

## ORDINANCE 23-5833

### AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THE ZONE CLASSIFICATION ON Central Acres 5th Filling, Block 9, Lot 1 & 30' VACATED 31ST STREET WEST, BE AMENDED

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:

**Section 1. RECITALS.** Title 76, Chapter 2, Part 3, MCA, and Sections 27-1628, BMCC, 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 Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.

**Section 2. DESCRIPTION.** Central Acres 5th Filling, Block 9, Lot 1 & 30' VACATED 31ST STREET WEST, is presently zoned Suburban Neighborhood (N3), and is shown on the official zoning map within this zone.

**Section 3. ZONE DISTRICT AMENDMENT.** The official zoning map is hereby amended and the zoning for Central Acres 5th Filling, Block 9, Lot 1 & 30' VACATED 31ST STREET WEST, is hereby changed from Suburban Neighborhood (N3) to Mixed Residential 1 (NX1) on Central Acres 5th Filling, Block 9, Lot 1 & 30' VACATED 31ST STREET WEST, and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to Mixed Residential 1 (NX1) as set out in the Billings, Montana City Code.

**Section 4. EFFECTIVE DATE.** This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

**Section 5. REPEALER.** All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

**Section 6. SEVERABILITY.** If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 22<sup>th</sup> day of May, 2023.

PASSED, ADOPTED and APPROVED on second reading this 12<sup>th</sup> day of June, 2023.



CITY OF BILLINGS

BY: William A. Cole  
William A. Cole, Mayor

Attest:

BY: Denise R. Bohlman  
Denise R. Bohlman, City Clerk

Zone Change 1024- Central Acres 5<sup>th</sup>, Block 9, Lot 1 & 30' VACATED 31ST STREET WEST