

ORDINANCE 2975

AN ORDINANCE ASSIGNING ZONING CLASSIFICATIONS OF M-2 MIXED-USE TRANSITIONAL FOR THE MAJORITY OF THE RIGHT-OF-WAY AT THE SOUTH END AND I-1 LIGHT INDUSTRIAL FOR THE REMAINDER AT THE NORTH END OF A SEGMENT OF BURLINGTON NORTHERN AND SANTA FE RAILROAD RIGHT-OF-WAY, IN LOT 1 AND LOT 5 OF SECTION 2 AND LOT 4 OF SECTION 1, ALL IN TOWNSHIP 20 NORTH, RANGE 3 EAST, M.P.M. CASCADE COUNTY, MONTANA

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WHEREAS, the properties adjoining the unincorporated segment of Burlington Northern and Santa Fe Railroad right-of-way include West Bank Park along the eastern boundary and a mix of business uses along the western boundary; and,

WHEREAS, the annexation involves an operating rail line, wherein zoning is normally dictated by the most prevalent zoning districts bordering the corridor being annexed; and,

WHEREAS, the Great Falls Zoning Commission, at the conclusion of a public hearing held June 12, 2007, passed a motion recommending the City Commission of the City of Great Falls assign zoning classifications of M-2 Mixed-use transitional for the majority of the right-of-way at the south end and I-1 Light industrial for the remainder at the north end, as depicted on the zoning map attached hereto as Exhibit "A" and by this reference made a part hereof.

WHEREAS, notice of assigning zoning classifications of M-2 Mixed-use transitional for the majority of the right-of-way at the south end and I-1 Light industrial for the remainder at the north end, was published in the Great Falls Tribune advising that a public hearing on this zoning designation would be held on the 17th day of August, 2007, before final passage of said Ordinance herein; and,

WHEREAS, following said public hearing, it was found and recommended that the said zoning designations be made, 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 described zoning designations 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.

Section 2. That the zoning of a segment of the Burlington Northern and Santa Fe Railroad Right-of Way in Lot 1 and Lot 5 of Section 2 and Lot 4 of Section 1, all in Township 20 North, Range 3 East, M.P.M. Cascade County, Montana, containing 6.49 acres, be designated as M-2 Mixed-use transitional for the majority of the right-of-way at the south end and I-1 Light industrial for the remainder at the north end, as depicted on the attached Exhibit "A".

Section 3. This ordinance shall be in full force and effect either thirty (30) days after its passage and adoption by the City Commission or upon filing in the office of the Cascade County Clerk and Recorder the resolution annexing a segment of the Burlington Northern and Santa Fe Railroad Right-of Way in Lot 1 and Lot 5 of Section 2 and Lot 4 of Section 1, all in Township 20 North, Range 3 East, M.P.M. Cascade County, Montana, containing 6.49 acres, into the corporate limits of the City of Great Falls, Montana, whichever event shall occur later.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, this 17th day of August, 2007.

Dona R. Stebbins, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF THE CITY)

APPROVED FOR LEGAL CONTENT:

David V. Gliko, City Attorney

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

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Ordinance 2975 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 17th day of August, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 17th day of August, 2007.

Lisa Kunz, City Clerk

(SEAL OF CITY)

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

I, Lisa Kunz, being first duly sworn, deposes and says: That on the 17th day of August, 2007, and prior thereto, I was the City Clerk of the City of Great Falls, Montana; that as said City Clerk I did publish and post as required by law and as prescribed and directed by the Commission, Ordinance 2975 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

Lisa Kunz, City Clerk

(SEAL OF CITY)

EXHIBIT "A" VICINITY/ZONING MAP



PORTION OF BURLINGTON NORTHERN AND SANTA FE RAILROAD RIGHT-OF-WAY TO BE ANNEXED TO THE CITY AND BE ASSIGNED A CITY ZONING CLASSIFICATION OF M-2 MIX-USE TRANSITIONAL AND I-1 LIGHT INDUSTRIAL, AS INDICATED

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| City Limits | C-2 General commercial | I-1 Light industrial |
| R-2 Single-family medium density | M-2 Mixed-use transitional | U Unincorporated |
| R-6 Multi-family high density | PLI Public Lands and Institutional | |
| C-1 Neighborhood commercial | POS Parks and Open Space | |

