

ORDINANCE 2995

AN ORDINANCE ASSIGNING A ZONING CLASSIFICATION OF C-2
GENERAL COMMERCIAL DISTRICT TO A SEGMENT OF
BURLINGTON NORTHERN AND SANTA FE RAILROAD RIGHT-
OF-WAY ALONG 14TH STREET SOUTHWEST, IN SECTION 15,
TOWNSHIP 20 NORTH, RANGE 3 EAST, M.P.M. CASCADE
COUNTY, MONTANA

* * * * *

WHEREAS, a segment of Burlington Northern and Santa Fe Railroad right-of-way located along 14th Street Southwest, between Interstate Spur 315 and Park Garden Road, and described in Certificate of Survey S-0004499, has never been annexed into the City; 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 November 13, 2007, passed a motion recommending the City Commission of the City of Great Falls assign a zoning classification of C-2 General commercial district, as depicted on the zoning map attached hereto as Exhibit "A" and by this reference made a part hereof; and,

WHEREAS, notice of assigning a zoning classification of C-2 General commercial district to the segment of railroad right-of-way, was published in the Great Falls Tribune advising that a public hearing on this zoning designation would be held on the 8th day of January, 2008, before final passage of said Ordinance herein; and,

WHEREAS, following said public hearing, it was found and recommended that the said zoning designation 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 designation 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 Section 15, Township 20 North, Range 3 East, M.P.M. Cascade County, Montana, containing 11.762 acres, be designated as C-2 General commercial district, 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 Section 15, Township 20 North, Range 3 East, M.P.M. Cascade County, Montana, 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 8th day of January, 2008.

Dona R. Stebbins, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

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 2995 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 8th day of January, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 8th day of January, 2008.

Lisa Kunz, City Clerk

(CITY SEAL)

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

I, Lisa Kunz, being first duly sworn, deposes and says: That on the 8th day of January, 2008, 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 2995 of the City of Great Falls, in three conspicuous places within the limits of said City to-wit:

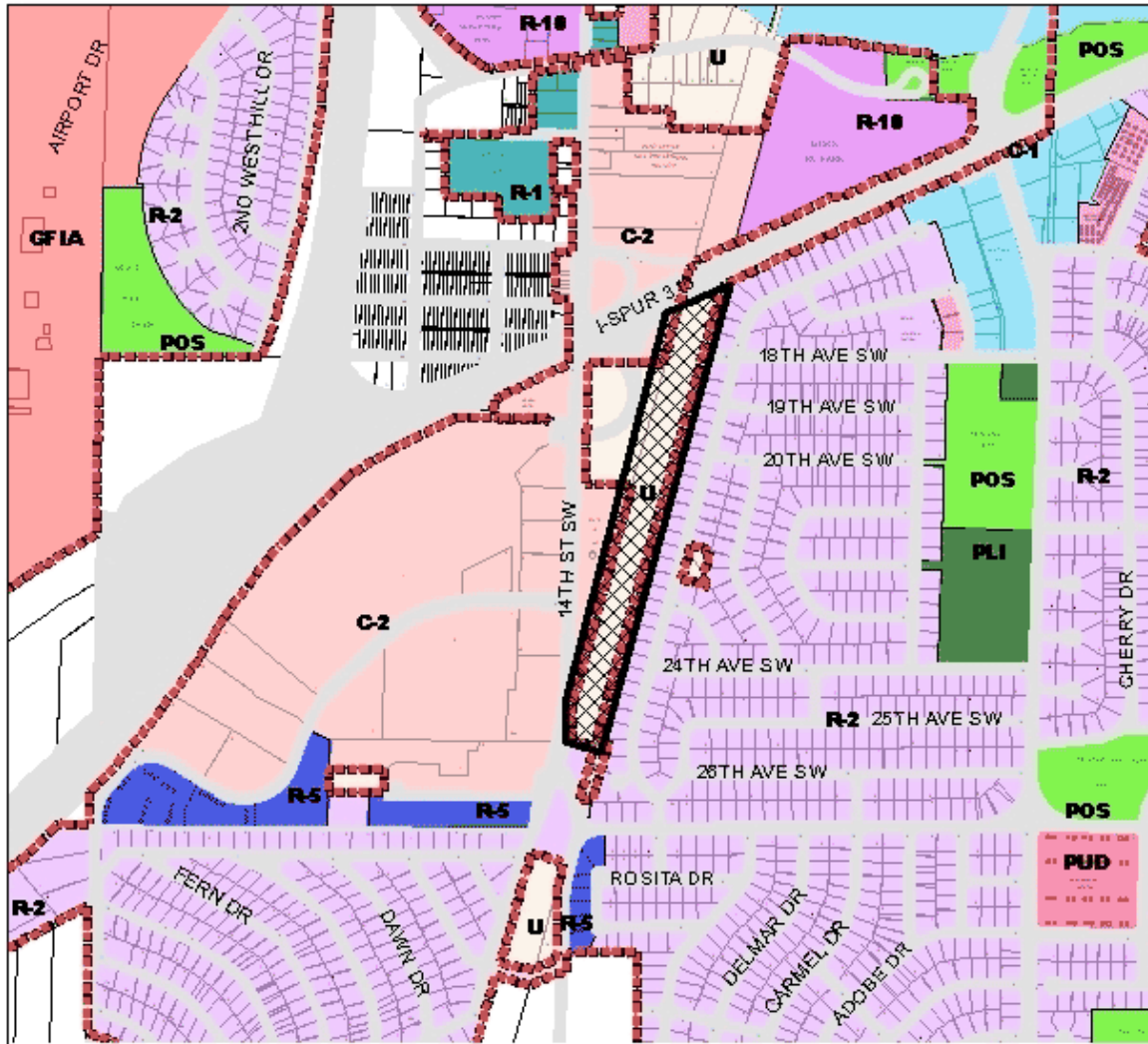
- On the Bulletin Board, first floor, Civic Center Building;
- On the Bulletin Board, first floor, Cascade County Court House;
- On the Bulletin Board, Great Falls Public Library

Lisa Kunz, City Clerk

(CITY SEAL)

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 C-2 GENERAL COMMERCIAL DISTRICT |
|  | City Limits |
|  | R-10 Mobile home park |
|  | R-1 Single-family suburban |
|  | C-1 Neighborhood commercial |
|  | R-2 Single-family medium density |
|  | C-2 General commercial |
|  | R-5 Multi-family medium density |
|  | PLI Public Lands and Institutional |
|  | R-6 Multi-family high density |
|  | POS Parks and Open Space |
|  | PUD Planned unit development |
|  | GFIA Great Falls International Airport |
|  | U Unincorporated enclaves |
|  | Tracts of land outside City |

