

ORDINANCE NO. 04-5303

AN ORDINANCE MAKING A MAJOR CHANGE TO THE **REHBERG RANCH ESTATES MASTER PLAN AND PLANNED UNIT DEVELOPMENT AGREEMENT ON TRACTS 1 THROUGH 5, CERTIFICATE OF SURVEY 3091 and REHBERG RANCH ESTATES SUBDIVISION, 1ST FILING.**

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

1. RECITALS. Whereas, M.C.A. 76-2-304 and the City Zoning Ordinance No. 3797, as amended by Ordinance 4102, Section 7.01, provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed amendments 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. That the **PROPERTY GENERALLY LOCATED ALONG THE WEST SIDE OF ROD AND GUN CLUB ROAD, APPROXIMATELY ONE-HALF(1/2) MILE NORTH OF HIGHWAY3** situated in Section 15 and the E1/2 of the E1/2 of Section 22, T.1N., R.25E., P.M.M., Yellowstone County, Montana, more particularly described as:

TRACTS 1 THROUGH 5, CERTIFICATE OF SURVEY 3091 and REHBERG RANCH ESTATES SUBDIVISION, 1ST FILING.

Is presently zoned **Planned Development** (Ordinance No. 02-5198) and is shown on the official zoning map within this zone.

3. ZONE AMENDMENT. That Ordinance No. 02-5198 and the official zoning map are hereby amended and the Master Plan and Planned Unit Development Agreement for **the above described parcels** is hereby amended and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining **Planned Development (with multiple underlying zoning districts)** as defined in the Zoning Ordinance and the Billings Montana City Code (BMCC).

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 October 25, 2004.

PASSED, ADOPTED AND APPROVED on second reading November 8, 2004.

CITY OF BILLINGS:

BY: _____
Charles F. Tooley, Mayor

ATTEST:

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

ZC#724