

ORDINANCE 3015

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION ON PARCEL MARK NO. P1, SECTION 5, TOWNSHIP 20 NORTH, RANGE 4 EAST, CASCADE COUNTY, MONTANA, LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF 38<sup>TH</sup> STREET NORTH AND RIVER DRIVE, FROM POS PARKS AND OPEN SPACE DISTRICT TO M-2 MIXED-USE TRANSITIONAL DISTRICT

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WHEREAS, on the 6<sup>th</sup> day of September, 2005, the City Commission of the City of Great Falls, Montana, adopted a certain Ordinance designated as Ordinance 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 2923 became effective the 6<sup>th</sup> day of October, 2005; and,

WHEREAS, said Ordinance 2923 has placed the following described property situated in the City of Great Falls, Cascade County, Montana, in a POS PARKS AND OPEN SPACE DISTRICT, as defined therein:

Parcel Mark No. P1, Section 5, Township 20 North, Range 4 East, Cascade County, Montana, located at the southwest corner of the intersection of 38<sup>th</sup> Street North and River Drive.

WHEREAS, notice of rezoning the above-mentioned property from the existing POS PARKS AND OPEN SPACE DISTRICT to a M-2 MIXED-USE TRANSITIONAL DISTRICT was published in the Great Falls Tribune, advising that a public hearing on this proposed change in zoning would be held on the 16th day of September, 2008, before final passage of said Ordinance herein; and,

WHEREAS, pursuant to said Ordinance 2923, a hearing was duly held after notice thereof was first duly given according to said Ordinance 2923, for the purpose of considering changing said zoning designation on said property to a M-2 MIXED-USE TRANSITIONAL DISTRICT; and,

WHEREAS, following said public hearing, it was found and recommended that the said zone change 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 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.

Section 2. That the zoning designation on the property hereinabove described be changed from a POS PARKS AND OPEN SPACE DISTRICT to a M-2 MIXED-USE TRANSITIONAL DISTRICT.

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 6th day of October, 2008.

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Dona R. Stebbins, Mayor

ATTEST:

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Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

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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 3015 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 6th day of October, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City on this 6th day of October, 2008.

\_\_\_\_\_  
Lisa Kunz, City Clerk

(SEAL OF CITY)

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

Lisa Kunz, being first duly sworn, deposes and says: That on the 6th day of October, 2008, 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 3015 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

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Lisa Kunz, City Clerk

(SEAL OF CITY)