

ORDINANCE 21-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THE ZONE CLASSIFICATION ON TRACT B-2, OF AMENDED TRACT B OF CERTIFICATE OF SURVEY NO. 2367 M (NORTHEAST CORNER OF THE INTERSECTION OF JACKSON STREET AND KING AVENUE EAST); FRACTIONS OF GOVERNMENT LOTS 2 AND 3, SECTION 15, T.1S., R.26E., P.M.M., YELLOWSTONE COUNTY, MONTANA, BEING UNPLATTED LAND WHOLLY SURROUNDED ON THE WEST BY TRACT 5 OF CERTIFICATE OF SURVEY 1121, ON THE SOUTH BY THE YELLOWSTONE RIVER, ON THE EAST BY THE YELLOWSTONE RIVER AND TRACT 1 OF CERTIFICATE OF SURVEY NUMBER 1591, ON THE NORTH BY TRACT 1 OF CERTIFICATE OF SURVEY NUMBER 1596, AND SOUTH FRONTAGE ROAD RIGHT-OF-WAY (3508 SOUTH FRONTAGE ROAD); AND BEING THE N1/2, N1/2, N1/2, SE1/4 OF SECTION 17, T.1S., R.26E, P.M.M., YELLOWSTONE COUNTY. MONTANA (6014 SOUTH BILLINGS BOULEVARD); BE AMENDED

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:

Section 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.

Section 2. DESCRIPTIONS.

Adkins Property

Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M is presently zoned **Rural Residential 1 (RR1)** and is shown on the official zoning map within this zone.

Torgerson Property

Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, being unplatted land wholly surrounded on the West by Tract 5 of Certificate of Survey 1121, on the South by the Yellowstone River, on the East by the Yellowstone River and Tract 1 of Certificate of Survey Number 1591, on the North by Tract 1 of Certificate of Survey Number 1596, and South Frontage Road Right-Of-Way

is presently zoned **Agriculture (A)** and is shown on the official zoning map within this zone.

City of Billings Property

Being the N1/2, N1/2, N1/2, SE1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana is presently zoned **Agriculture (A)** and is shown on the official zoning map within this zone.

Section 3. ZONE DISTRICT AMENDMENTS. The official zoning map is hereby amended and the zoning for:

Adkins Property

Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M, is hereby changed from **Rural Residential 1 (RR1)** to **Mixed Residential 1 (NX1)** (south of 735 Jackson St) and **Mid-Century Neighborhood (N2)** (east and north of 735 Jackson St), and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Mixed Residential 1 (NX1)** and **Mid-century Neighborhood (N2)** as set out in the Billings, Montana City Code.

Torgerson Property

Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, being unplatted land wholly surrounded on the West by Tract 5 of Certificate of Survey 1121, on the South by the Yellowstone River, on the East by the Yellowstone River and Tract 1 of Certificate of Survey Number 1591, on the North by Tract 1 of Certificate of Survey Number 1596, and South Frontage Road Right-Of-Way, is hereby changed from **Agriculture (A)** to **Heavy Commercial (CX)**, and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Heavy Commercial (CX)** as set out in the Billings, Montana City Code.

City of Billings Property

Being the N1/2, N1/2, N1/2, SE1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana, is hereby changed from **Agriculture (A)** to **Public 2 (P2)** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Public 2 (P2)** as set out in the Billings, Montana City Code.

Section 4. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 5. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 6. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 12th Day of July, 2021.

PASSED, ADOPTED and APPROVED on second reading this 26th day of July, 2021.

CITY OF BILLINGS

BY: _____

William A. Cole, Mayor

Attest:

BY: _____

Denise R. Bohlman, City Clerk

Zone Change 993, Adkins, Torgerson, and City of Billings Properties