

## ORDINANCE NO. 04-5272

AN ORDINANCE AMENDING ORDINANCE 03-5261 REGARDING THE ZONE CLASSIFICATION ON **THE NW $\frac{1}{4}$ NW $\frac{1}{4}$  OF SECTION 12, TOWNSHIP 1 SOUTH, RANGE 25 EAST, LESS EMERICK SUBDIVISION AND C/S 1702. (THE SUBJECT PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF 32<sup>ND</sup> STREET WEST AND CENTRAL AVENUE.)**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. RECITALS. *Title 76, Chapter 2, Part 3, MCA, and Sections 27-302 and 27-1502, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the twelve (12) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the twelve (12) criteria required by state law.

2. DESCRIPTION. **THE NW $\frac{1}{4}$ NW $\frac{1}{4}$  OF SECTION 12, TOWNSHIP 1 SOUTH, RANGE 25 EAST, LESS EMERICK SUBDIVISION AND C/S 1702 LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF 32<sup>ND</sup> STREET WEST AND CENTRAL AVENUE** is presently zoned **Residential-9600, Residential-7000 and Residential Multifamily Restricted** and is shown on the official zoning map within these zones (See Zone Change #721, Ordinance 03-5261, Adopted 11/24/2003).

3. ZONE AMENDMENT. The official zoning map is hereby amended and the zoning for the property described in Attachment A, Part 1(B), is hereby changed from **Residential-9600** to **Residential-7000** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Residential-7000** as set out in the Billings, Montana City Code.

4. ZONE AMENDEMENT. The official zoning map is hereby amended and the zoning for the following property described in Attachment A, Part 2(B), is hereby changed from **Residential-9600** to **Residential Multifamily Restricted** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Residential Multifamily Restricted** as set out in the Billings, Montana City Code.

5. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

6. EFFECTIVE DATE. This ordinance shall be effective from and after final passage and as provided by law.

PASSED by the City Council on first reading March 22, 2004.

PASSED, ADOPTED AND APPROVED on second reading April 12, 2004.

CITY OF BILLINGS:

BY: \_\_\_\_\_  
Charles F. Tooley, Mayor

ATTEST:

BY: \_\_\_\_\_  
Marita Herold, CMC/AAE, City Clerk

ZC#728