

ORDINANCE 3002

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION ON LOTS 1 THROUGH 7, BLOCK 26, HUY'S ADDITION TO GREAT FALLS, CASCADE COUNTY, MONTANA, ADDRESSED AS 2000, 2004, 2008, 2012, 2016, & 2026 9TH AVENUE SOUTH, RESPECTIVELY, FROM R-3 SINGLE-FAMILY HIGH DENSITY DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT

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WHEREAS, on the 6th day of September, 2005, the City Commission of the City of Great Falls, Montana, adopted a certain Ordinance designated as Ordinance 2923 entitled: "AN ORDINANCE ADOPTING TITLE 17 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS, MONTANA, PERTAINING TO LAND DEVELOPMENT CODES AND REPEALING ANY AND ALL PREVIOUS ORDINANCES OR INTERIM ORDINANCES,"; and,

WHEREAS, said Ordinance 2923 became effective the 6th day of October, 2005; and,

WHEREAS, said Ordinance 2923 has placed the following described property situated in the City of Great Falls, Cascade County, Montana, in a R-3 SINGLE-FAMILY HIGH DENSITY DISTRICT, as defined therein:

Lots 1 through 7, Block 26, Huy's Addition to Great Falls, Cascade County, Montana, addressed as 2000, 2004, 2008, 2012, 2016, & 2026 9th Avenue South, respectively.

WHEREAS, notice of rezoning the above-mentioned property from the existing R-3 SINGLE-FAMILY HIGH DENSITY DISTRICT to a C-2 GENERAL COMMERCIAL DISTRICT was published in the Great Falls Tribune, advising that a public hearing on this proposed change in zoning would be held on the 15th day of April, 2008, before final passage of said Ordinance herein; and,

WHEREAS, pursuant to said Ordinance 2923, a hearing was duly held after notice thereof was first duly given according to said Ordinance 2923, for the purpose of considering changing said zoning designation on said property to a C-2 GENERAL COMMERCIAL DISTRICT; and,

WHEREAS, following said public hearing, it was found and recommended that the said zone change be made, provided the applicant for the zone change and the owners of said Lots 1 – 7 enter into an agreement with the City containing specified terms and conditions, 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 zone change 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, provided the terms and conditions in the heretofore mentioned agreement are adhered to and fulfilled.

Section 2. That the zoning designation on the property hereinabove described be changed from a R-3 SINGLE-FAMILY HIGH DENSITY DISTRICT to a C-2 GENERAL COMMERCIAL DISTRICT.

Section 3. All Ordinances and parts of Ordinances in conflict herewith, are hereby repealed.

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 the applicant for the zone change, as referenced in the heretofore mentioned agreement, acquiring ownership and assuming title to the hereinabove described property, whichever event shall occur later. This ordinance shall be deemed null and void should the applicant for the zone change fail to acquire ownership and assume title to the hereinabove described property by August 31, 2008.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, this 15th day of April, 2008.

Dona R. Stebbins, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David V. Gliko, 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 hereby certify that the foregoing Ordinance 3002 was placed on its final passage and passed by the City Commission of the City of Great Falls, Montana at a meeting thereof held on the 15th day of April, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City on this 15th day of April, 2008.

Lisa Kunz, City Clerk

(SEAL OF CITY)

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

Lisa Kunz, being first duly sworn, deposes and says: That on the 15th day of April, 2008, and prior thereto, she was the City Clerk of the City of Great Falls, Montana; that as said City Clerk she did publish and post as required by law and as prescribed and directed by the Commission, Ordinance 3002 of the City of Great Falls, 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

(SEAL OF CITY)