

**ORDINANCE 3238**

**AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA TO REZONE THE PROPERTIES LEGALLY DESCRIBED AS: LOT 2 OF AMENDED PLAT 4299, TRACT 1 OF AMENDED PLAT 4898, AND PORTIONS OF BLOCKS 27, 28, 29, 35, 37, AND 38, AND PORTIONS OF ABANDONED RIGHTS-OF-WAYS ALL IN THE FIRST ADDITION TO GREAT FALLS TOWNSITE INCLUDING PARCELS 1-6, SITUATED IN THE E1/2, NE1/4 OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 3 EAST, AND THE W1/2, NW1/4 OF SECTION 6, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M, CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA, FROM I-1 LIGHT INDUSTRIAL AND M-2 MIXED-USE TRANSITIONAL TO PUD PLANNED UNIT DEVELOPMENT ZONING DISTRICT**

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**WHEREAS**, the subject properties, located at 1300 River Drive North, and legally described above, are presently zoned I-1 Light Industrial and M-2 Mixed-Use Transitional; and

**WHEREAS**, the owner, WS Great Falls Real Estate, Inc. (Charlie Herwig), has petitioned the City of Great Falls to rezone said properties to PUD Planned Unit Development zoning district; and

**WHEREAS**, the Great Falls Zoning Commission conducted a public hearing on October 28, 2021, to consider said rezoning from I-1 Light Industrial and M-2 Mixed-use Transitional to PUD Planned Unit Development zoning district and, at the conclusion of said hearing, passed a motion recommending the City Commission rezone the property legally described as Lot 2 of Amended Plat 4299, Tract 1 of Amended Plat 4898, and portions of Blocks 27, 28, 29, 35, 37, and 38, and portions of abandoned rights-of-ways all in the First Addition to Great Falls Townsite including Parcels 1-6, situated in the E1/2, NE1/4 of Section 1, Township 20 North, Range 3 East, and the W1/2, NW1/4 of Section 6, Township 20 North, Range 4 East, P.M.MT, City of Great Falls, Cascade County, Montana; and

**WHEREAS**, notice of assigning said zoning classification to the subject property was published in the *Great Falls Tribune* advising that a public hearing on this zoning designation would be held on the 2nd day of November, 2021, before final passage of said Ordinance herein; and

**WHEREAS**, following said public hearing, it was found and decided that the zoning map amendment on said property meets the Basis of Decision requirements in the Official Code of the City of Great Falls (OCCGF), Section 17.16.29.050, and that the said rezoning 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 rezoning meets the criteria and guidelines cited in Mont. Code Ann §76-2-304, and Section 17.16.29.050 of the OCCGF.

Section 2. That the property legally described as: Lot 2 of Amended Plat 4299, Tract 1 of Amended Plat 4898, and portions of Blocks 27, 28, 29, 35, 37, and 38, and portions of abandoned rights-of-ways all in the First Addition to Great Falls Townsite including Parcels 1-6, situated in the E1/2, NE1/4 of Section 1, Township 20 North, Range 3 East, and the W1/2, NW1/4 of Section 6, Township 20 North, Range 4 East, P.M.MT, City of Great Falls, Cascade County, Montana be rezoned to PUD Planned Unit Development as shown in Exhibit A.

Section 3. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission, or upon the Certificate of Survey depicted in Exhibit A being recorded with the Cascade County Clerk and Recorder, whichever is later.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading October 19, 2021.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading November 2, 2021.

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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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Jeffrey M. Hindoiem, 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 3238 on the Great Falls Civic Center posting board and the Great Falls City website.

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Lisa Kunz, City Clerk

(CITY SEAL)

