

ORDINANCE 3095

AN ORDINANCE ASSIGNING A ZONING CLASSIFICATION OF R-1 SINGLE-FAMILY LOW DENSITY RESIDENTIAL DISTRICT TO MARK 1, SUN RIVER BRIDGE GARDEN TRACTS, AND ABUTTING PORTION OF THE SUN RIVER AND 13TH AVENUE SOUTHWEST RIGHT-OF-WAY FROM 14TH STREET SOUTHWEST TO THE EASTERN BOUNDARY OF THE SUBJECT PROPERTY ALL LOCATED IN SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, CASCADE COUNTY, MONTANA

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WHEREAS, Deloris M. Russell Trust has petitioned the City of Great Falls to annex Mark 1, Sun River Bridge Garden Tracts and abutting portion of the Sun River and 13th Avenue Southwest right-of-way from 14th Street Southwest to the eastern boundary of the subject property consisting of ±1.85 acres, located in Section 15, Township 20 North, Range 3 East, Cascade County, Montana, herein referred to as Subject Property, and;

WHEREAS, Deloris M. Russell has petitioned Mark 1, Sun River Bridge Garden Tracts be assigned a zoning classification of R-1 Single-family low density residential district upon annexation to the City; and,

WHEREAS, the abutting portion of the Sun River shall be assigned a zoning classification of PLI – Public Lands and Institutional upon annexation; and,

WHEREAS, the portion of 13th Avenue Southwest from 14th Street Southwest to the eastern boundary of Mark 1, Sun River Bridge Garden Tracts shall be assigned zoning consistent with the adjacent properties including R-1 Single-family low density, R-6 Multi-family high density and C-2 General commercial upon annexation; and,

WHEREAS, notice of assigning said zoning classifications to Subject Property was published in the *Great Falls Tribune* advising that a public hearing on this zoning designation would be held on the 2nd day of October, 2012, before final passage of said Ordinance herein; and,

WHEREAS, following said public hearing, it was found and decided that the said zoning designation be made;

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

Section 1. It is determined that the herein requested zoning designation will meet the criteria and guidelines cited in Section 76-2-304 Montana Code Annotated, and Section 17.16.40.030 of the Unified Land Development Code of the City of Great Falls.

Section 2. That the zoning of Mark 1, Sun River Bridge Garden Tracts, Section 15, Township 20 North, Range 3 East, Cascade County, Montana, be designated as R-3 Single-family high density residential district classification attached hereto as Attachment "A" and by this reference made a part hereof.

Section 3. That the zoning of the Sun River abutting Mark 1, Sun River Bridge Garden Tracts, Section 15, Township 20 North, Range 3 East, Cascade County, Montana, be designated as PLI Public Lands and Institutional district classification attached hereto as Attachment "A" and by this reference made a part hereof.

Section 4. That the zoning of a portion of 13th Avenue Southwest from 14th Street Southwest to the eastern boundary of Mark 1, Sun River Bridge Garden Tracts, Section 15, Township 20 North, Range 3 East, Cascade County, Montana, be designated as R-1 Single-family low density, R-6 Multi-family high density and C-2 General commercial consistent with the adjacent properties upon annexation as attached hereto as Attachment "A" and by this reference made a part hereof.

Section 5. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission or upon filing in the office of the Cascade County Clerk and Recorder the resolution annexing Mark 1, Sun River Bridge Garden Tracts and abutting portion of the Sun River and 13th Avenue Southwest right-of-way from 14th Street Southwest to the eastern boundary of the subject property consisting of ±1.85 acres, located in Section 15, Township 20 North, Range 3 East, Cascade County, Montana, whichever event shall occur later.

APPROVED by the City Commission on first reading September 4, 2012.

PASSED, APPROVED AND ADOPTED by the City Commission of the City of Great Falls, Montana on second reading October 2, 2012.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

David L. Nielsen, Interim 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 3095 in three conspicuous places within the limits of said City to-wit:

- On the Bulletin Board, first floor, Civic Center Building;
- On the Bulletin Board, first floor, Cascade County Court House;
- On the Bulletin Board, Great Falls Public Library

Lisa Kunz, City Clerk

(CITY SEAL)