

**STAFF REPORT
FOR THE LOT 71 OF SILOS #6 STORAGE UNITS**

Date: February 23, 2023

Type of Application: Buildings for Lease or Rent (BLR)

Name of Project: Lot 71 of Silos #6 Storage Units

Number of Units: 176

Legal Description: Located in Section 27, T8N, R1E,
P.M.M., Broadwater County, Montana

Landowner: Jeremy Scott

Designated Representative: Chris Wasia

Commission Meeting Date(s): March 3, 2023

Staff Recommendation: Adopt findings of fact and recommend approval, subject to conditions.

Report written and presented by Nichole Brown, Broadwater County Community Development Director

INTRODUCTION

This report presents findings of fact and recommended conditions of approval for the project. It is organized in two main sections:

1. Findings of Fact, which includes a general description of the project (Project Summary) and findings based on the applicable review criteria, and
2. Recommended Conditions of Approval, based on the findings of fact and the Broadwater County Buildings for Rent or Lease Regulations (BLR Regulations)

FINDINGS OF FACT

Project Summary

1) Proposal

Jeremy Scott is proposing to rent 176 storage units on an existing 3.7-acre parcel. The property is located off of Silos Road, a county road. The property is currently undeveloped.

The owner is proposing to construct six (6) buildings containing the 176 enclosed storage units and an area to be used for outdoor parking. Buildings 1 and 2 will be 7,200 square feet in size each with 12 units per building. Buildings 3, 4, 5 and 6 will be 6,400 square feet in size each with 38 units per building. The total square footage of all buildings proposed totals 40,000 square feet.

Access to the storage unit facility will be via Silos Road, a county road. Prior to construction of the facility a County Road Approach Permit must be approved by the Broadwater County Public Works Director.

2) Project Characteristics

Size:	3.7 acres
Present land use:	Vacant land
Access:	Approach to Silos Road
Utilities:	No current utilities to the property, but power for outdoor lighting is anticipated
Water/Sewer:	None proposed
Adjacent land uses:	Residential, commercial and public lands

Zoning: This property is not currently zoned
Covenants: None proposed

3) Findings

This application is being reviewed according to the Application & Review of Building for Lease or Rent (Section 6) of the BLR Regulations. Evaluation of the application's compliance with Section 6 of the BLR Regulations is discussed below, with recommended conclusions summarizing findings based on each evaluation.

a. Compliance with Section 6.A of the BLR Regulations

Section 6.A of the BLR Regulations outlines what is required of an "Application Submittal" for a BLR Application. The application and review fees were submitted to the Broadwater County Community Development Office on November 3, 2022 and additional material was submitted and deemed sufficient on January 18, 2023. All of the required documents have been submitted.

4) Review Process

This application is being reviewed according to the Review Process outlined by Section 6.B of the BLR Regulations. The following is the timeline of the application:

- The applicant's representative submitted the application and fees on November 3, 2022
- A letter of incompleteness, requesting additional information, was mailed to the applicant's representative on November 22, 2022
- The applicant's representative submitted the requested information on January 5, 2023
- The application was deemed complete on January 18, 2023
- The County Commissioners are scheduled to review the application March 3, 2023
- The County Commissioners must send a letter to the landowner of the approval, conditional approval or denial of the application prior to the end of the 60 day review period (April 13, 2023)

5) Relevant Review Criteria

The recommended findings of the reviewer are stated below and are based on the BLR Application materials provided by the applicant's representative and in accordance with the Governing Body Decision (Section 6.C) of the 2014 Broadwater County Building for Lease or Rent (BLR) Regulations.

Per Section 6.C of the BLR Regulations, the governing body may approve or conditionally approve the proposed buildings for lease or rent upon finding:

- a. The proposed buildings for lease or rent, as submitted or conditioned, comply with these regulations and other regulations applicable to the property, and avoid or minimize potential significant impacts on the physical environment and human population in the area affected by the buildings for lease or rent;

The BLR Regulations do not include specific design or performance standards that are applicable to the project, but rely on the review criteria and administrative provisions of the regulations, which the project complies with. For this application, no other regulations are applicable since the land, buildings and units will remain under the ownership of the applicant.

- b. Adequate water, wastewater, and solid waste facilities are available to serve the buildings for rent or lease;

No water, wastewater or solid waste facilities are proposed for this storage unit facility.

- c. Adequate access to the site is provided to serve the buildings for lease or rent;

There is one proposed 26 foot wide access for entering and exiting the property. The access is proposed to be located on Silos Road. Upon entry to the site, vehicles will be able to drive completely around Buildings, 3, 4, 5 and 6. Buildings 1 and 2 will have access from the east side only. An approach has been requested, and approved by the Broadwater County Public Works Director.

- d. Adequate emergency medical, fire protection, and law enforcement services are available to serve buildings for rent or lease;

According to the BLR Application, there are no proposed emergency medical, fire or law enforcement services proposed to serve the buildings. However, in the event of an emergency at this location the Broadwater Ambulance Service, Broadwater County Rural Fire Department and the Broadwater County Sheriff's Office have jurisdiction.

- e. The buildings for lease or rent comply with any applicable flood plain regulations

This property is not located within a designated floodplain.

6) RECOMMENDATION

Staff recommends approval of the BLR application for the Lot 71 of the Silos #6 Storage Units, subject to the conditions below. All conditions are based on the findings identified in this report and are recommended to ensure compliance with the BLR Regulations and other applicable laws and regulations.

CONDITIONS

1. The development and use of the property as a storage unit facility providing buildings for lease or rent shall be in substantial compliance with the plans reviewed and approved by the governing body. (*BLRR 6.C*)
2. The approval of the Lot 71 of the Silos #6 Storage Units BLR application is based on the proposal to lease or rent the individual storage units, which shall continue to be owned by the landowner. Any change that results in the current or future landowner or designee selling the individual storage units, as a separately owned unit, is not approved. Residential use of the facility, in any capacity, is expressly prohibited. (*BLRR 6.C*)
3. Installation of the approach to the county road shall be completed in accordance with the approved permit and installation approved by Broadwater County. The approved approach permit shall be submitted to the Broadwater County Community Development Office upon approval. (*BLRR 6.C*)
4. These conditions of approval shall be met within two years from the date of approval (*BLRR 2*)