

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

DATE December 7, 2004

ITEM Ordinance No. 2894 to Establish City Zoning Upon Parcel Mark No. 3I, Section 16, T20N, R4E, and Rezone the Southerly Portion of Third Supplement to Rice Tract

INITIATED BY Taylor Land Partnership LLP, Property Owner and Developer

ACTION REQUESTED Commission Accept Ordinance No. 2894 on First Reading and Set Hearing

PREPARED BY Bill Walters, Senior Planner

APPROVED & PRESENTED BY Ben Rangel, 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 Parcel Mark No. 3I, Section 16, Township 20 North, Range 4 East, Cascade County, Montana, upon annexation to the City, and rezone the abutting incorporated southerly portion (approximately 45 feet) of Third Supplement to Rice Tract from “GC” General Commercial, “D” Area District, to “A” Residence Use, “A” Area District.

MOTION:

“I move the City Commission accept Ordinance No. 2894 on first reading and set a public hearing for January 4, 2005, to consider adoption of Ordinance No. 2894.”

SYNOPSIS:

Ordinance No. 2894 assigns a zoning classification of “A” Residence Use, “A” Area District, to Parcel Mark No. 3I, Section 16, Township 20 North, Range 4 East, Cascade County, Montana, upon annexation to the City, and rezones the abutting incorporated southerly portion (approximately 45 feet) of Third Supplement to Rice Tract from “GC” General Commercial, “D” Area District, to “A” Residence Use, “A” Area District. A majority of subject property, located along the north side of 13th Avenue South between 39th and 43rd Streets, is being platted into Taylor Addition, a five lot single family residential subdivision.

BACKGROUND:

The Planning Office is in receipt of applications from Taylor Land Partnership, LLP, to rezone the southerly portion (approximately 45 feet) of Lot 1, Block 1, Third Supplement to Rice Tract, from “GC” General Commercial, “D” Area District, to “A” Residence Use, “A” Area District, and rezone subject Parcel Mark No. 3I, the area requested to be annexed to the City, from the current County “A” Agricultural District to the City “A” Residence Use, “A” Area District.

A majority of the hereinabove mentioned Parcel Mark No. 3I and the southerly portion (approximately 45 feet) of Third Supplement to Rice Tract, is being platted as Taylor Addition, which consists of five single-family residential lots located along the north side of 13th Avenue South between 39th and 43rd Streets South.

For additional information, please refer to the attached vicinity map.

Access to the five proposed residential lots in Taylor Addition is from 13th Avenue South, a dedicated public right-of-way improved to City standards and maintained by the City. Water and sewer utility services were recently stubbed into the subject five lots from water and sewer mains in the abutting portion of 13th Avenue South.

To enhance access to the rear portion of Third Supplement to Rice Tract, a 40-foot corridor connecting it to 13th Avenue South will be located along the west boundary of Taylor Addition.

The requested zoning classification to be assigned to the area requested to be annexed is “A” Residence Use, “A” Area District. The rear portion of Third Supplement to Rice Tract to be added to Taylor Addition will be rezoned from “GC” General Commercial, “D” Area District, to “A” Residence Use, “A” Area District.

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 to be rezoned is bordered on two sides by single-family residential areas presently zoned “A” Residence Use District. To the east is a predominately unincorporated vacant area and immediately to the north is a vacant area zoned General Commercial District, which is owned by the applicant.

Taylor Addition is situated in a transition area between business uses to the north and a moderate to upper scale single-family residential neighborhood to the south.

Infrastructure exists to adequately provide service and access to the proposed five lot addition.

Annexation of subject property, including a significant portion of Taylor Addition, will enhance health, safety and welfare through application of City code and provision of municipal services.

The Great Falls City-County Growth Policy provides “annexation should be logical and efficient extension of the City’s boundaries and service area.” The Growth Policy also encourages infill development, which this project manifests as it is a portion of an unincorporated enclave surrounded by the City Limits.

As the project would not be out of character with existing abutting uses, staff concludes the above-cited criteria are substantially met.

The Planning Board conducted a public hearing on the zoning application on October 26, 2004. There was no public testimony presented at the hearing.

The Planning Board, at the conclusion of the public hearing, recommended the City Commission assign a zoning classification of “A” Residence Use, “A” Area District, to Parcel Mark No. 3I, Section 16, Township 20 North, Range 4 East, Cascade County, Montana, upon annexation to the City, and rezone the abutting incorporated southerly portion (approximately 45 feet) of Third Supplement to Rice Tract from “GC” General Commercial, “D” Area District, to “A” Residence Use, “A” Area District.

Attach: Ord. No. 2894
Vicinity Map

cc: Steve Taylor, 4100 10th Ave S
Woith Engineering, Inc., 1725 41st St S