

**ORDINANCE NO. 08-5460**

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION FOR TRACTS 1A THROUGH 5A OF CERTIFICATE OF SURVEY 2063, AMENDED, A 113.29 ACRE PARCEL OF LAND.

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 1A through 5A of Certificate of Survey 2063, Amended, a 113.2 9 acre parcel of land is presently zoned Agriculture Open-Space (A-1) and is shown on the official zoning maps within this zone.

3. ZONE AMENDMENT. The official zoning map is hereby amended and the zoning on **Tracts 1A through 5A of Certificate of Survey 2063, Amended** is hereby changed from **Agriculture Open-Space** to **Planned Development** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Planned Development** as set out in the Billings, Montana City Code and by the Lenhardt Square Planned Development Agreement attached as **Exhibit A** to this ordinance.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 April 14, 2008.

PASSED, ADOPTED AND APPROVED on second reading April 28, 2008.



CITY OF BILLINGS:

BY:   
Ron Tussing, Mayor

ATTEST:

BY:   
Cari Martin, City Clerk

ZC#829 – Lenhardt Square Planned Development