

ORDINANCE 3276

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS TO ASSIGN A ZONING CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD) TO THE PROPERTY LEGALLY DESCRIBED AS LOT 1A OF MERCEDES MINOR SUBDIVISION, SECTION 13, T20N, R3E, P.M.M. CASCADE COUNTY, MONTANA, THE ADJOINING RIGHT-OF-WAY OF 21ST AVENUE SOUTH TO THE INTERSECTION OF 8TH STREET SOUTH, AND THE ADJOINING PARCEL OWNED BY THE CITY OF GREAT FALLS LEGALLY DESCRIBED WITHIN REEL 100, DOCUMENT NO. 1068.

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WHEREAS, the property owner, Karl Birky, has petitioned the City of Great Falls to annex the subject property, which consists of approximately 15.47 acres, as legally described above; and,

WHEREAS, Karl Birky has petitioned the City of Great Falls to assign a zoning classification of Planned Unit Development (PUD) to Lot 1A of the Mercedes Minor Subdivision, upon annexation to the City; and,

WHEREAS, the Great Falls Planning Advisory Board/Zoning Commission conducted a public hearing on June 24, 2025, to consider said assignment of zoning of Planned Unit Development (PUD), and, at the conclusion of said hearing, passed a motion recommending the City Commission assign said zoning to the subject property legally described as Lot 1A of the Mercedes Subdivision, Section 13, T20N, R3E, P.M.M., Cascade County, Montana, the adjoining right-of-way of 21st Avenue South from the subject property to the intersection of 8th Street South, and the adjoining parcel owned by the City of Great Falls legally described within in Reel 100, Document No. 1068; 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 19th day of August, 2025, before final passage of said Ordinance herein; and,

WHEREAS, following said public hearing, it was found and decided that the assignment of zoning of Planned Unit Development (PUD) for 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 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 Planned Unit Development (PUD) zoning request 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 zoning classification of “Planned Unit Development (PUD)” be assigned to Lot 1A of the Mercedes Subdivision, Section 13, T20N, R3E, P.M.M., Cascade County, Montana, the adjoining right-of-way of 21st Avenue South from the subject property to the intersection of 8th Street South, and the adjoining parcel owned by the City of Great Falls legally described within in Reel 100, Document No. 1068, as shown in “Exhibit A”, subject to the setbacks, and other development standards and by this reference made a part hereof, as well as all other applicable regulatory codes and ordinances.

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 July 15, 2025.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading August 19, 2025.

Cory Reeves, Mayor

ATTEST:

Lisa Kunz,

City Clerk

(SEAL OF

CITY)

APPROVED FOR LEGAL CONTENT:

David Dennis, 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 City Commission, Ordinance 3276 on the Great Falls Civic Center posting board and the Great Falls City website.

(CITY SEAL)

Lisa Kunz, City Clerk



Lot 1A
Mercedes Minor Subdivision

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