

ORDINANCE NO. 04-5301

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION ON TRACT C OF CERTIFICATE OF SURVEY 1011 AMENDED. THE SUBJECT PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF 34TH STREET WEST AND AVENUE E.

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 C OF CERTIFICATE OF SURVEY 1011 AMENDED LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF 34TH STREET WEST AND AVENUE E** is presently zoned **Residential-9600** and is shown on the official zoning map within these zones (See Annexation #04-07, Resolution 04-18161, Adopted 7/12/2004).

3. ZONE AMENDMENT. The official zoning map is hereby amended and the zoning for the **above described parcel** is hereby changed from **Residential-9600** to **Residential-6000 Restricted** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Residential-6000 Restricted** 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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 September 27, 2004.

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

CITY OF BILLINGS:

BY: _____
Charles F. Tooley, Mayor

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ATTEST:

BY:

Marita Herold, CMC/AAE, City Clerk

ZC#743