

ORDINANCE NO. 04-5278

**AN ORDINANCE AMENDING THE ZONE CLASSIFICATION
ON TRACTS 101 AND 124 OF SUNNY COVE FRUIT FARMS
GENERALLY LOCATED ON THE NORTHWEST
CORNER OF 58TH STREET WEST AND GRAND 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. **TRACTS 101 AND 124 OF SUNNY COVE FRUIT FARMS GENERALLY LOCATED ON THE NORTHWEST CORNER OF 58TH STREET WEST AND GRAND AVENUE** is presently zoned **Agricultural-Open Space (County)** and is shown on the official zoning map within this zone.

3. ZONE AMENDMENT. The official zoning map is hereby amended and the zoning for **TRACTS 101 AND 124 OF SUNNY COVE FRUIT FARMS** is hereby changed from **Agricultural-Open Space (County)** to **Residential-9600 and Residential 7000** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining **Residential-9600 and Residential 7000** as set out in the Billings, Montana City Code.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

5. 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 April 26, 2004.

PASSED, ADOPTED AND APPROVED on second reading May 10, 2004.

CITY OF BILLINGS:

BY: _____
Charles F. Tooley, Mayor

ATTEST:

BY: _____
Marita Herold, CMC/AAE, City Clerk

ZC #729