

ORDINANCES
MILES CITY, MONTANA

ORDINANCE NO. 1374

AN ORDINANCE CHANGING THE ZONING OF LOT 14 AND THE NORTHEASTERLY 30' OF LOT 15 OF BLOCK 107 OF THE ORIGINAL PLAT OF THE TOWN OF MILES CITY FROM THE RESIDENTIAL A DISTRICT TO THE GENERAL COMMERCIAL DISTRICT, AND PROVIDING FOR A HEARING THEREON.

WHEREAS, Troy Ask, John & Frances Johnson, and Eric & Sandra Rabe have made application for the property described as Lot 14 and the northeasterly 30' of Lot 15 of Block 107 of the original Plat of the Town of Miles City (also known as the 'Miles City Original Townsite') to be rezoned from the Residential A (RA) District to the General Commercial (GC) District;

AND WHEREAS, such property is situated within the city limits of the City of Miles City, Montana, and subject to the zoning jurisdiction of the City of Miles City;

AND WHEREAS, Section 24-96 of the Code of Ordinances of Miles City, Montana 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 October 26, 2023, upon public hearing and deliberation, recommended to the City Council that such zone change be approved.

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

Section 1. Zoning for the following described real property located within the City of Miles City, Custer County, Montana, is hereby rezoned from the Residential A (RA) District to the General Commercial (GC) District, to wit:

Lot 14 and the northeasterly 30' of Lot 15 of Block 107 of the original Plat of the Town of Miles City, located in Section 33 of Township 8 North, Range 47 East, PMM, City of Miles City, Custer County, Montana. Said property is proposed to be described as Lot 14A of the 'AMENDED PLAT OF LOTS 14, 15, & 16, BLOCK 107, MILES CITY ORIGINAL TOWNSITE'.

Section 2. The Final Report of the Zoning Commission of the City of Miles City, prepared as part of the review of this application, and attached hereto as Exhibit "A," is hereby adopted as Findings of Fact to support the Council's decision.

Section 3. Prior to final passage, a public hearing shall be held upon this proposed zone change before the City Council at 6:00 P.M. on the 9th day of January, 2024, in the Council Chambers at City Hall, 17 S. Eighth Street, Miles City, Montana.

Section 4. 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 such hearing, as well as notice by certified mail at least 15 calendar days prior to such hearing to the applicants, landowners, all adjoining property owners, and owners of land within 150 feet of the subject

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property, containing all information required by, and in accordance with, MCA Sections 76-2-303 and 305, as well as Section 24-97 of the Code of Ordinances of Miles City, Montana.

Section 5. This ordinance shall be in full force and effect thirty (30) days after its final passage and approval.

Said Ordinance read and put on its passage this 28th day of November, 2023.

ATTEST:


Mary Rowe, City Clerk


John Hollowell, Mayor

FINALLY PASSED AND ADOPTED this 9th day of January, 2024.

ATTEST:


Mary Rowe, City Clerk


John Hollowell, Mayor