

ORDINANCE NO. 719

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, CHANGING THE ZONING CLASSIFICATION FROM NOT ZONED TO SAG 10 AND SAG 5 FOR CERTAIN PROPERTY IN THE COLUMBIA FALLS ZONING DISTRICT, LOCATED IN SECTIONS 21 AND 28, TOWNSHIP 31 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, MORE PARTICULARLY DESCRIBED AS MOOSE CROSSING SUBDIVISION AND CEDAR CREEK SOUTH SUBDIVISION.

WHEREAS, Montana Land Concepts, the purported owner of the real property, has requested a zone change from not zoned to SAG 10 and SAG 5 for the property described as follows:

**SAG 10:**

Lots 13, 14, 15 and Fallen Leaf Preserve, of Moose Crossing Subdivision, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder, Flathead County, Montana.

**SAG 5:**

Lots 1 through 12 of Moose Crossing Subdivision and Common Areas of Moose Crossing Subdivision, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder, Flathead County, Montana.

WHEREAS, the City of Columbia Falls, the purported owner of the property, has requested a zone change from not zoned to SAG 5 for the property described as follows:

Lots 1, 2 and 3 of Cedar Creek South Subdivision, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder, Flathead County, Montana.

WHEREAS, said zone change requests were considered by the Columbia Falls Planning Office in Report #CZC-10-01, wherein it was recommended that said requests be approved; and

WHEREAS, said requests were considered by the Columbia Falls City-County Planning Board and Zoning Commission in a public hearing at its regularly scheduled meeting on November 9, 2010, and the Commission recommended approval of said change in zoning classifications; and

WHEREAS, a hearing on said zone change was held by the City Council of the City of Columbia Falls, Montana, at its regular meeting on Monday, November 15, 2010, after said hearing was advertised according to law; and at said hearing on said date, the City Council considered the recommendation of the Planning Board and Zoning Commission, the report of the Columbia Falls Planning Office, together with any and all comments filed or voiced with respect to said changes; and

WHEREAS, the City Council has determined that the zoning change is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. Findings of Fact: That the Columbia Falls Planning Office Report #CZC-10-01 is hereby adopted by the Council as findings of fact with respect to said zone change requests.

Section Two. Change in Zoning Classification: That the zoning classification for certain real property is hereby changed from not zoned as follows:

**SAG 10:**

Lots 13, 14, 15 and Fallen Leaf Preserve, of Moose Crossing Subdivision, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder, Flathead County, Montana.

**SAG 5:**

Lots 1 through 12 of Moose Crossing Subdivision and Common Areas of Moose Crossing Subdivision, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder, Flathead County, Montana; and

Lots 1, 2 and 3 of Cedar Creek South Subdivision, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder, Flathead County, Montana.

Section Three. Inconsistent Provisions: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section Four. Severability: The provisions of this Ordinance are severable. If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision.

Section Five. Effective Date: This Ordinance shall become effective thirty (30) days after its final passage and approval by the City Council of the City of Columbia Falls, Montana.

PASSED AND APPROVED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS 3rd DAY OF JANUARY, 2011, THE COUNCIL VOTING AS FOLLOWS:

AYES: Bates, Karper, Petersen, Plevel, Reikofski, Shepard, Barnhart

NOES: None

ABSENT: None

\_\_\_\_\_  
City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 5<sup>th</sup> DAY OF JANUARY, 2011.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk