes per person)**
- 4. Old Business (Public Comment period prior to each topic)**
  - a. Planning Forms Review – Jordan
- 5. New Business (Public Comment period prior to each topic)**
  - a. Enhancing Municipal Communication – Jordan
- 6. Staff or Committee Member Concerns or Comments:**
- 7. Announcement of the Next Meeting**
  - a. Regular Meeting: Monday, June 10, 2024 at 5pm.
- 8. Adjournment**

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## **City Council Operations Committee**

City Code | Council Bylaws and Policy

### **Members**

Rob Kersch (Chair) | Curt Fjelstad | Rian King-Chavez

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# CITY OF DEER LODGE

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## City Council Operations

# MINUTES

**April 8, 2024 - 5:00PM | Council Chambers, City Hall**

<b>Members Present:</b>	Rob Kersch, Curt Fjelstad, Rian King-Chavez (arrived late)
<b>Members Absent:</b>	None
<b>Mayor:</b>	Absent
<b>CAO:</b>	Jordan Green
<b>Staff:</b>	Cyndi Thompson
<b>Public:</b>	None

### 1. Call Meeting to Order:

- a. Chairman Kersch called the meeting to order at 5:00PM

### 2. Approval of Minutes:

- a. Regular Meeting: March 11, 2024  
Member Fjelstad motioned to approve as presented. Chairman Kersch seconded the motion. 2 Ayes, 0 Nos, 1 Absent. Motion passed.

### 3. Public Comment - Limit to three minutes per person.

- a. None.

### 4. Old Business

- a. None

### 5. New Business

- a. Planning Forms Review – Jordan  
Reviewed the following Planning Document forms:
  - i. Conditional Use Permit – Made a few corrections.
  - ii. Rezone Application – Made a few corrections.
  - iii. Exempt from Subdivision Review – Jordan research so this form is in line with State Requirements.
  - iv. Zoning Permit – Made a few corrections.
  - v. Variance Application – Made a few corrections.

No motion required, review only.

- b. Local Government Review FAQ Sheet - Jordan  
Chairman Kersch provided a FAQ Sheet that was provided by Dan Clark, MSU Director of Local Government Review. It was discussed Jordan to define language in the "Background" section of page 1. On the 2<sup>nd</sup> page "MT Constitution, Article XI, change to Comparison of Self Governing & General Powers and (b) Bold "Powers provided by law. Discussed adding on the FAQ Sheet "Contact for Questions" and list your elected official.  
No motion required, review only.

**6. Staff or Committee Comments/Concerns:**

- a. Jordan provided an update on City vehicle passengers.

**7. Announcement of Next Meeting:**

- a. Monday, May 13, 2024, at 5:00PM

**8. Adjournment:**

- a. The meeting was adjourned at 5:44PM by consensus.

Prepared by: Cyndi Thompson, City Clerk

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Rob Kersch, Chairperson

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Date

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**City Council Operations Committee  
Members**

Rob Kersch (Chair) | Curt Fjelstad | Rian King-Chavez



300 Main Street | Deer Lodge, MT | 59722 | 406.846.2238 | 406.846.3925 (f) | deerlodgcity.com

# CONDITIONAL USE PERMIT APPLICATION

- The submission of this application acknowledges that all information is true and correct including all supporting documents and plans.
- **Site Plan:** Submit a plan, if necessary. The plan should show, as applicable, parcel boundaries, existing and proposed structures, access from public road, parking areas, waterways & drainage structures, landscaping, and public infrastructure.
- Please submit the completed Application and all supporting documents & scaled plans, and the appropriate fee to the Deer Lodge City Hall - 300 Main Street, Deer Lodge, MT 59722

Applicant(s): \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Property Address: \_\_\_\_\_

Geocode(s): \_\_\_\_\_

Authorized Agent Information (If Applicable. Applying on behalf of applicant.): \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Property Owner / Authorized Agent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Current use of Structure or Property? \_\_\_\_\_

Describe the Request (Submit additional pages if necessary & all supporting documentation): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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## CONDITIONAL USE PERMIT APPLICATION

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§11.01.120 of the City of Deer Lodge Code of Ordinances contains the following approval criteria for the granting of a Conditional Use Permit. The petitioner(s) must provide full and complete responses.

1. The use conforms to the objectives of the Growth Policy and the intent of this code.
  2. Such use will not adversely affect nearby properties or their occupants.
  3. Such use meets density, coverage, yard, height, and all other regulations of the district in which it is to be located, unless otherwise provided for in this Code.
  4. Public hearings have been held, after the required legal notices have been given and the public has been given a chance to be heard upon the matter.
- 

The decision process includes the minimum of two separate public hearings with the first before the Planning Board, and the second before the City Council. The Planning Board has the responsibility to hear the request before making a recommendation for the City Council to consider.

The City Council will conduct their public hearing not less than fifteen days from the Planning Board's hearing to comply with the noticing requirements of a public hearing.

The petitioner(s) has the responsibility that the subject property and use complies with all regulations of the City of Deer Lodge and will be in full compliance with any and all conditions attached to the Permit. Note, attached conditions are binding.

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**Contact for assistance:**

**Jordan Green, AICP, CFM**

**Chief Administrative Officer**

**(406) 846-2238**

**[jgreen@cityofdeerlodgcity.gov](mailto:jgreen@cityofdeerlodgcity.gov)**

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# REZONE APPLICATION

- The City of Deer Lodge considers an application complete when all required (or requested) information is submitted.
- § 11.01.310.010(C)(1) of the City of Deer Lodge Code of Ordinances requires the issuance of a notarized statement by at least one of the owners of the property within the area proposed to be changed attesting to the truth and correctness of all facts and information presented with the application.
- Please submit the completed application, all supporting documents, and the appropriate fee to the Deer Lodge City Hall – 300 Main Street, Deer Lodge, MT 59722.

**Applicant(s):** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Property Address:** \_\_\_\_\_

**Geocodes:** \_\_\_\_\_

**Authorized Agent Information (If Applicable. Apply on behalf of applicant):** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Property Owner Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Use of Structure or Property?** \_\_\_\_\_

Current Zoning

Current Land Use

**Adjacent Zoning & Land Uses:**      **North:** \_\_\_\_\_

**East:** \_\_\_\_\_

**South:** \_\_\_\_\_

**West:** \_\_\_\_\_

**What is the Requested Zoning for the Property?** \_\_\_\_\_

**What is the Intended Use of the Property?** \_\_\_\_\_

**Authorized Agent/Owner Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_



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# REZONE APPLICATION

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The City of Deer Lodge's Planning Board requires responses to the following review criteria as specified by § 76-2-304, MCA. The petitioner(s) must provide full and complete responses.

1. (1) Whether the zoning is made in accordance with the Growth Policy;
  2. (2) Whether the zoning is designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
  3. (3) Whether the zoning considers the effect on motorized and non-motorized transportation systems;
  4. (4) Whether the zoning considers the promotion of compatible urban growth;
  5. (5) Whether the zoning is designed to promote public health, public safety, and the general welfare;
  6. (6) Whether the zoning considers the reasonable provision of adequate light and air;
  7. (7) Whether the zoning conserves the value of buildings and encourages the most appropriate use of land throughout the jurisdictional area; and
  8. (8) Whether the zoning considers the character of the district and its peculiar suitability for particular uses.
- 

According to §11.01.310.030 of the City of Deer Lodge Code of Ordinances, the decision process includes the minimum of two separate public hearings, with the first being before the Planning Board, and the second before the City Council. The Planning Board has the responsibility to hear the request before making a recommendation for the City Council to consider.

The City Council will conduct their public hearing not less than fifteen days from the Planning Board's hearing the comply with the noticing requirements of a public hearing.

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Contact for assistance:

Jordan Green, AICP, CFM  
Chief Administrative Officer  
(406) 846-2238  
jgreen@cityofdeerlodgcity.gov

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# REZONE APPLICATION

## Notarized Statement

I, \_\_\_\_\_, pursuant to § 11.01.310.010(C)(1) of the City of Deer Lodge Code of Ordinances, attest that the information contained within this application to be true and correct.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

STATE OF MONTANA )

: ss

COUNTY OF POWELL )

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ before me, a Notary Public in and for the State of Montana, personally appeared \_\_\_\_\_, known to me by the persons who names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year first above written.

\_\_\_\_\_

Printed Name:

Notary Public, State of Montana

Residing at \_\_\_\_\_, MT

My Commission Expires \_\_\_\_\_



# SUPPLEMENT A

## REQUEST FOR PRE-APPLICATION MEETING

Please complete this form and attach all required materials and submit it to the subdivision administrator in order to schedule a pre-application meeting. The subdivision administrator will contact you and hold the meeting within 30 days.

### **Applicant Information:**

Pre-application Date: \_\_\_\_\_ Preliminary Plat Review Fee: \_\_\_\_\_

Type of Subdivision: First Minor: \_\_\_\_\_ Subsequent Minor: \_\_\_\_\_ Major: \_\_\_\_\_  
Amended: \_\_\_\_\_ Administrative Minor: \_\_\_\_\_

Working Name of Subdivision: \_\_\_\_\_

Name of Landowner: \_\_\_\_\_

Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Name of Subdivider/Applicant: \_\_\_\_\_

Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Surveyor/Engineer: \_\_\_\_\_

Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### **Parcel Description:**

Legal Description: \_\_\_\_\_ of Section \_\_\_\_\_ Township \_\_\_\_\_ N Range \_\_\_\_\_ E

Parcel Total Size: \_\_\_\_\_ Number of Lots: \_\_\_\_\_

Sanitation: local: \_\_\_\_\_ or DEQ \_\_\_\_\_

Flood Plain: FIRM Map No.: \_\_\_\_\_

County Water and Sewer District: \_\_\_\_\_

Road Access:

Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_

Existing Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

Type of development: Single Family \_\_\_\_\_ Multi-Family \_\_\_\_\_ Condominium \_\_\_\_\_

Commercial/Industrial \_\_\_\_\_ Other, describe. \_\_\_\_\_

Jurisdictional Area: \_\_\_\_\_

The following information must be submitted with this form:

## Attachments

### 1. Existing Conditions Sketch Map;

The sketch may be a freehand sketch drawn directly on a print of a topographic map of the area proposed for division at a scale of 1 inch to 400 feet or larger that is adequate to show the property and must include the following:

- location;
- approximate tract and lot boundaries of existing tracts of record;
- description of general terrain;
- natural features on the land, including water bodies, floodplains geologic hazards, and soil types;
- existing structures and improvements;
- existing utility lines and facilities serving the area to be subdivided.
- existing easements and rights of way;

### 2. Proposed Improvements Sketch Map;

The sketch may be a freehand sketch drawn directly on a print of a topographic map of the area proposed for division at a scale of 1 inch to 400 feet or larger that is adequate to show the property and must include the following:

- tract and proposed lot boundaries;
- proposed public and private improvements;
- location of utility lines and facilities;
- easements and rights of way;
- parks and open space and proposed conservation easements;

### 3. Documentation on the current status of the site, including:

- ownership information, such as a deed, option to buy or buy-sell agreement, including permission to subdivide;
- water rights, including location of Agricultural Water User Facilities;
- any special improvement districts;
- rights of first refusal for the property;
- existing zoning or development regulation standards;
- existing conservation easements; and
- existing covenants or deed restrictions.

Please provide one paragraph narrative description of the development project:

Applicant Signature

Date:

# SUPPLEMENT B

## PRELIMINARY PLAT APPLICATION

<b>City of Deer Lodge – Chief Administrative Officer</b> 300 Main Street Deer Lodge, MT 59722 406.846.2238	<b>Administrative Use Only</b> Date: _____ Accepted by: _____ Fee: \$ _____ Cash/Check #: _____
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*Submit this application and all required information to the City Offices.  
Contact the City Offices for the contact information of the Subdivision Administrator.  
Fees shall be paid according to the current fee schedule.*

**1. SUBDIVISION**

**NAME:** \_\_\_\_\_

**2. OWNER(S) OF RECORD:**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**3. APPLICANT** *[person(s) authorized to represent the owner(s) of record and to whom copies of all correspondence are to be sent]:*

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**4. AGENT/REPRESENTATIVE** *[list all agents to whom copies of all correspondence are to be sent]:*

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**5. LEGAL DESCRIPTION OF PROPERTY:**

Street Address: \_\_\_\_\_ Section \_\_\_ Township \_\_\_ Range \_\_\_

Subdivision/Survey: \_\_\_\_\_ Tract/Lot \_\_\_ Block \_\_\_

Lot Size: \_\_\_\_\_ Acres/Square Feet (circle) Assessor's No. or Geocode \_\_\_\_\_

**6. GENERAL DESCRIPTION/TYPE OF SUBDIVISION:** \_\_\_\_\_

Number of Lots or Rental Spaces \_\_\_\_\_ Total Acreage in Subdivision \_\_\_\_\_  
Total Acreage in Lots \_\_\_\_\_ Minimum Size of Lots or Spaces \_\_\_\_\_  
Total Acreage in Streets or Roads \_\_\_\_\_ Maximum Size of Lots or Spaces \_\_\_\_\_  
Total Acreage in Parks, Open Spaces and/or Common Areas \_\_\_\_\_

**7. PROPOSED USE(S) AND NUMBER OF ASSOCIATED LOTS/SPACES:**

Single Family \_\_\_\_\_ Townhouse \_\_\_\_\_ Mobile Home Park \_\_\_\_\_  
Duplex \_\_\_\_\_ Apartment \_\_\_\_\_ Recreational Vehicle Park \_\_\_\_\_  
Commercial \_\_\_\_\_ Industrial \_\_\_\_\_ Planned Unit Development \_\_\_\_\_  
Condominium \_\_\_\_\_ Multi-Family \_\_\_\_\_ Other \_\_\_\_\_

**8. VARIANCES REQUESTED?** \_\_\_ (yes/no) (If yes, submit separate variance request)

**9. APPLICATION CONTENTS:**

- 1. Review fees (see fee schedule).
- 2. Preliminary plat/plans and supplemental plats/plans/lot layouts (24" X 36").
- 3. Supplemental information (See applicable subdivision regulations, Section 16.10.040):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***\*\*\*Submit ALL information and materials requested by the  
Subdivision Administrator at the pre-application meeting.***

***If any information is not included, please explain why it does not apply.\*\*\****

\*\*\*\*\*

*I hereby certify that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be untrue, I understand that any approval based thereon may be rescinded and other appropriate action taken. The signing of this application signifies approval for the City of Deer Lodge officials and representatives to be present on the property for routine monitoring and inspection during the review process.*

\_\_\_\_\_  
Applicant Signature \_\_\_\_\_ Date

\_\_\_\_\_  
Owner(s) Signature (all owners must sign) \_\_\_\_\_ Date

***Attach additional signature pages if necessary.***

# SUPPLEMENT E

## FINAL PLAT APPLICATION FORM

Date Submitted:

1. Name of Subdivision:
2. Location: \_\_\_\_\_ 1/4 Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_
3. Type of Subdivision: \_\_\_\_\_ Minor Subdivision \_\_\_\_\_ Major Subdivision
4. Number of Lots \_\_\_\_\_ Block(s) \_\_\_\_\_
5. Amended Plats: Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_
6. Type of development: Single Family \_\_\_\_\_ Multi-Family \_\_\_\_\_  
Condominium \_\_\_\_\_ Commercial \_\_\_\_\_ Industrial \_\_\_\_\_ Other, describe \_\_\_\_\_
7. Property Physical Address:
8. Subdivider: Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip code: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_
9. Name, address and telephone number of persons of firms providing services and information (e.g.: surveyor, engineer, designer, planning consultant, attorney):  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip code: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_
10. Descriptive Data:  
Total number of Lots or rental spaces: \_\_\_\_\_ Number of Block(s) \_\_\_\_\_  
Gross area in acres: \_\_\_\_\_  
Existing zoning or other regulations \_\_\_\_\_  
Fire Department/District: \_\_\_\_\_ Police/Sheriff: \_\_\_\_\_
11. Date of Preliminary Plat Approved: \_\_\_\_\_
12. Any Conditions? \_\_\_\_\_ (If yes, attach list of conditions.)
13. Any Deed Restrictions or covenants? \_\_\_\_\_ (If yes, attach a copy.)
14. All improvements installed? \_\_\_\_\_ (If no, attach a subdivision improvements agreement or guarantees.)
15. All Fee(s) paid: \$ \_\_\_\_\_

16. The following documents are submitted, as applicable according to the Subdivision Regulations Final Plat Initial Review:
- Final plat application (this form);
  - Final plat review fee;
  - A written statement from the applicant or their representative outlining how each conditional approval has been satisfied;
  - Information such as certified engineering plans, pictures of the site, or other documents supporting how the conditions have been met as outlined in the applicant's written statement;
  - Title Report or updated Title Abstract dated no less than 30 days old prior to date of submittal.
  - Acknowledgement form all Lienholders, if applicable;
    - DEQ and or Local reviewing authority (County Health Department);
    - All road plans and profiles, state or local encroachment permits, and traffic studies (if required);
    - All engineering plans for public improvements constructed to serve more than one lot in a subdivision which will be dedicated to the public, for the use of the subdivision, or otherwise acquired by a government entity for public use. Examples of typical public improvements include parks, streets or roads, sidewalks, curbs, gutters, and street lighting, utilities, and systems for water supply, sewage disposal, drainage, or fire protection;
  - Any homeowner association documents, including bylaws, covenants and/or declarations;
  - Final plat certificates consistent with samples included in the Supplements;
    - Subdivision Improvements Agreement and acceptable financial security guarantee;
    - Final Plat one 11"x17" and one 18"x24" or larger with all appropriate certificates signed;
  - Examining Land Surveyor approval;
  - County's Attorney approval; and
  - List of additional documents:

I do hereby certify that all the statements and information contained in all exhibits transmitted herewith are true. I hereby apply to the City of Deer Lodge for approval of the final plat of ( ).

Name of Subdivider

Signature of Subdivider

**FOR OFFICIAL USE ONLY:**

\_\_\_\_\_ Final plat application (this form, signed)

\_\_\_\_\_ Final plat review fee

\_\_\_\_\_ A written statement from the applicant or their representative outlining how each conditional approval has been satisfied.

\_\_\_\_\_ Information such as certified engineering plans, pictures of the site, or other documents

\_\_\_\_\_ supporting how the conditions have been met as outlined in the applicant's written statement;

\_\_\_\_\_ Title Report or updated Title Abstract dated no less than 30 days old prior to date of submittal

\_\_\_\_\_ Acknowledgement from all Lienholders, if applicable

\_\_\_\_\_ DEQ and or Local reviewing authority (County Health Department)

\_\_\_\_\_ All road plans and profiles, state or local encroachment permits, and traffic studies (if required);

\_\_\_\_\_ Road Maintenance Agreement, if required

\_\_\_\_\_ Noxious Weed Plan, signed and notarized by landowner and/or subdivider

\_\_\_\_\_ All engineering plans for public improvements constructed to serve more than one lot in a subdivision which will be dedicated to the public, for the use of the subdivision, or otherwise acquired by a government entity for public use. Examples of typical public improvements include parks, streets or roads, sidewalks, curbs, gutters, and street lighting, utilities, and systems for water supply, sewage disposal, drainage, or fire protection.

\_\_\_\_\_ Any homeowner association documents, including bylaws, covenants and/or declarations

\_\_\_\_\_ Subdivision Improvements Agreement and acceptable financial security guarantee

\_\_\_\_\_ Final Plat one 11"x17" and one 18"x24" or larger with all appropriate certificates signed

\_\_\_\_\_ Examining Land Surveyor Approval

\_\_\_\_\_ County Attorney's approval

\_\_\_\_\_ List of additional documents.

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Other Staff Comments:

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\_\_\_\_\_ Application complete

Date:

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Subdivision Administrator signature

Date by which Final Plat must be approved or rejected: