

ORDINANCE NO. 02-5197

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION ON **PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF THE SOUTH FRONTAGE ROAD, APPROXIMATELY 150' WEST OF MIRCO CIRCLE AND DESCRIBED AS THE PORTION OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 16, T.1S., R.26E. LYING SOUTH OF THE SOUTH FRONTAGE ROAD (PROPOSED WILLOWBROOK SUBDIVISION.**

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 the **PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF THE SOUTH FRONTAGE ROAD, APPROXIMATELY 150' WEST OF MIRCO CIRCLE AND DESCRIBED AS THE PORTION OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 16, T.1S., R.26E. LYING SOUTH OF THE SOUTH FRONTAGE ROAD (PROPOSED WILLOWBROOK SUBDIVISION.** is/are presently zoned **Agricultural – Open Space** and is shown on the official zoning map within this/these zone(s).

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 **PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF THE SOUTH FRONTAGE ROAD, APPROXIMATELY 150' WEST OF MIRCO CIRCLE AND DESCRIBED AS THE PORTION OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 16, T.1S., R.26E. LYING SOUTH OF THE SOUTH FRONTAGE ROAD (PROPOSED WILLOWBROOK SUBDIVISION** is/are hereby changed from **Agricultural – Open Space** to **Planned Development (with underlying zoning of Commercial)** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining **Planned Development (with underlying zoning of Commercial)** 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 That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

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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 April 8, 2002.

PASSED, ADOPTED AND APPROVED on second reading April 22, 2002.

CITY OF BILLINGS:

BY: _____
Charles F. Tooley, MAYOR

ATTEST:

BY: _____
Marita Herold, CMC/AE CITY CLERK

ZC#689