

To: County Zoning Dept, County Commissioners  
RE: Cherry Creek Zone change 673— East of Cherry Creek Manufactured Home Park

From:  
Billings Heights Task Force  
Jason Lillie, Chair  
406-670-7314  
234 Sharron Lane  
Billings, MT 59105



The Billings Heights Task Force is opposed to this zone change. We will address the 11 required items for a zone change, but let us be clear, we are vehemently in opposition to this zone change.

This zone change request has been on our agenda for several months as a topic for discussion at our community meetings. We had 6 voting members of our task force present at the neighborhood zoning meeting held on February 18, 2016. (Tom Zurbuchen, Terry Odegard, Roy Neese, Denis Pitman, Angela Cimmino, and Virgil Middendorf) All members are opposed to this zone change. Furthermore, during our public Task Force meetings, Facebook page and speaking with neighbors we have encountered no one who is in support of this zone change, with the exception of the representatives of Performance Engineering and Consulting.

The public, and local residents are opposed to this zone change and we will provide you with a list of signatures at the April 11, 2016 Zoning Commission meeting.

To address the 11 items for zone change consideration please consider the following:

1. Is the New zoning designed in accordance with the growth policy: Absolutely not. This property was zoned r-9600 for a reason. The property owners who purchased property in and around this piece of land did so with the expectation that they would have R-9600 lots adjacent to them. The county and city growth policies states:

(County) GOAL: New developments that are sensitive to and compatible with the character of adjacent City neighborhoods and County townships.

**OBJECTIVES:**

- Maintain a high quality of life for new and existing residents.
- Reduce conflicts between neighbors.

Approving this zone change will be in direct conflict with this County Goal.

(City) Goal: Strong Neighborhoods – Create and enhance strong neighborhoods that are clean and safe with streets and public places that provide convenient access for our most vulnerable citizens – our children and grandparents. A strong neighborhood is a place where we will be comfortable no matter our age, income or heritage and provides gathering spaces to encourage everyday interaction between residents.

Billings is a city of neighborhoods. A neighborhood can be as small as 1 block of houses between 2 intersections or as large as a 400 homes in a distinctive subdivision. How our

neighborhoods are designed and built sets a course for its livability, safety, sociability and resilience.

Objectives:

- Safe, accessible and comfortable places for people to walk and gather o Neighborhood green space, play spaces and parks
- o Neighborhood events
- o Street trees
- o Complete sidewalks
- o Street and pedestrian lighting
- o Neighborhood Watch programs
- Access to everyday conveniences within walking distance o Complete neighborhoods
- o Small neighborhood businesses for services
- Interconnected network of sidewalks and trails that are safe at all times
- o Complete sidewalks
- o Billings Bike way and TrailMasterPlan o Pedestrian lighting
- Housing choices for all ages and families o Mixed housing types
- Connect Neighborhoods o Transit
- o Billings Bike way and TrailMasterPlan
- o Sidewalks and Trails
- Attractive and safe neighborhood streets
- o Low speed design o On-street parking o Street trees

Cherry Creek currently does not comply with any of these requirements. There were over 600 police, ambulance and animal control calls to the Cherry Creek in 2015. Also, can you please address the buffer area that was implied or required (as citizens we have had a hard time confirming this) when the original Cherry Creek was re-zoned. This property was supposed to be the buffer zone.

2. Is the new zoning designed to secure from fire and other dangers. No it does not. There is limited access to this area of high density living. The existing roads are narrow and difficult to access. It will place added strain and stress to an overburdened fire department.

3. Will the new zoning facilitate the provision of transportation, water, sewage, schools, parks, and other public requirements? No it will not. What are the sanitary restrictions in the county. With no city services how many septic tanks and cisterns/wells need to be in place? These are very sensitive EPA issues and 90 plus homes on 20 acres with septic systems will not facilitate responsible sewage treatment. If they are planning on hooking up to existing city services this will place a much larger burden on our city than the already accepted r-96000. Our schools are near capacity, even with the new boundaries. This zone change will place a burden on our Heights schools. When the redistricting was done, it was taken into consideration all of the affordable multi-family housing taking place on the west end and residential construction in the Heights. As a member of the rezoning committee I can tell you, when we defined the new Heights boundaries, we did not consider an additional 90+ housing units in the Heights fully developed within the next couple years. Adding an additional 90+ housing units in this area will also place a tremendous amount of pressure on our current transportation infrastructure. Yellowstone river road and Bitterroot are not equipped to handle the additional traffic that this rezoning will require. In addition, the citizens of the Heights have expressed an unwillingness to support this zone change and will oppose any new tax burden proposed, or placed on them, to facilitate this zone change.

4. Will the new Zoning promote health and general welfare. No it will not. Public safety should be your number one concern when considering this zone change. Cherry Creek currently gets over 600 calls a year for police, ambulance and animal control. This is one of the highest call counts in the Heights for a specific community. If this zone change is adopted it will increase the danger and stress to our community and emergency services. This is a major concern for our community, police, fire and health departments. The county does not have the infrastructure in place to handle any increased demand for services. With current and recent mill levies proposed by the city of Billings Police department, they do not have the infrastructure in place for the increased demand either.

5. Will the new zoning provide adequate light and air. Unknown, Cherry Creek did not add adequate street lighting in the first phase.

6. Will the zoning effect motorized and non motorized transportation: Yes it will effect transportation in a negative way. The infrastructure is not in place for an additional 90-200 cars on Bitterroot and Yellowstone River Roads that this zone change will cause. It will require street lights, stop signs and road maintenance that the citizens of Yellowstone County and the City of Billings are unwilling to shoulder for a zone change they do not support.

7. Will the new zoning be compatible with urban growth in the vicinity. No it will not. Many members of the community will be speaking to this at the upcoming public meetings. Every subdivision in the area will be negatively effected. The approval of this zone change will have an adverse economic effect on everyone who lives in this area of Billings.

8. Does the new zoning consider to the character of the district and the suitability of the property for particular uses? No. Residential manufactured zoning is not the highest and best use of this property. It is best used as a buffer, or R-9600 housing. For the many reasons already stated.

9. Will the new zoning conserve the value of buildings. No it will not. With the high crime prevalent in the area, as indicated by the high police call volume, this will bring down the value of all homes and land in the area. In addition there is a high call volume for ambulance and animal control in this neighborhood. Adding more homes of this nature will compound this problem. High density mobile housing rarely increases neighborhood values.

10. see item #8

11. Will the new zoning be as compatible as possible with adjacent zoning in the City of Billings? No, this has already been addressed.

In conclusion, there is only one citizen in Yellowstone County and the City of Billings who will benefit from this zone change. This zone change should be denied, not only for the 11 reasons stated, but because the citizens of Yellowstone County and the City of Billings are absolutely opposed to the Zone Change.

Thank you,



Billings Heights Task Force  
Jason Lillie, Chair