

ORDINANCE NO. 04-5308

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION ON A PORTION OF TRACT 3 of C/S 3106. **THE SUBJECT PROPERTY IS LOCATED ON THE EAST SIDE OF SHILOH ROAD, BETWEEN BROADWATER AND CENTRAL AVENUES.**

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.** A tract of land situated in the SW1/4 of Section 2, T.1S., R.25E., P.M.M., Yellowstone County, Montana, more particularly described as: A portion of Tract 3 of Certificate of Survey 3106, containing .8516 acres of land and is presently zoned **Residential 9600** and is shown on the official zoning maps within this zone.

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 **Community Commercial** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining **Community Commercial** 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 **REPEALER.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 November 22, 2004.

PASSED, ADOPTED AND APPROVED on second reading December 13, 2004.

CITY OF BILLINGS:

BY: _____
Charles F. Tooley, Mayor

ATTEST:

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

ZC#747