

## ORDINANCE NO. 04-5284

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION ON TRACT 1 OF CERTIFICATE OF SURVEY NO. 3125 AND TRACTS 1, 2, 3 AND 4 OF CERTIFICATE OF SURVEY NO. 2064 **GENERALLY LOCATED ON THE NORTHWEST CORNER OF KING AVENUE WEST AND SHILOH ROAD.**

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. **TRACT 1 OF CERTIFICATE OF SURVEY NO. 3125 AND TRACTS 1, 2, 3 AND 4 OF CERTIFICATE OF SURVEY NO. 2064 GENERALLY LOCATED ON THE NORTHWEST CORNER OF KING AVENUE WEST AND SHILOH ROAD** is presently zoned **Residential 9600** 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 **TRACT 1 OF CERTIFICATE OF SURVEY NO. 3125 AND TRACTS 1, 2, 3 AND 4 OF CERTIFICATE OF SURVEY NO. 2064** is hereby changed from **Residential 9600** to **Planned Development (underlying zones of Commercial Neighborhood, The Campus and The Village Neighborhood)** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining **Planned Development (underlying zones of Commercial Neighborhood, The Campus and The Village Neighborhood)** as set out in the Billings, Montana City Code and in the approved Planned Development Agreement.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 May 10, 2004.

PASSED, ADOPTED AND APPROVED on second reading May 24, 2004.

CITY OF BILLINGS:

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

ATTEST:

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

ZC #722