

ORDINANCE 3021

AN ORDINANCE REZONING THE INCORPORATED PORTION OF PARCEL NO. 2, IN BEEBE TRACT 35, IN THE NW1/4 OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA FROM C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT AND ASSIGNING A ZONING CLASSIFICATION OF C-2 GENERAL COMMERCIAL DISTRICT TO THE UNINCORPORATED PORTION OF SAID PARCEL NO. 2, UPON ANNEXATION TO THE CITY

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WHEREAS, a tract of land at the northwest corner of the intersection of 2<sup>nd</sup> Avenue North and 57<sup>th</sup> Street North in Beebe Tract 35 in the NW1/4 of Section 10, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana, has been resurveyed as represented by Certificate of Survey S-0004545, filed July 21, 2008, in the Clerk and Recorder's Office of Cascade County, Montana, and depicted as Parcel No. 1 and Parcel No. 2; and,

WHEREAS, the owner of said Parcel No. 2 has petitioned the City of Great Falls to rezone the incorporated portion of said Parcel No. 2 from C-1 Neighborhood commercial district to C-2 General commercial district; and,

WHEREAS, the owner of said Parcel No. 2 has petitioned the City of Great Falls to annex the unincorporated portion of said Parcel No. 2 and assign a City zoning classification of C-2 General commercial district to same, upon annexation to City; and,

WHEREAS, notice of rezoning the incorporated portion of said Parcel No. 2 to C-2 General commercial district and assigning a zoning classification of C-2 General commercial district to the unincorporated portion of said Parcel No. 2 upon annexation to City, was published in the Great Falls Tribune advising that a public hearing on this zoning designation would be held on the 5<sup>th</sup> day of November, 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 requested 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 incorporated portion of said Parcel No. 2 be rezoned from C-1 Neighborhood commercial district to C-2 General commercial district.

Section 3. That the zoning of the unincorporated portion of said Parcel No. 2, be designated as C-2 General commercial district classification, upon annexation to the City.

Section 4. 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 the unincorporated portion of said Parcel No. 2, 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 5<sup>th</sup> day of November, 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 3021 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 5<sup>th</sup> day of November, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City on this 5<sup>th</sup> day of November, 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 5<sup>th</sup> day of November, 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 3021 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)