

ORDINANCE NO. 98-5065

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION ON TRACTS 1, 2, 4 AND 5 OF C/S 2505 (LESS TRACTS 1 - 5 OF C/S 1350) GENERALLY LOCATED SOUTH OF POLY DRIVE AND NORTH OF THE BIG DITCH, BETWEEN 43RD AND 46TH STREETS WEST.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. RECITALS. Whereas, M.C.A. 76-2-304 and the City Zoning Ordinance No. 3797, as amended by Ordinance No. 4102, Section 7.01, provide for amendment to the City Zoning Map from time to time. the City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Staff and Zoning Commission have considered the twelve (12) criteria required by M.C.A., Title 76, Chapter 2, Part 3. The recommendations of the Staff and Zoning Commission have been submitted to the City Council and the City Council, in due deliberation, has considered the twelve (12) criteria required by State Law.

2. DESCRIPTION. That **Tracts 1, 2, 4 and 5 of C/S 2505 (Less Tracts 1 - 5 of C/S 1350) generally located south of Poly Drive and north of the Big Ditch, between 43rd and 46th Streets West** is/are presently zoned **Agricultural-Open Space** and is shown on the official zoning map within this zone.

3. ZONE AMENDMENT. That Ordinance No. 3797, as amended by Ordinance No. 4102, and the official zoning map are hereby amended and the zoning for **Tracts 1, 2, 4 and 5 of C/S 2505 (Less Tracts 1 - 5 of C/S 1350) generally located south of Poly Drive and north of the Big Ditch, between 43rd and 46th Streets West** is/are hereby changed from **Agricultural-Open Space** to **Residential 9600 AND Public** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Residential 9600 AND Public** as defined in the Zoning Ordinance and Billings Montana City Code (BMCC).

4. REPEALER. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

5. EFFECTIVE DATE. That this ordinance shall be effective from and after final passage and as provided by law.

PASSED by the City Council on first reading July 27, 1998.

ORDINANCE NO. 98- 5065

PASSED, ADOPTED AND APPROVED on second reading August 10, 1998.



CITY OF BILLINGS:

BY: \_\_\_\_\_

*Charles F. Tooley*  
Charles F. Tooley, MAYOR

ATTEST:

BY: \_\_\_\_\_

*Marita Herold*  
Marita Herold, CMC CITY CLERK

ZC#635