

## ORDINANCE NO. 09-5494

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION FOR Certificate of Survey 2054 Tract 1 with the exception of the northwest 4.29 acres, Certificate of Survey 2054 Tract 2, and Yerger Heights Park (aka Cynthia Park) containing approximately 60.4 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 Certificate of Survey 2054 Tract 1 with the exception of the north west 4.29 acres, Certificate of Survey 2054 Tract 2, and Yerger Heights Park (aka Cynthia Park) containing approximately 60.4 acres and is presently zoned Residential 9600 and Public and is shown on the official zoning maps within these zones.

3. ZONE AMENDMENT. The official zoning map is hereby amended and the zoning for **the above described parcel** is hereby changed from **Residential 9600 and Public** to **Planned Development as described in Exhibit A attached here to 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.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 June 22, 2009.


PASSED, ADOPTED AND APPROVED on second reading July 13, 2009.



CITY OF BILLINGS:

BY:   
Ron Tussing, Mayor

ATTEST:

BY:   
Cari Martin, City Clerk

ZC #851 – Mont Vista Planned Development