

ORDINANCE 3040

AN ORDINANCE ASSIGNING A ZONING CLASSIFICATION OF M-1 MIXED USE DISTRICT TO THE AMENDED PLAT OF BLOCK 21 & LOTS 1-10, BLOCK 22, HIGHLAND PARK ADDITION AND VACATED RIGHTS-OF-WAY AND GRANTING A CONDITIONAL USE PERMIT TO ALLOW A CONTRACTOR YARD, TYPE II, UPON SUBJECT PROPERTY, ALL IN SECTION 13, TOWNSHIP 20 NORTH, RANGE 3 EAST, CASCADE COUNTY, MONTANA

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WHEREAS, Dale and Tracy Yurek, have petitioned the City of Great Falls to annex the area contained within the Amended Plat of Block 21 & Lots 1-10, Block 22, Highland Park Addition & vacated rights-of-way, all in Section 13, Township 20 North, Range 3 East, Cascade County, Montana; and,

WHEREAS, Dale and Tracy Yurek, have petitioned that the Amended Plat of Block 21 & Lots 1-10, Block 22, Highland Park Addition & vacated rights-of-way, be assigned a zoning classification of M-1 Mixed use district and granted a conditional use permit to allow a contractor yard, type II, upon annexation to the City; and,

WHEREAS, notice of assigning said zoning classification and granting a conditional use permit to Amended Plat of Block 21 & Lots 1-10, Block 22, Highland Park Addition & vacated rights-of-way, was published in the Great Falls Tribune advising that a public hearing on this zoning designation and conditional use permit would be held on the 18th day of August, 2009, before final passage of said Ordinance herein; and,

WHEREAS, following said public hearing, it was found and decided that the said zoning designation be made and said conditional use permit be granted,

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. It is determined that the herein requested conditional use permit will meet the criteria and guidelines cited in Section 17.16.36.040 of the Unified Land Development Code of the City of Great Falls.

Section 3. That the zoning classification of Amended Plat of Block 21 & Lots 1-10, Block 22, Highland Park Addition & Vacated Rights-of-Way, be designated as M-1 Mixed use district and a conditional use permit be granted to allow a contractor yard, type II upon the property requested to be annexed, subject to the conditions approved by the City Commission and by this reference made a part hereof.

Section 4. This ordinance shall be in full force and effect 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 Amended Plat of Block 21 & Lots 1-10, Block 22, Highland Park Addition & vacated rights-of-way, into the corporate limits of the City of Great Falls, Montana, whichever event shall occur later.

ACCEPTED by the City Commission on first reading July 21, 2009.

PASSED, APPROVED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on second reading September 1, 2009.

Dona R. Stebbins, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Acting 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 certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3040 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)