

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION ON LOT 1, BLOCK 1, MONTANA ADDITION TO GREAT FALLS, CASCADE COUNTY, MONTANA, ADDRESSED AS 1600 FOX FARM ROAD, FROM C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT WITH RESTRICTIONS

* * * * *

WHEREAS, on the 6th day of September, 2005, the City Commission of the City of Great Falls, Montana, adopted a certain Ordinance designated as Ordinance No. 2923 entitled: "AN ORDINANCE ADOPTING TITLE 17 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS, MONTANA, PERTAINING TO LAND DEVELOPMENT CODES AND REPEALING ANY AND ALL PREVIOUS ORDINANCES OR INTERIM ORDINANCES,"; and,

WHEREAS, said Ordinance No. 2923 became effective the 6th day of October, 2005; and,

WHEREAS, said Ordinance No. 2923 has placed the following described property situated in the City of Great Falls, Cascade County, Montana, in a C-1 NEIGHBORHOOD COMMERCIAL DISTRICT, as defined therein:

Lot 1, Block 1, Montana Addition to Great Falls, Cascade County, Montana, addressed as 1600 Fox Farm Road.

WHEREAS, notice of rezoning the above-mentioned property from the existing C-1 NEIGHBORHOOD COMMERCIAL DISTRICT to a C-2 GENERAL COMMERCIAL DISTRICT was published in the Great Falls Tribune, advising that a public hearing on this proposed change in zoning would be held on the 11th day of July, 2006, before final consideration of said Ordinance herein; and,

WHEREAS, pursuant to said Ordinance No. 2923, a hearing was duly held after notice thereof was first duly given according to said Ordinance No. 2923, for the purpose of considering changing said zoning designation on said property to a C-2 GENERAL COMMERCIAL DISTRICT; and,

WHEREAS, following said public hearing, it was found and recommended that the said zone change be made subject to the specified terms and conditions, NOW THEREFORE,

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF GREAT FALLS, STATE OF MONTANA:

Section 1. It is determined that the herein requested zone change will meet the criteria and guidelines cited in Section 76-2-304 Montana Code Annotated, and Section 17.16.40.030 of the Unified Land Development Code of the City of Great Falls, provided the terms and conditions referenced in the following Section 2 are adhered to and fulfilled.

Section 2. That the zoning designation on the property hereinabove described be changed from a C-1 NEIGHBORHOOD COMMERCIAL DISTRICT to a C-2 GENERAL COMMERCIAL DISTRICT with the following stipulations:

- a) Casino, type I is prohibited;
- b) Accessory gaming, as defined and provided for in the Land Development Code, is permitted;
- c) Exterior signage indicating any form of gaming is prohibited;
- d) Only uses permitted in a C-1 Neighborhood commercial district and accessory gaming as referenced in b. above, are allowed; and
- e) Access to subject Lot 1 from Fox Farm Road shall be modified to incorporate a joint use driveway with the adjoining property to the south.

Section 3. All Ordinances and parts of Ordinances in conflict herewith, are hereby repealed.

Section 4. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, this 11th day of July, 2006.

Dona R. Stebbins, Mayor

ATTEST:

City Clerk, Peggy J. Bourne

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT: City Attorney

State of Montana)
County of Cascade : ss.
City of Great Falls)

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Ordinance No. 2939 was placed on its final passage and passed by the City Commission of the City of Great Falls, Montana at a meeting thereof held on the 11th day of July, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City on this 11th day of July, 2006.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

State of Montana)
County of Cascade : ss.
City of Great Falls)

Peggy J. Bourne, being first duly sworn, deposes and says: That on the 11th day of July, 2006, and prior thereto, she was the City Clerk of the City of Great Falls, Montana; that as said City Clerk she did publish and post as required by law and as prescribed and directed by the Commission, Ordinance No. 2939 of the City of Great Falls, in three conspicuous places within the limits of said City to-wit:

On the Bulletin Board, first floor, Civic Center Building;
On the Bulletin Board, first floor, Cascade County Court House;
On the Bulletin Board, Great Falls Public Library

Peggy J. Bourne, City Clerk

(SEAL OF CITY)