

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

DATE December 21, 2004

ITEM Resolution No. 9446, Intent to Annex, and Ordinance No. 2898 to Establish City Zoning for 20-Ft Addition to Countryside Village Addition

INITIATED BY Lakeview Estates Investors, Inc., Property Owner

ACTION REQUESTED Commission Adopt Resolution No. 9446, which sets Public Hearing for January 18, 2005, and Accept Ordinance No 2898 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 annex the 20-foot strip of land abutting the east boundary of Lot 1, Block 1, Countryside Village Addition, and apply a zoning classification of "MH" Mobile Home Residence District, to same.

MOTIONS (Each motion to be separately considered):

"I move the City Commission adopt Resolution No. 9446."

and

"I move the City Commission accept Ordinance No. 2898 on first reading and set a public hearing for January 18, 2005, to consider adoption of Ordinance No. 2898."

SYNOPSIS:

Resolution No. 9446 sets a public hearing for January 18, 2005, to consider annexation of the 20-foot strip of land abutting the east boundary of Lot 1, Block 1, Countryside Village Addition. Ordinance No. 2898 assigns a zoning classification of "MH" Mobile Home Residence District to subject 20-foot strip of land upon annexation to the City.

BACKGROUND:

Lakeview Estates Investors, Inc., has submitted applications regarding the following:

- 1) Annexation to the City of Great Falls of a 20 foot strip of land abutting the east boundary of Lot 1, Block 1, Countryside Village Addition, in the SW1/4 of Section 25, Township 21 North, Range 3 East, Cascade County, Montana, and;
- 2) Rezoning said 20-foot strip of land requested to be annexed to the City from the current County "A" Agricultural District to the City "MH" Mobile Home Residence District.

Said 20-foot strip of land contains 0.61 of an acre and abuts the east boundary of Lot 1, Block 1, Countryside Village Addition.

For additional information, please refer to the vicinity map attached to Resolution No. 9446 as Exhibit "A".

Lakeview Estates Investors, Inc., owns Countryside Village and the adjoining unincorporated parcel which contains 37.14 acres. The owner desires to adjust the common boundary between the two parcels to insure

adequate setback distance between the existing mobile home units in Countryside Village and the east boundary and perimeter fence.

The annexation will not result in any additional pad sites or mobile home units in Countryside Village.

The applicant intends to sell the remaining unincorporated parcel of 36.53 acres, comprising Mark 5B, Sec. 25, T21N, R3E.

Subject property is currently zoned in the County as "A" Agricultural District. The applicant has requested that upon annexation to the City, said 20-foot strip of land be rezoned "MH" Mobile Home Residence District.

Section 76-2-304 Montana Code Annotated lists criteria and guidelines, which must be considered in conjunction with a proposed zoning or rezoning thereof:

- 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.

As the annexation and accompanying rezoning of a 20-foot strip of land will have no negative effect or impact on the above criteria, staff concludes they are substantially met.

The Planning Board conducted a public hearing on the applications on November 9, 2004. There was no public testimony presented at the hearing. The Planning Board at the conclusion of the public hearing, passed a motion recommending the City Commission annex the 20-foot strip of land abutting the east boundary of Lot 1, Block 1, Countryside Village Addition, and apply a zoning classification of "MH" Mobile Home Residence District, to same, subject to the following conditions being fulfilled by the applicant:

- 1) Payment of all applicable fees owed as a condition of annexation approval including:
 - a) Annexation Agreement Fee \$ 200.00
 - b) Resolution of Annexation Fee 100.00
 - c) Storm Sewer (\$ 250.00/acre x 0.61 acres) 152.50
 - d) Recording fees for Agreement and Resolution (\$ 6.00 per page) to be determined
- 2) Entering into an agreement with the City, agreeing to the typical terms and conditions associated with annexation.

The above conditions will be fulfilled prior to the hearing on January 18.

Attach: Res. No. 9436
Ord. No. 2898

cc: Lakeview Estates Investors, Inc., c/o Woith Engineering, PO Box 7326, G. F. MT. 59406