

**ORDINANCE 3223**

**AN ORDINANCE ASSIGNING A ZONING CLASSIFICATION OF M-2 MIXED USE TRANSITIONAL TO THE PROPERTY LEGALLY DESCRIBED AS: TRACT 2 OF CERTIFICATE OF SURVEY S-0005156 LOCATED IN E1/2 OF GOVERNMENT LOT 4, SECTION 3, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA AND THE ADJOINING RIGHT OF WAY OF STUCKEY ROAD**

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**WHEREAS**, the Little Shell Tribe of Chippewa Indians of Montana, is the owner of record and has petitioned the City of Great Falls to annex the subject properties, consisting of ±2.10 acres, as legally described above; and

**WHEREAS**, Little Shell Tribe of Chippewa Indians of Montana has petitioned the City of Great Falls to assign a zoning classification of M-2 Mixed-use Transitional to the subject properties, upon annexation to the City; and

**WHEREAS**, the Great Falls Zoning Commission conducted a public hearing on August 25, 2020, to consider said zoning request and, at the conclusion of said hearing, passed a motion recommending the City Commission assign said zoning to the property legally described as Tract 2 of Certificate of Survey S-0005156 located in E1/2 of Government Lot 4, Section 3, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana and the adjoining right of way of Stuckey Road, to M-2 Mixed-use Transitional district; and

**WHEREAS**, notice of assigning said zoning classification to the subject property was published in the *Great Falls Tribune* advising that a public hearing before the Great Falls City Commission on this zoning designation would be held on the 6th day of October, 2020, before final passage of said Ordinance herein; and

**WHEREAS**, following said public hearing, it was found and decided that the assignment of M-2 zoning on said properties meets the Basis of Decision requirements in the Official Code of the City of Great Falls (OCCGF), Section 17.16.40.030, and that the said zoning designation be made.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:**

Section 1. It is determined that the herein requested M-2 zoning assignment meets the criteria and guidelines cited in Mont. Code Ann. § 76-2-304, and meets the requirements of OCCGF Section 17.16.40.030.

Section 2. That the zoning classification of “M-2 Mixed-use transitional” be assigned to the property legally described as: Tract 2 of Certificate of Survey S-0005156 located in E1/2 of Section 3, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana.

Section 3. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading September 15, 2020.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading October 6, 2020.

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Bob Kelly, Mayor

ATTEST:

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Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

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Sara Sexe, 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 3223, on the Great Falls Civic Center posting board and the Great Falls City website.

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Lisa Kunz, City Clerk

(CITY SEAL)