

ORDINANCE NO. 12-_____

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION FOR the East Billings Urban Renewal District (EBURD) a 400+/- acre area as described below from Controlled Industrial, Heavy Industrial, Highway Commercial, Neighborhood Commercial, Community Commercial and Residential 6,000 to **Railspur Village (EBURD RSV)** on North Park Sub Block 1 - Lots 1-4 & 79-80; Billings 1st Add Block 275 - Lots 1-4 & 18-24; Billings 1st Add Block 274 - Lots 1-12 & 23-24; Billings 1st Add Block 273 - All Lots; Billings Original Town (BOT) Block 260 - All Lots & Abandoned Alley; BOT Block 261 - Lots 2 - 12 and Vacated N 19th St & East 1/2 Vacated Alley; BOT Block 262 - Lots 11-23 and West 1/2 Vacated Alley; BOT Block 263 - All Lots & Vacated N 21st between Blocks 262 & 263; MRL Land in S33, T01 N, R26 E between N 20th and N 22nd - West 900 feet; BOT Block 14 - All Lots and Vacated Alley and East 1/2 Vacated N 22nd; BOT Block 37 Lots 17A & 18A; C/S 1513; BOT Block 38 - All Lots & Vacated Alley; BOT Block 64 - All Lots; MRL Property in S33, T01 N, R26 E Between 2nd Ave N and 3rd Ave N & N 20th & N 22nd; BOT Block 65 - Lots 13-24; BOT Block 66 - Lots 1-12; BOT Block 67 - Lots 13-24; BOT Block 83 - Lots 13-24; BOT Block 84 - Lots 1-12; BOT Block 85 Lots 13-24; BOT Block 86 - All Lots; MRL Property in S33, T01 N, R26 E Between 1st Ave N and 2nd Ave N & N 20th & N 22nd; MRL Property in S33, T01 N, R26E Between 1st Ave N and Montana Ave & N 20th & N 22nd; BOT Block 115 - Lots 13-24; BOT Block 117 - Lots 19-24; and BOT Block 118 - Lots 13-18.

Railspur Village Main Street (EBURD RSVMS) on MRL Land in S33, T01 N, R26 E South of Montana Avenue & North of the Rail Tracks Between N 17th and N 22nd; BOT Block 115 - Lots 1-12; S33, T01 N, R26 E, MRL LEASE #501,406; Abandoned Portion of N 21st Between Blocks 115 & 116 South of MRL Land; BOT Block 116 - All Lots; S33, T01 N, R26 E, MRL LEASE # 501,252; S33, T01 N, R26 E, MRL LEASE #500256; BOT Block 117 - Lots 1 – 18; BOT Block 118 - Lots 1-12;; BOT Block 84 - Lots 13-24; BOT Block 85 - Lots 1-12; BOT Block 65 - Lots 1-12; BOT Block 66 - Lots 13-24; BOT Block 36 - Lots 13-24; BOT Block 37 - Lots 1-12; BOT Block 15 - All Lots, Vacated Alley and Vacated N 21st St; BOT Block 16 - All Lots & Vacated Alley; MRL Property S33, T01 N, R26 E Between N 18th and N 20th West 150 feet; BOT Block 261 - Lots 13-23 & West 1/2 of Vacated Alley; BOT Block 262 - Lots 2-10 & East 1/2 of Vacated Alley; and MRL Land in S33, T01 N, R26 E between N 20th and N 22nd - East 150feet.

Central Works (EBURD CW) on C/S 2124 Tr 2; Billings 1st Add Block 354; C/S 141 Lots 1 & 2; North Park Sub Block 5 Lots 1-3; North Park Sub Block 4 - Lots 1-8 & 23 – 32; North Park Sub Block 3 - Lots 1-4 & 44-47; North Park Sub Block 2 - Lots 1-6 & 61-66; Billings 1st Add Block 255, Lots 13-23 & West 1/2 of Vacated Alleys; C/S 326 and vacated N 14th Street; Billings 1st Add Block 256 & Vacated Alleys; MRL Land in S33, T01 N, R26 E BETWEEN N 13TH & N 15TH ST - West 530 feet; S33, T01 N, R26 E, MRL LEASE #233364 - West 250 feet; S33, T01 N, R26 E, MRL LEASE #229442; BOT Block 17 - All Lots; MRL Property S33, T01 N, R26 E Between N 18th and N 20th except West 150 feet; S33, T01 N, R26 E, MRL LEASE #501,277; BOT Block 18 - All Lots; BOT Block 19 - All Lots; BOT Block 20 - All Lots; BOT Block 21 - All Lots; MRL Land North

of Blocks 18-20 to the City Limits; Vacated N 14th Street; BOT Block 22 - Lots 13A – 24; BOT Block 30 - Lots 13-24; BOT Block 31 - All Lots; BOT Block 32 - All Lots; BOT Block 33 - All Lots; BOT Block 34 - All Lots; BOT Block 35 - All Lots; BOT Block 36 - Lots 1-12; BOT Block 67 - Lots 1-12; BOT Block 68 - All Lots; BOT Block 69 - All Lots; BOT Block 70 - All Lots; BOT Block 71 - All Lots; BOT Block 72 - Lots 13-24; BOT Block 78 - Lots 13-24; BOT Block 79 - All Lots; BOT Block 80 - All Lots; BOT Block 81 - All Lots; BOT Block 119 - Lots 1-12; BOT Block 82 - All Lots; BOT Block 83 - Lots 1-12; BOT Block 118 - Lots 19-24; BOT Block 119 - Lots 1A-2A & 19-24; BOT Block 120 - All Lots; BOT Block 121 - All Lots; and MRL Land in S33, T01 N, R26 E South of Montana Avenue & North of the Rail Tracks Between N 15th and N 18th.

13th Street Main Street (EBURD 13th) on Billings 1st Add Block 352, Lots 13 - 23 & West 1/2 of Vacated Alleys; Billings 1st Add Block 255, Lots 2-12 & East 1/2 of Vacated Alleys; MRL Land in S33, T01 N, R26 E BETWEEN N 13TH & N 15TH ST - East 150 feet; S33, T01 N, R26 E, MRL LEASE #233364 - East 150 feet; BOT Block 22 - Lots 1-12; BOT Block 30 - Lots 1-12; BOT Block 72 - Lots 1-12A1; BOT Block 78 - Lots 1-12; BOT Block 77 - Lots 13-24; BOT Block 73 - Lots 13-24; BOT Block 29 - Lots 13-24; BOT Block 23 - Lots 14-24; S33, T01 N, R26 E, MRL LEASE #501230 West 150 feet; and West 150 feet of MRL Property between N 13th and N 12th.

Industrial Sanctuary (EBURD IS) on C/S 1680; Billings 1st Add Block 353 - All Lots & Vacated Alleys; Billings 1st Add Block 352 - Lots 2-12 & East 1/2 of Abandoned Alley; Abandoned N 12th Street; S33, T01 N, R26 E, MRL LEASE #501230 East ½; East 900 feet of MRL Property between N 13th and N 12th; Billings Original Town (BOT) Block 23, Lots 1-11; BOT Block 24 - All Lots; BOT Block 25 - All Lots; BOT Block 27 - All Lots; LOTS 1-6 & 8-12 BLK 10 INDUSTRIAL SUB 2ND FILING; LOTS 7-11 BLK 10 INDUSTRIAL SUB 4TH FIL; BOT Block 28 - All Lots and Vacated Alley; BOT Block 29 - Lots 1-12; BOT Block 73 - Lots 1-12; BOT Block 74 - All Lots; LOTS 1-9 BLK 8 INDUSTRIAL SUBD 2ND AMEND; BOT Block 77 Lots 1-12; UNPLT FRAC ADJ 1ST & 12TH BLK 77; Industrial Sub 2nd Filing, Block 7 - All Lots; Industrial Sub 1st Filing, Block 3 - All Lots; Industrial Sub 1st Filing, Block 4 - All Lots; Industrial Sub 5th Filing, Block 4- All Lots; C/S 384; BOT Block 76 - All Lots; C/S 229; C/S 1758; S34, T01 N, R26 E, 73'X 140'N OF 1ST AV IN SWSWNW4; Exchange Sub, Block 1, Lots 1,2,4, and Lot 5 (portion within City Limits); BOT, Block 122 - All Lots & Vacated Alley; BOT, Block 123 - All Lots & Vacated Alley; S33, T01 N, R26 E, MRL LEASE #500099; and Vacated N 14th Between 1st Ave N & Montana Ave.

And add a **new Section 27-1800** to the Unified Zoning Regulations titled East Billings Urban Revitalization District (EBURD) code.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. RECITALS. *Title 76, Chapter 2, Part 3, MCA, and Sections 27-302 and 27-1502, BMCC*, provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10)

criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.

2. DESCRIPTION That a 400+/- acre area as described below is currently zoned Heavy Industrial, Highway Commercial, Neighborhood Commercial, Community Commercial and Residential 6,000 and is shown on the official zoning maps within these zones: North Park Sub Block 1 - Lots 1-4 & 79-80; Billings 1st Add Block 275 - Lots 1-4 & 18-24; Billings 1st Add Block 274 - Lots 1-12 & 23-24; Billings 1st Add Block 273 - All Lots; Billings Original Town (BOT) Block 260 - All Lots & Abandoned Alley; BOT Block 261 - Lots 2 - 12 and Vacated N 19th St & East 1/2 Vacated Alley; BOT Block 262 - Lots 11-23 and West 1/2 Vacated Alley; BOT Block 263 - All Lots & Vacated N 21st between Blocks 262 & 263; MRL Land in S33, T01 N, R26 E between N 20th and N 22nd - West 900 feet; BOT Block 14 - All Lots and Vacated Alley and East 1/2 Vacated N 22nd; BOT Block 37 Lots 17A & 18A; C/S 1513; BOT Block 38 - All Lots & Vacated Alley; BOT Block 64 - All Lots; MRL Property in S33, T01 N, R26 E Between 2nd Ave N and 3rd Ave N & N 20th & N 22nd; BOT Block 65 - Lots 13-24; BOT Block 66 - Lots 1-12; BOT Block 67 - Lots 13-24; BOT Block 83 - Lots 13-24; BOT Block 84 - Lots 1-12; BOT Block 85 Lots 13-24; BOT Block 86 - All Lots; MRL Property in S33, T01 N, R26 E Between 1st Ave N and 2nd Ave N & N 20th & N 22nd; MRL Property in S33, T01 N, R26E Between 1st Ave N and Montana Ave & N 20th & N 22nd; BOT Block 115 - Lots 13-24; BOT Block 117 - Lots 19-24; and BOT Block 118 - Lots 13-18. C/S 2124 Tr 2; Billings 1st Add Block 354; C/S 141 Lots 1 & 2; North Park Sub Block 5 Lots 1-3; North Park Sub Block 4 - Lots 1-8 & 23 - 32; North Park Sub Block 3 - Lots 1-4 & 44-47; North Park Sub Block 2 - Lots 1-6 & 61-66; Billings 1st Add Block 255, Lots 13-23 & West 1/2 of Vacated Alleys; C/S 326 and vacated N 14th Street; Billings 1st Add Block 256 & Vacated Alleys; MRL Land in S33, T01 N, R26 E BETWEEN N 13TH & N 15TH ST - West 530 feet; S33, T01 N, R26 E, MRL LEASE #233364 - West 250 feet; S33, T01 N, R26 E, MRL LEASE #229442; BOT Block 17 - All Lots; MRL Property S33, T01 N, R26 E Between N 18th and N 20th except West 150 feet; S33, T01 N, R26 E, MRL LEASE #501,277; BOT Block 18 - All Lots; BOT Block 19 - All Lots; BOT Block 20 - All Lots; BOT Block 21 - All Lots; MRL Land North of Blocks 18-20 to the City Limits; Vacated N 14th Street; BOT Block 22 - Lots 13A - 24; BOT Block 30 - Lots 13-24; BOT Block 31 - All Lots; BOT Block 32 - All Lots; BOT Block 33 - All Lots; BOT Block 34 - All Lots; BOT Block 35 - All Lots; BOT Block 36 - Lots 1-12; BOT Block 67 - Lots 1-12; BOT Block 68 - All Lots; BOT Block 69 - All Lots; BOT Block 70 - All Lots; BOT Block 71 - All Lots; BOT Block 72 - Lots 13-24; BOT Block 78 - Lots 13-24; BOT Block 79 - All Lots; BOT Block 80 - All Lots; BOT Block 81 - All Lots; BOT Block 119 - Lots 1-12; BOT Block 82 - All Lots; BOT Block 83 - Lots 1-12; BOT Block 118 - Lots 19-24; BOT Block 119 - Lots 1A-2A & 19-24; BOT Block 120 - All Lots; BOT Block 121 - All Lots; and MRL Land in S33, T01 N, R26 E South of Montana Avenue & North of the Rail Tracks Between N 15th and N 18th; Billings 1st Add Block 352, Lots 13 - 23 & West 1/2 of Vacated Alleys; Billings 1st Add Block 255, Lots 2-12 & East 1/2 of Vacated Alleys; MRL Land in S33, T01 N, R26 E BETWEEN N 13TH & N 15TH ST - East 150 feet; S33, T01 N, R26 E, MRL LEASE #233364 - East 150 feet; BOT Block 22 - Lots 1-12; BOT Block 30 - Lots 1-12; BOT Block 72 - Lots 1-12A1; BOT Block 78 - Lots 1-12; BOT Block 77 - Lots 13-

24; BOT Block 73 - Lots 13-24; BOT Block 29 - Lots 13-24; BOT Block 23 - Lots 14-24; S33, T01 N, R26 E, MRL LEASE #501230 West 150 feet; and West 150 feet of MRL Property between N 13th and N 12th; C/S 1680; Billings 1st Add Block 353 - All Lots & Vacated Alleys; Billings 1st Add Block 352 - Lots 2-12 & East 1/2 of Abandoned Alley; Abandoned N 12th Street; S33, T01 N, R26 E, MRL LEASE #501230 East 1/2; East 900 feet of MRL Property between N 13th and N 12th; Billings Original Town (BOT) Block 23, Lots 1-11; BOT Block 24 - All Lots; BOT Block 25 - All Lots; BOT Block 27 - All Lots; LOTS 1-6 & 8-12 BLK 10 INDUSTRIAL SUB 2ND FILING; LOTS 7-11 BLK 10 INDUSTRIAL SUB 4TH FIL; BOT Block 28 - All Lots and Vacated Alley; BOT Block 29 - Lots 1-12; BOT Block 73 - Lots 1-12; BOT Block 74 - All Lots; LOTS 1-9 BLK 8 INDUSTRIAL SUBD 2ND AMEND; BOT Block 77 Lots 1-12; UNPLT FRAC ADJ 1ST & 12TH BLK 77; Industrial Sub 2nd Filing, Block 7 - All Lots; Industrial Sub 1st Filing, Block 3 - All Lots; Industrial Sub 1st Filing, Block 4 - All Lots; Industrial Sub 5th Filing, Block 4- All Lots; C/S 384; BOT Block 76 - All Lots; C/S 229; C/S 1758; S34, T01 N, R26 E, 73'X 140'N OF 1ST AV IN SWSWNW4; Exchange Sub, Block 1, Lots 1,2,4, and Lot 5 (portion within City Limits); BOT, Block 122 - All Lots & Vacated Alley; BOT, Block 123 - All Lots & Vacated Alley; S33, T01 N, R26 E, MRL LEASE #500099; and Vacated N 14th Between 1st Ave N & Montana Ave.

3. ZONE AMENDMENT. The official zoning map is hereby amended and the zoning for **the above described parcels** is hereby changed from Heavy Industrial, Highway Commercial, Neighborhood Commercial, Community Commercial and Residential 6,000 to **Railspur Village (EBURD RSV), Railspur Village Main Street (EBURD RSVMS), Central Works (EBURD CW), 13th Street Main Street (EBURD 13th), Industrial Sanctuary (EBURD IS)** as shown in Exhibit A attached hereto and a new section is added to Chapter 27 BMCC (**27-1800 et seq**) titled East Billings Urban Revitalization District (EBURD) code as shown in Exhibit B attached hereto and all land described shall be subject to these new regulations as set out in the Billings Montana City Code.

4. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

5. EFFECTIVE DATE. This ordinance shall be effective from and after final passage and as provided by law.

PASSED by the City Council on first reading August 27, 2012.

PASSED, ADOPTED AND APPROVED on second reading September 10, 2012.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: Cari Martin, City Clerk

Zone Change #901 – EBURD Code and Map

EXHIBIT “A” – EBURD MAP
EXHIBIT “B” – EBURD CODE