

ORDINANCE 3103

A ORDINANCE BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS TO REZONE THE PROPERTY LEGALLY DESCRIBED AS LOTS 3-5, BLOCK 3, HEREN ADDITION, SECTION 9, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA, FROM C-2 GENERAL COMMERCIAL TO M-2 MIXED-USE TRANSITIONAL.

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WHEREAS, Lots 3-5, Block 3, Heren Addition, Section 9, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana, are presently zoned C-2 General Commercial district; and,

WHEREAS, in 2005 the City of Great Falls completed a City-wide rezoning wherein the subject properties were zoned C-2 General commercial; and,

WHEREAS, the property owner, JKW Enterprises, Inc., has petitioned the City of Great Falls rezone said property to M-2 Mixed-use transitional district; and,

WHEREAS, JKW Enterprises, Inc. has, in addition to the rezoning, petitioned the City of Great Falls to allow for the development of a Mini-storage Facility on Lots 3 and 5, Block 3, Heren Addition, Section 9, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana; and,

WHEREAS, a Mini-storage Facility is permitted in the M-2 Mixed-use transitional zoning district upon processing and approval of a Conditional Use Permit; and,

WHEREAS, the City Commission will take separate action on the Conditional Use Permit as a part of Resolution 10011; and,

WHEREAS, the zoning map amendment on said property meets the Basis of Decision requirements in the Official Code of the City of Great Falls, Section 17.16.40.030; and,

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on February 12, 2013, to consider said Rezoning from C-2 General commercial to M-2 Mixed-use transitional and at the conclusion of said hearing passed a motion recommending the City Commission rezone the property legally described as Lots 3-5, Block 3, Heren Addition, Section 9, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana.

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

Section 1. It is determined that the herein requested rezoning 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 Lots 3-5, Block 3 Heren Addition, Section 9, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana be rezoned to M-2 Mixed-use transitional district.

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

APPROVED by the City Commission, Montana on first reading March 5, 2013.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David L. Nielsen, Interim 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 3103 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

(CITY SEAL)

Lisa Kunz, City Clerk