

PROJECT RECODE FAQs

Frequently Asked Questions (FAQs) from the Process – As staff and the consultant team has heard from the community and developed the Project Re:Code website, questions and answers about the process were provided for the public <https://project-recode.com/faq-page>. In addition to the FAQs on the website, multiple presentations at neighborhood task force meetings and other public presentations also brought up other question. These questions and answers are all provided here for information and reference:

What is a zoning code?

A zoning code is the set of that rules and standards that establish the basic, common requirements for property development on an individual lot. Zoning regulations establish the different types of development districts – called zone districts – such as neighborhood, mixed-use, commercial, or industrial, and identify appropriate standards for lot width, building placement, height of structures, and uses in those districts. Zoning codes can also include standards for the design and development of features such as parking lots, landscaping, and signs. You can review the City's [current zoning code](#) and the [County's current zoning code](#) at these links.

Why should Project Re:Code be important to me?

Project Re:Code is our first chance in nearly a half-century to adopt modern regulations that meet the communities' stated goals and aspirations. From downtown to the rims and from the Yellowstone River to the small farms and ranches surrounding Billings, life is moving and changing. The City, County, and Lockwood have worked hard over the last few years to update the goals and objectives of their Growth Policies. Now it is time to give those new aspirations the right tools to achieve success.

Project Re:Code is a community-led project to modernize the local zoning standards for future development in the City and County. The current zoning regulations are becoming outdated in sections and can no longer stretch to guide development in many parts of the City and County. The current zone districts can be improved to better address infill and new development patterns. The current landscape regulations can be updated to require consistent planting of street trees. And the City's multiple sign codes can be consolidated to make them easier to understand and use. This project gives Billings and Yellowstone County residents an opportunity to provide their input into the standards that will guide the next twenty plus years of growth.

What Billings and Yellowstone County plans and policies guide this project?

Both Billings and Yellowstone County did a great deal of planning work in preparation for Project Re:Code. You can find links to our plans and the general project background information at the City's Project ReCode website - <https://ci.billings.mt.us/2362/Background-Information>

How will Project Re:Code affect my property?

The City and County are updating their zoning maps to apply the new zone districts. The current zoning is based upon use (mainly residential, commercial, or industrial) and

lot size. The proposed new zoning districts have been created to better reflect the existing character of Billings and Yellowstone County neighborhoods and the desired character for commercial areas, with more area-specific details like those included in the Shiloh Corridor Overlay District. Because the new zone districts are designed to provide better guidance about how development fits into the community, the translation between the old and new zoning districts may not be one to one and areas that are currently zoned in a single district may be rezoned into more than one district. You can look at any proposed changes to [your zone district](#).

Explore the fact sheet describing the [new neighborhood zone](#) districts or the fact sheet for [new mixed-use and commercial](#) districts.

How will Project Re:Code affect development projects in progress?

There will be specific instructions in both the City and County zoning codes that address the transition between the old and new regulations. This section will identify how to proceed with pending applications, recent approvals, and properties with outstanding violations when the new regulations take effect.

What if my property becomes non-conforming?

The new code is designed to address significant existing property non-conformities across the community. These existing legal nonconformities have made reinvestments in property, financing, sale or acquisition difficult for many years. Staff also has worked with property owners and through analysis of the current zoning map of the community to try to insure most properties will not be non-conforming with the new code. However, there are some changes in use allowances in some zoning districts, like gambling and alcohol sales, that will result in non-conformity. This is an effort to gradually shift where certain uses are allowed in neighborhoods. In addition, the code will have “settling in” period where errors in mapping or zone district placement can be reviewed and adjusted.

What are the names and regulations for zone codes, both for neighborhoods and businesses?

- A Agricultural (County Only)
- N1 First Neighborhood Residential
- N2 Mid-Century Neighborhood
- N3 Suburban Neighborhood
- N4 Suburban Rural Neighborhood (County Only)
- RR Rural Residential (County Only)
- NX1 First Neighborhood Mixed Residential (usually 1 to 4 family homes)
- NX2 Neighborhood Mix, more intense than NX1 (duplexes up to 8 unit apartments)
- NX3 Neighborhood Mix, apartment blocks (larger (>8 units) apartment buildings and complexes)
- RMH Residential Manufactured Home
- NO Neighborhood Office
- NMU Neighborhood Mixed-use
- CMU1 Corridor Mixed-Use

CMU2	Corridor Mixed-Use
CX	Heavy Commercial
C3	Heavy Commercial (County only)
DX	Downtown Support
CBD	Downtown Core
I1	Controlled Industrial
I2	Heavy Industrial
P1	Parks & Open Space
P2	Civic Buildings (includes airport)
P3	Institutions & Campuses
EB-RSV	Rail Spur Village District
EB-MSRSV	Rail Spur Village Main Streets District
EB-CW	Central Works District.
EB-13	North 13th Street Main Street District
EB-IS	Industrial Sanctuary District

Here is a link to the [draft zoning code](#) on line. Planning can provide a limited number of copies of the new Use Table and District Descriptions.

What is the reasoning behind getting rid of uniform zoning neighborhoods to have a variety of zoning in one neighborhood?

The 2016 City of Billings Growth Policy update adopted several goals and objectives for new neighborhoods. The growth policy has seven major focus areas: Community Fabric, Essential Investments, Prosperity, Strong Neighborhoods, Home Base and Mobility & Access. Here is a link to the [Growth Policy](#) on line. Project Recode is not “getting rid of uniform zoning” in neighborhoods. We are following the growth goals of the city by making certain there is a reasonable selection of housing choices in all parts of the city (Home Base), ensuring everyday services are close to where people live (Strong Neighborhoods, Mobility and Access & Prosperity) and not creating barriers to affordable and fair housing through zoning rules (Strong Neighborhoods & Home Base). This requires a better balance of zone districts and a closer attention to detail when new neighborhoods are planned and built. There will still be neighborhoods where a majority of the new area has the same zoning designation but we hope to build stronger neighborhoods with choices available for all types of housing.

Have any changes been made to how roads are improved in the development process?

Zoning rules determine how private property is used and not necessarily on building infrastructure to serve new development. Part of the development process also involves subdivision of the land and construction of new or improved roads. The subdivision process is separate and distinct from zoning. We are considering a new zoning requirement called a Planned Neighborhood Development zone (PND). This would apply to land within the limits of annexation and will require improved street layouts and finer details on zoning. The challenge on Billings West End – and other parts of the community that are growing outward – is the checkerboard nature of authority over existing roads. In a perfect world, the city would only annex property by increments that

are directly adjacent to existing city limits. This is not the case on Billings West End where the city “leaped” well past the city limits in the early 2000s. Since that time, the increased urban traffic on county road sections has exacerbated the deterioration of these roads. The city has no authority to repair or improve these county roads but many city residents rely on them for their daily commutes into work, school, shopping trips or appointments. Until property owners petition to annex to the city, these road will remain the responsibility of the county.

What are the regulations for casinos in the new zoning?

Staff and the consultant team are finalizing a draft of the new regulations on where alcohol licenses and gaming can be allowed in the new zone districts. The stakeholders – the task forces and the business owners - will be receiving a copy of this draft in the near future. Staff believes the draft is responsive to the needs of residents and business owners.

What is the status of special reviews? When are they allowed if at all?

Special Reviews will still be part of the zoning rules for Billings and Yellowstone County. Many of the same uses that require special review will continue to require a special review. For example, churches or large day care facilities will require special review in the Neighborhood zones. Special review will also continue to be required for some alcohol and gaming locations as well.

What are the rules for notifications and separations?

Staff and the consultants are still finalizing a draft of the general and special procedures for zoning applications. Separation distances will be included for the alcohol and gaming uses.

How will the county and city work together in regards to zone changes that are planning on annexing?

The PND zone district – still being finalized – will be the primary way new neighborhoods are planned and zoned within the 5-year limits of annexation. The zone district will allow an owner to choose one (or more if the property is large enough) PND type – Mixed Use, Mixed Residential or Neighborhood. We also are writing a Town Center PND type primarily for use in Lockwood. The PND zone will require a Site Plan to be approved showing the new zone districts (see the list above) and the basic street layout. The PND zone would be required in the 5-year limits of annexation area if the new development will be requesting annexation. It would be a zone change on the property and would go a similar process to a standard zone change.