

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

DATE February 17, 2004

ITEM Ordinance No. 2871 to Establish City Zoning Upon Loy School Property and Segment of 57th Street North

INITIATED BY School District No. 1

ACTION REQUESTED Commission Accept Ordinance No. 2871 on First Reading and Set Hearing for March 16, 2004

PREPARED BY Bill Walters, Senior Planner

APPROVED & PRESENTED BY Ben Rangel, Planning Director

RECOMMENDATION:

The City-County Planning Board has recommended the City Commission assign a zoning classification of "A" Residence Use, "A" Area District, to the Loy School property and a segment of 57th Street North.

MOTION:

"I move the City Commission accept Ordinance No. 2871 on first reading and set a hearing for 7:00 p.m., March 16, 2004, to consider adoption of Ordinance No. 2871."

SYNOPSIS:

Adoption of Ordinance No. 2871 on final reading will establish a City zoning classification upon annexation of the Loy School property and a segment of 57th Street North of "A" Residence Use, "A" Area District.

BACKGROUND:

Great Falls Public Schools has requested 20 acres occupied by the Loy School and grounds be rezoned from the current County "A" Agricultural District to the City "A" Residence Use, "A" Area District, upon annexation to the City.

The area requested to be annexed is presently zoned by the County as "A" Agricultural District. 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.

The attached vicinity map also reflects the current City and County zoning.

Elementary schools are a permitted use in "A" Residential Districts.

Subject School District property is bordered on the north and east by on-base housing units for Malmstrom AFB, on the south by numerous parcels in Beebe Tracts occupied by small businesses and residences, and to the west across 57th Street North by large vacant parcels also owned by the School District.

As the use of subject property was established and has remained unchanged for more than 30 years, staff concludes the annexation and rezoning of subject property will not adversely affect any of the above-cited criteria.

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

The Planning Board conducted a public hearing on the rezoning request on December 9, 2003. No public testimony has been presented regarding the rezoning. At the conclusion of the public hearing, the Planning Board passed a motion recommending the City Commission assign a zoning classification of "A" Residence Use, "A" Area District, to the Loy School property and segment of 57th Street North that is being annexed to the City.

Attach: Ord. No. 2871
Vicinity Map

cc w/o attach: School District No. 1, Attn: Robert Odermann, P. O. Box 2429