

ORDINANCE NO. 07-5400

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION  
FOR Tracts 1, 2, 3, 4 and 5 of Brittain Acres Subdivision,  
containing approximately 4.69 acres.

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

1. RECITALS. *Title 76, Chapter 2, Part 3, MCA, and Sections 27-302 and 27-1502, 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 twelve (12) 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 twelve (12) criteria required by state law.

2. DESCRIPTION. A tract of land known as Tracts 1, 2, 3, 4 and 5 of Brittain Acres Subdivision, containing approximately 4.69 acres of land and is presently zoned Residential-7,000 and is shown on the official zoning maps within this zone.

3. ZONE AMENDMENT. The official zoning map is hereby amended and the zoning for **the west 225 feet of Tracts 1, 2, 3, 4, and 5 of Britain Acres Subdivision** is hereby changed from **Residential-7,000** to **Neighborhood Commercial** and **the remaining eastern portion of Tracts 1, 2, 3, 4, and 5 of Brittain Acres Subdivision** is hereby changed from **Residential-7,000** to **Residential Multi-family-Restricted** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Neighborhood Commercial** and **Residential Multi-family-Restricted** as set out in the Billings, Montana City Code.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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

PASSED by the City Council on first reading January 22, 2007.

PASSED, ADOPTED AND APPROVED on second reading February 12, 2007.

CITY OF BILLINGS:

BY: \_\_\_\_\_  
Ron Tussing, Mayor

ATTEST:

BY: \_\_\_\_\_  
Marita Herold, MMC City Clerk

RE: ZC#795 – Brittain Acres, Tracts 1 - 5