

A G E N D A R E P O R T

DATE July 16, 2002

ITEM Ordinance No. 2826 to Establish City Zoning Upon 4th Supplement to Skyline Heights Addition

INITIATED BY Gene Shumaker and Joe Aline, Property Owners

ACTION REQUESTED After Conducting Joint Public Hearing on Annexation of the Addition and Ordinance No. 2826, Commission Adopt Ordinance No. 2826

PREPARED & PRESENTED BY Bill Walters, Senior Planner

REVIEWED & APPROVED BY Robert Horne, Jr., Planning Director

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RECOMMENDATION:

The City-County Planning Board has recommended the City Commission assign a zoning classification of “A” Residence Use, “A” Area District, to 4th Supplement to Skyline Heights Addition, upon annexation of same to the City.

MOTION:

“I move the City Commission adopt Ordinance No. 2826.”

SYNOPSIS:

Ordinance No. 2826 assigns a zoning classification of “A” Residence Use, “A” Area District, to 4th Supplement to Skyline Heights Addition, upon annexation of same to the City.

BACKGROUND:

Two years ago, the City and County Commissioners conditionally approved the preliminary plat of 2nd, 3rd, 4th and 5th Supplements to Skyline Heights Addition. The preliminary plat consists of 38 single-family residential lots located south of 36th Avenue Northeast and east of 9th Street Northeast. The final plat of 2nd Supplement to Skyline Heights Addition, consisting of 11 lots, and 3rd Supplement, consisting of 9 lots, have been approved and annexed to the City. The developers of the subdivision, Joe Aline and Gene Shumaker, now desire to complete the plat and annexation for 4th Supplement to Skyline Heights Addition. The subdivision includes 8 single family residential lots and a dedicated segment of 35th Avenue Northeast.

Subject property is presently zoned in the County as “A” Agricultural District, and the applicant has requested the property be zoned “A” Residence Use, “A” Area District, upon annexation to the City.

Section 76-2-304 Montana Code Annotated lists criteria and guidelines which must be considered in conjunction with establishing municipal zoning on land:

- a) is designed in accordance with the growth policy (comprehensive plan);
- b) is designed to lessen congestion in the streets;
- c) will secure safety from fire, panic or other dangers;
- d) will promote health and the general welfare;
- e) will provide adequate light and air;

- f) will prevent overcrowding of land;
- g) will avoid undue concentration of population;
- h) will facilitate the adequate provision of transportation, water sewerage, schools, parks and other public requirements;
- i) gives reasonable consideration to the character of the district;
- j) gives reasonable consideration to the peculiar suitability of the property for particular uses;
- k) will conserve the value of buildings; and
- l) will encourage the most appropriate use of land throughout the municipality.

Subject property is located between an existing single family residential neighborhood and the back side of property along Old Havre Highway occupied by commercial uses and television studios and broadcast towers. The proposed project will fill in a current vacant area on the side of a hill and will result in the extension of City services and infrastructure.

Annexation of subject property will enhance health, safety and welfare through application of City Codes and provision of municipal services.

It is anticipated the planned single family use of the property will be compatible with neighboring uses. Therefore, staff concludes the above cited criteria are substantially met.

The Planning Board, at the conclusion of a public hearing held February 22, 2000, recommended the City Commission assign a zoning classification of "A" Residence Use, "A" Area District, to 4th Supplement to Skyline Heights Addition, upon annexation to the City.

Attach: Ord. No. 2826
Vicinity Map

cc: Wade Woith, P. O. Box 7326
Joe Aline and Gene Shumaker, P. O. Box 1279