

ORDINANCE NO. 756

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, AMENDING PORTIONS OF TITLE 18 OF THE COLUMBIA FALLS MUNICIPAL CODE.

WHEREAS, the City Council desires to increase the accessory building height to allow for current building standards and to amend the building height from 30' to 35' to be consistent within all of the residential districts.

WHEREAS, the Columbia Falls City-County Planning Board and Zoning Commission conducted a public hearing on the proposed text amendments on Tuesday, November 10, 2015 and recommended adoption of the text amendments; and

WHEREAS, the City Council has determined, upon conducting a subsequent hearing on December 7, 2015, that said amendments to the Columbia Falls Municipal Code are in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. Sections Amended: Maximum Height in CR-1 Suburban Residential 18.322.040 D, CR-2 One-Family Limited Residential 18.324.040 H, CR-3 One Family Residential 18.326.040 D. and Chapter 18.410 Accessory Uses 18.410.030 G, Columbia Falls Municipal Code is hereby amended to read as shown on Exhibit "A" attached hereto.

Section Two. Inconsistent Provisions: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section Three. Severability: The provisions of this Ordinance are severable. If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision.

Section Four. Effective Date: This Ordinance shall become effective thirty (30) days after its final passage and approval by the City Council of the City of Columbia Falls, Montana.

PASSED AND APPROVED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS 4th DAY OF JANUARY, 2016, THE COUNCIL VOTING AS FOLLOWS:

AYES: Fisher, Karper, Lovering, Petersen, Piper, Shepard and Barnhart

NOES: None

ABSENT: None

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA, THIS 4th DAY OF JANUARY, 2016.

Mayor

ATTEST:

City Clerk

EXHIBIT "A"

Chapter 18.322 CR-1 ONE-FAMILY LIMITED RESIDENTIAL

18.322.040 Bulk and dimensional requirements.

The bulk and dimensional requirements for the CR-1 district are as follows:

- A. Minimum lot area: one (1) acre;
- B. Minimum lot width: one hundred fifty (150) feet;
- C. Minimum yard requirements:
 - 1. Front: thirty (30) feet;
 - 2. Side: twenty (20) feet each;
 - 3. Side corner: thirty (30) feet;
 - 4. Rear: twenty (20) feet;
- D. Maximum height: thirty-five (35); licensed amateur radio operators antennae-seventy-five (75) feet;
- E. Permitted lot coverage: thirty (30) percent;
- F. Maximum fence height:
 - 1. Front: three (3) feet;
 - 2. Side: six (6) feet;
 - 3. Rear: six (6) feet;
- G. Off-street parking: See Chapter Parking and Loading 18.500.
(Ord. 523 § 1(part), 1989)

Chapter 18.324 CR-2 ONE-FAMILY LIMITED RESIDENTIAL

18.324.040 Bulk and dimensional requirements.

The bulk and dimensional requirements of the CR-2 district are as follows:

- A. Minimum lot area: twenty thousand (20,000) square feet;
- B. Minimum lot width: one hundred (100) feet;
- C. Minimum yard requirements:
- D. Front: twenty-five (25) feet;
- E. Side: fifteen (15) feet each;
- F. Side corner: fifteen (15) feet;
- G. Rear: twenty (20) feet;
- H. Maximum height: thirty-five (35) feet; licensed amateur radio operators antennae-seventy-five (75) feet;
- I. Permitted lot coverage: thirty (30) percent;
- J. Maximum fence height:
- K. Front: three (3) feet;
- L. Side: six (6) feet;
- M. Rear: six (6) feet;
- N. Off-street parking: See Chapters Parking and Loading 18.500.
(Ord. 523 § 1(part), 1989; Ord. No. 716, exhibit A, 4-5-2010)

Chapter 18.326 CR-3 ONE FAMILY RESIDENTIAL

18.326.040 Bulk and dimensional requirements.

The bulk and dimensional requirements for the CR-3 district are as follows:

- A. Minimum lot area: nine thousand six hundred square feet;
- B. Minimum lot width: eighty feet;
- C. Minimum yard requirements:
 - 1. Front: twenty-five feet,
 - 2. Side: five feet each,
 - 3. Side corner: fifteen feet,
 - 4. Rear: twenty feet;
- D. Maximum height: thirty-five (35) feet; licensed amateur radio operators antennae-seventy-five feet;
- E. Permitted lot coverage: thirty percent;
- F. Maximum fence height:
 - 1. Front: three feet,
 - 2. Side: six feet,
 - 3. Rear: six feet;
- G. Off-street parking: See Chapters Parking and Loading 18.500 (Ord. 687 § 2(part), 2007)

Chapter 18.410 ACCESSORY USES

18.410.030 Accessory Use Restrictions.

The following is a list of restrictions on accessory uses and structures:

- A. In CR zones, there shall be no storage or overnight parking of trucks, buses, or other vehicles with a manufacturers rating of more than two tons;
- B. No accessory structures except fences, walls, or hedges shall be constructed in any front yard. Accessory buildings shall not be located any closer than five feet to a rear or side lot line in zoning districts with setback requirements; except storage shed with an area 120 square feet or less.
- C. Accessory buildings in a commercial or industrial district shall comply to the setback requirements for principal buildings when located adjacent to a residential use or district.
- D. On corner lots, accessory structures and uses shall conform to the setback requirements on both street frontages.
- E. Accessory buildings shall not cover more than twenty-five percent of any rear yard in CR zones.
- F. When a garage or carport is entered from an alley, it shall not be located closer than ten feet from the alley right-of-way line.
- G. Accessory buildings shall not exceed a height of twenty two feet in CR zones or the maximum height permitted for a principal building in other zones.
- H. Attached accessory buildings shall be located pursuant to the requirements for principal buildings.

I. No accessory structure or use shall be constructed or established on any lot prior to the time of the substantial completion of the construction of the principal structure to which it is an accessory.

(Ord. 615 § 2(part), 1999; Ord. 601 § 7, 1997; Ord. 544 § 3, 1991; Ord. No. 716, exhibit A, 4-5-2010)