

**ORDINANCE 3243**

**AN ORDINANCE ASSIGNING A ZONING CLASSIFICATION OF C-2 GENERAL COMMERCIAL TO THE PROPERTY LEGALLY DESCRIBED AS TRACT A OF CERTIFICATE OF SURVEY 2248; AND THE ASSIGNMENT OF A ZONING CLASSIFICATION OF C-2 GENERAL COMMERCIAL AND R-6 MULTI-FAMILY HIGH DENSITY TO THE PORTION OF DIVISION ROAD ADJOINING LOT 4, BLOCK 1 OF DIVISION ADDITION LOCATED IN THE NE1/4 OF SECTION 2, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA**

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**WHEREAS**, the Montana Department of Transportation, is the owner of record, and the City of Great Falls has initiated the annexation of the subject property, consisting of ±3.50 acres, as legally described above; and

**WHEREAS**, the City of Great Falls is requesting to assign a zoning classification of C-2 General Commercial to the subject property, upon annexation to the City; and

**WHEREAS**, Section 7-2-4211 Montana Code Annotated, provides that whenever a property is to be annexed to a municipality, the municipality shall include the full width of any public streets or roads, including the rights-of-way, that are adjacent to the property being annexed; and

**WHEREAS**, the portion of Division Road, as described above, is adjacent to the subject property, and shall be included at time of annexation; and

**WHEREAS**, the City of Great Falls assigns zoning districts to its rights-of-way to reflect the zoning district of its adjacent properties; and

**WHEREAS**, the western thirty (30) feet of the portion of Division Road, as described above, is adjacent to R-6 Multi-family High Density zoning, and the eastern thirty (30) feet is adjacent to C-2 General Commercial, creating a zoning district delineation along the centerline of Division Road; and

**WHEREAS**, the Great Falls Zoning Commission conducted a public hearing on April 12, 2022, to consider said zoning request and, at the conclusion of said hearing, passed a motion recommending the City Commission assign said zoning to the property legally described as Tract A of Certificate of Survey 2248 and the portion of Division Road adjoining Lot 4, Block 1 of

Division Addition located in the NE1/4 of Section 2, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana; and

**WHEREAS**, notice of assigning said zoning classification to the subject property was published in the *Great Falls Tribune* advising that a public hearing before the Great Falls City Commission on this zoning designation would be held on the 7th day of June, 2022, before final passage of said Ordinance herein; and

**WHEREAS**, following said public hearing, it was found and decided that the assignment of C-2 and R-6 zoning on said properties meets the Basis of Decision requirements in the Official Code of the City of Great Falls (OCCGF), Section 17.16.40.030, and that the said zoning designations be made.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:**

Section 1. It is determined that the herein requested C-2 and R-6 zoning assignments meet the criteria and guidelines cited in Mont. Code Ann. § 76-2-304, and meets the requirements of OCCGF Section 17.16.40.030.

Section 2. That the zoning classification of “C-2 General Commercial” be assigned to the property legally described as: Tract A of Certificate of Survey 2248 and that the zoning classifications of “C-2 General Commercial” and “R-6 Multi-family High Density” be assigned to the portion of Division Road adjoining Lot 4, Block 1 of Division Addition located in the NE1/4 of Section 2, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana.

Section 3. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading May 3, 2022.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading June 7, 2022.

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Bob Kelly, Mayor

ATTEST:

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Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

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Jeff Hindoien, City Attorney

State of Montana    )  
County of Cascade  : ss  
City of Great Falls )

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3223, on the Great Falls Civic Center posting board and the Great Falls City website.

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Lisa Kunz, City Clerk

(CITY SEAL)

# Map Exhibit



## Legend

-  City Limit
-  Zoning



0 100 200 400 600 Feet

4/19/2022

Map exhibit is for reference only and is not survey grade. For questions, please contact City of Great Falls Mapping & Addressing.