

**ORDINANCE NO. 600**

**AN ORDINANCE AMENDING THE EXISTING ZONING REGULATION OF LOTS 1 & 2, BLOCK 6, WILKINSON SUBDIVISION II**

**WHEREAS:** Section 76-2-301, et. seq., of the Montana Code Annotated authorizes the City of Sidney to adopt and enforce local zoning regulation to promote the public health, safety, morals, or the general welfare of the community; and

**WHEREAS:** The provisions of Montana Law allow municipal governments to regulate and restrict the height, number of stories, and size of buildings and other structures; the percentage of the lot that may be occupied; the size of yards, courts and other open spaces; the density of the population; and the location and use of buildings, structures, and land for trade, industry, residence, or other purposes, and

**WHEREAS:** It is in the public and private interest for the City to establish and, from time to time, amend use controls that limit the density of population; and the location and use of buildings, structures, and land for trade, industry, residence or other purposes; and

**WHEREAS:** Kevin and Heather Luinstra submitted a request to amend the zoning on the following described property so that the owners can aggregate lots that have different zoning classifications: Lots 1 & 2, Block 6, Wilkinson Subdivision II (the “Subject Property”); and

**WHEREAS:** The Zoning Commission did on October 16, 2024 at 9:00 a.m., conduct a public hearing on the Luinstra’s proposed zoning amendment; and

**WHEREAS:** Upon reviewing the Luinstra’s proposed zoning amendment, the Zoning Commission made findings regarding the rational nexus and legal basis for adoption of the proposed zoning amendment; and

**WHEREAS:** The Zoning Commission recommends that the City Council find that the proposed Luinstra Zone Change reflects the 2015 Growth Policy; that the rational nexus for the adoption of zoning has been met or exceeded by the proposed amendments; and that the citizens of Sidney have participated in the creation of the proposed Zoning Regulations and Zoning Map, and adopt an ordinance amending the Official Zoning Map for the City of Sidney, Montana. and

**WHEREAS:** The Sidney City Council did conduct a duly noticed Public Hearing on October 21, 2024, on the proposed Luinstra Zoning Map Amendment.

Now therefore:

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SIDNEY, MONTANA:**

The 2024 Official Zoning Map of the City of Sidney is hereby amended as set forth below:

The Zoning Classification on the property described as Lots 1 & 2, Block 6, Wilkinson Subdivision II shall be revised from R-3: Multi-Family Residential to R2: One/Two Family Residential.

Be it further ordained by the Council members of the City of Sidney.

1. All ordinances or parts of ordinances inconsistent with the ordinance are repealed on the effective date of this ordinance.
2. It shall be the duty of the City Clerk to file a certified copy of the Ordinance and the Amended Official 2024 Zoning Map with the Richland County, Montana, Clerk and Recorder.
3. This ordinance shall be in full force and effect thirty (30) days after its final adoption by a majority of the elected members of the City Council

First reading by the Council on the \_\_\_\_\_ day of October, 2024.

Second reading by the Council on the \_\_\_\_\_ day of \_\_\_\_\_ 2024.

**PASSED AND APPROVED BY NO LESS THAN FOUR MEMBERS OF THE SIDNEY CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2024.**

By: \_\_\_\_\_  
Rick Norby, Mayor

Attest: \_\_\_\_\_  
Jessica Redfield, City Clerk-Treasurer