

**A G E N D A   R E P O R T**

**DATE**     July 5, 2005

**ITEM** Extension of Ord.# 2900, Interim Zoning Regulations for Gambling Establishments/Casinos.

**INITIATED BY** Staff.

**ACTION REQUESTED** Set Public Hearing to Consider Extending Interim Ord.# 2900.

**PRESENTED BY** David V. Gliko, City Attorney.

**RECOMMENDATION:**

Staff recommends that the City Commission approve the following motion.

**MOTION:**

I move the City Commission set a public hearing for July 19, 2005 at 7:00 p.m. to consider extending Interim Ordinance# 2900 for up to one year.

**SYNOPSIS:**

Ord. #2900 was approved as an interim ordinance February 1, 2005 for a period of six months. This ordinance will expire August 1, 2005 unless it is extended by the City Commission for up to one year to allow for the finalization and adoption of the Unified Land Development and Zoning Code.

The regulations in Ordinance 2900 are meant as interim regulations governing gambling establishments and casinos. The interim ordinance specifies zoning districts allowable for gambling/casino establishments during the interim, and the required distances to be met from schools and places of worship. Casinos that are expanded, remodeled or relocated would also need approval of the Design Review Board and would need to comply with current codes for signage, landscaping and parking.

**BACKGROUND:**

On February 1, 2005 the City Commission approved Ordinance 2900 as an interim ordinance. The interim ordinances has been in effect for six months but will expire August 1, 2005. State law allows an interim ordinances to be extended for up to one year if proper notice is given and a public hearing is held. M.C.A. 76-2-306.

It is understood, that the rules in effect with this interim ordinances governing casinos/gambling establishments may change with the adoption of the Land Development and Zoning Code.