

ORDINANCE 3099

AN ORDINANCE ASSIGNING A ZONING CLASSIFICATION OF R-3 SINGLE-FAMILY HIGH DENSITY RESIDENTIAL DISTRICT, WITH A CONDITIONAL USE PERMIT FOR A WORSHIP FACILITY TO LOTS 1-8 AND VACATED ALLEY, BLOCK 8, FINLAY SUPPLEMENT TO PROSPECT PARK ADDITION, AND THE ABUTTING PORTIONS OF 14TH STREET SOUTH AND 22ND AVENUE SOUTH ALL LOCATED IN SECTION 18, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA

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WHEREAS, Praise Tabernacle Church has petitioned the City of Great Falls to annex 2121 13th St S consisting of ±0.66 acres, described as Lots 1-8 and vacated alley, Block 8, Finlay Supplement to Prospect Park Addition, Section 18, Township 20 North, Range 4 East, Cascade County, MT, herein referred to as Subject Property, and;

WHEREAS, Praise Tabernacle Church has petitioned Subject Property be assigned a zoning classification of R-3 Single-family high density residential district with a Conditional Use Permit allowing a Worship Facility upon annexation to the City; and,

WHEREAS, Montana Code Annotated 7-2-4211 requires annexation of roads and right-of-way that are adjacent to the property being annexed in this case consisting of ±0.65 acres of 22nd Avenue South and 14th Street South; and,

WHEREAS, the abutting portions of 22nd Avenue South and 14th Street South shall be assigned a zoning classification of R-3 Single-family high density residential district consistent with adjacent properties 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 15th day of January, 2013, 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 Lots 1-8 and vacated alley, Block 8, Finlay Supplement to Prospect Park Addition, Section 18, Township 20 North, Range 4 East, Cascade County, P.M.M., MT, be designated as R-3 Single-family high density residential district classification with a Conditional Use allowing a Worship Facility as attached hereto as Attachment "A" and by this reference made a part hereof.

Section 3. That the zoning of said portion of 22nd Avenue South and 14th Street South right-of-way, Section 15, Township 20 North, Range 3 East, Cascade County, Montana, be designated as R-3 Single-family high density residential district classification consistent with adjacent properties as attached hereto as Attachment "A" and by this reference made a part hereof.

Section 4. 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 Lots 1-8 and vacated alley, Block 8, Finlay Supplement to Prospect Park Addition, Section 18, Township 20 North, Range 4 East, Cascade County, MT, and said portion of 22nd Avenue South and 14th Street South, into the corporate limits of the City of Great Falls, Montana, whichever event shall occur later.

APPROVED by the City Commission on first reading December 18, 2012.

PASSED, APPROVED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on second reading January 15, 2013.

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 3099 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)