

ORDINANCES OF THE CITY OF HELENA, MONTANA

ORDINANCE NO. 3122

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF HELENA, IN REFERENCE TO THAT PROPERTY TO BE KNOWN AS THE BURNHAM RANCH PHASE II, IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 10 NORTH, RANGE 3 WEST, PMM, GENERALLY LOCATED NORTH OF CUSTER AVENUE AND WEST OF YORK ROAD IN THE CITY OF HELENA, MONTANA

WHEREAS, the Helena City Commission has determined that the zoning designation of those properties owned by **Lichtwardt Enterprises, LLC**, and legally described as Tract 2 of COS #3069987, in the records of the Clerk and Recorder of Lewis and Clark County, Montana, generally located north of Custer Avenue and west of York Road, should be changed as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

WHEREAS, the official zoning map of the City of Helena, Montana, as noted in Section 11-1-3 of the Helena City Code, should be amended to change the zoning designation for said properties; and

WHEREAS, a public hearing was held on January 12, 2010, before the Helena Zoning Commission concerning said rezoning, and the Zoning Commission recommended **approval** of the zone change; and

WHEREAS, a public hearing was held on February 8, 2010, before the Helena City Commission concerning said rezoning at which staff recommended **approval** of the zone change; and

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WHEREAS, said zone change appears to be in the best interests of the City of Helena, Montana, and the inhabitants thereof; and

WHEREAS, in considering said zone change, the City of Helena has given due consideration to the matters set forth in '76-2-304, MCA.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:

Section 1. The zoning designation of the property legally described on Exhibit "A" attached hereto and generally located as stated above, in Helena, Lewis and Clark County, Montana, is hereby changed from PLI (Public Lands and Institutions) to R-4 (Residential Office) and B-2 (General Commercial).

Section 2. The official zoning map of the City of Helena, Montana, is hereby modified to reflect the changes made herein.

FIRST PASSED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 8th DAY OF FEBRUARY, 2010.

/S/ James E. Smith
MAYOR

ATTEST:

/S/ Debbie Havens
CLERK OF THE COMMISSION

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FINALLY PASSED BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, THIS 22nd DAY OF FEBRUARY, 2010.

/S/ James E. Smith

MAYOR

ATTEST:

/S/ Debbie Havens

CLERK OF THE COMMISSION