ORDINANCE NO. 1245

AN ORDINANCE AMENDING ORDINANCE NO. 796 TO CHANGE THE
ZONING OF TRACT 2A, JE MORRISON TRACTS, SECTION 34,
TOWNSHIP 8 NORTH, RANGE 47 EAST, CUSTER COUNTY
MONTANA, LOCATED ON THE SOUTHWEST CORNER OF HAYNES
AVENUE AND LEIGHTON BOULEVARD AND BORDERED ON THE
WEST BY LEGION AVENUE FROM HEAVY COMMERCIAL DISTRICT
TO GENERAL COMMERCIAL DISTRICT, PROVIDING FOR A
HEARING THEREON, AND PROVIDING AN EFFECTIVE DATE
THEREOF.

WHEREAS, the owner of the below described real property has made
application for the property to be rezoned from Heavy Commercial District (HC)
zone to General Commercial District (GC) zone;

AND WHEREAS, such property is situated within the extended zoning
jurisdiction of the City of Miles City, Montana;

AND WHEREAS, Sec. 24-8 of the Miles City Code requires that such
application be referred to the City zoning commission for public hearing and
recommendation to the City Council prior to any action by the City Council upon
such application;

AND WHEREAS, the Miles City Zoning Commission, on April 16, 2012,
held a public hearing upon the above application, pursuant to notice, and
following such hearing, pursuant to a meeting on May 16, 2012, recommended to
the City Council that such zoning change not be adopted;

AND WHEREAS, at its meeting on June 12, 2012, the City Council, by
majority vote, rejected the Miles City Zoning Commission’s recommendation;

BE IT ORDAINED by the City Council of the City of Miles City,
Montana as follows:

Section 1. Ordinance No. 796 is hereby amended to provide that the
following described land and property within Custer County, Montana and within
the extended zoning jurisdiction of the City of Miles City, to-wit:

Tract 2A, JE Morrison Tracts, Section 34, Township 8 North,
Range 47 East, Custer County, Montana be rezoned from Heavy
Commercial District (HC) zone to General Commercial District
(GC) zone.

Section 2. A public hearing shall be held upon this proposed zoning
change before the City Council at 7:00 p.m. on the 24th day of July, 2012 in the
Council Chambers at City Hall, 17 S. Eighth Street, Miles City, Montana.

Section 3. The City Clerk shall give notice of the date, time and place of
such hearing by publication in the Miles City Star at least 15 days prior to the
date of hearing, in accordance with §76-2-303 and §76-2-305 MCA.

Section 4. This Ordinance shall be in full force and effect thirty (30) days
after its final passage and approval.

SAID ORDINANCE READ AND PUT UPON ITS PASSAGE THIS
26TH DAY OF JUNE, 2012.

C.A. Grenz, Mayor

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C.A. Grenz, Mayor

ATTEST:
Rebecca Stanton, City Clerk

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