

SECOND AND FINAL READING

ORDINANCE NO.769

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, CHANGING THE ZONING CLASSIFICATION FROM CR-5 TWO-FAMILY RESIDENTIAL TO CI-1 LIGHT INDUSTRIAL FOR CERTAIN PROPERTY IN THE COLUMBIA FALLS ZONING DISTRICT, DESCRIBED AS TRACT 11 IN SECTION 8, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA

WHEREAS, Weyerhaeuser NR Company, the purported owner of the real property, has requested a zone change from CR-5 Two-Family Residential to CI-1 Light Industrial for the property described as Tract 11 in Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana; as more particularly described on Exhibit A; and

WHEREAS, said request was considered by the Columbia Falls City-County Planning Board in a public hearing at its regularly scheduled meeting on August 15, 2017, and the Commission recommended approval of said change in zoning classification; and

WHEREAS, said zone change request was considered by the Columbia Falls Planning Office in Report #CZC-17-01, dated July 7, 2017, wherein it was recommended that said request be approved; 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, August 21, 2017, 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, the report of the Columbia Falls Planning Office, together with any and all comments filed or voiced with respect to said change; 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-17-01, dated July 7, 2017, is hereby adopted by the Council as findings of fact with respect to said zone change request.

Section Two. Change in Zoning Classification: That the zoning classification is hereby changed from CR-5 Two-Family Residential to CI-1 Light Industrial for the property described as Tract 11 in Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described on Exhibit A.

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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 Inconsistent Provisions: All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 5th DAY OF SEPTEMBER, 2017, THE COUNCIL VOTING AS FOLLOWS:

AYES: Fisher, Lovering, Petersen, Piper, Shepard and Barnhart

NOES: None

ABSENT: None

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

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 5TH DAY OF SEPTEMBER, 2017.

\_\_\_\_\_  
Mayor

ATTEST:

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

SECOND AND FINAL READING

**Exhibit A - Legal Description**

All that certain lot, piece, or parcel of land, situated, lying and being in the County of Flathead and State of Montana, and particularly described as follows to wit:

All that portion of the southwest quarter of the southwest quarter of Section 8 in township 30 North, Range 20 West, P.M.M., lying northwesterly of the northwesterly boundary line of the Great Northern Railway Company's right-of-way as the same now crosses over said southwest quarter of the southwest quarter, said tract being bounded on the north by the County Road, on the west by the County Road and on the southeasterly side by the Great Northern Railway Company's right-of-way.