

ORDINANCE 20-\_\_\_\_\_

AN ORDINANCE OF THE CITY OF BILLINGS,  
PROVIDING THE ZONE CLASSIFICATION ON 1.98 ACRES  
OF THE SOUTHERN PORTION OF Lot 2, BLOCK 1,  
CHERRY CREEK ESTATES SUBDIVISION 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 27-302 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 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.** **1.98 ACRES OF THE SOUTHERN PORTION OF LOT 2, BLOCK 1, CHERRY CREEK ESTATES SUBDIVISION** is presently zoned **Public (P)** 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 **1.98 ACRES OF THE SOUTHERN PORTION OF LOT 2, BLOCK 1, CHERRY CREEK ESTATES SUBDIVISION**, is hereby changed from **PUBLIC (P)** to **Residential 8,000 (R-80)** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining **Residential 8,000 (R-80)** 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 REPEALER.** All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.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 28th day of September, 2020.

PASSED, ADOPTED and APPROVED on second reading this 12<sup>th</sup> day of October, 2020.

CITY OF BILLINGS

BY: \_\_\_\_\_

William A. Cole, Mayor

Attest:

BY: \_\_\_\_\_

Denise R. Bohlman, City Clerk

Zone Change 983 – Cherry Creek Estates 1.98 acres of Lot 2, Block 1

#### Metes and Bounds Description

Starting at the southeast corner of Tract 4 of Barry Acreage Tracts Subdivision; thence N° 00'00"W a distance of 308 feet to a point; thence S90° 00'00"E a distance of 338.76 feet to a point; thence S0° 00'02"W a distance of 202.73 feet to a point; thence S72° 44'12"W for a distance of 354.73 feet to the point of beginning containing 1.986 acres or 86,505 square feet.

