

ORDINANCE 21-_____

AN ORDINANCE OF THE CITY OF BILLINGS,
PROVIDING THE ZONE CLASSIFICATION ON portions of
Tracts A and B of C/S 3795, to be known as the Timbers
Subdivision, 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. DESCRIPTION. **Tracts A and B of C/S 3795** is presently zoned **Agriculture (A)**, a county zoning district, and is shown on the official zoning map within these zones.

Section 3. PLANNED NEIGHBORHOOD DEVELOPMENT. The owners have proposed to master plan a new mixed residential Planned Neighborhood Development (PND) to be annexed to the City of Billings. The development and review of the PND is in accordance with BMCC 27-800. Phase 1 of the annexation and PND includes a (this ordinance). Phase 2 of the PND consists of 56.62 acres within Tracts A and B . The zoning master plan includes zoning for that will be adopted by separate ordinance at the time Phase 2 and Phase 3 are annexed. The Resolution of Annexation for Phase 1 references Phase 2 as a future development. This ordinance also references the Zoning Master Plan for Phase 2 and Phase 3 for the PND. This ordinance references the zoning master plan for the PND, that shows four zone districts including **Suburban Neighborhood Residential (N3), Mixed Residential 1 (NX1), Neighborhood Mixed Use (NMU)** and **Public 1, Parks and Recreation (P1)**.

Section 4. ZONE DISTRICT AMENDMENT. The official zoning map is hereby amended and the zoning for 56.62 acres of land within **Tracts A and B of C/S 3795** as shown on the attached Zoning Master Plan, a **104.42 acre parcel within these two Tracts,** and is hereby changed from **Agriculture (A),** to **Suburban Neighborhood Residential (N3), Mixed Residential 1 (NX1)** and **Public 1, Parks and Recreation (P1)** as shown on the attached Planned Neighborhood Development exhibit, Phase One,

and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Suburban Neighborhood Residential (N3), Mixed Residential 1 (NX1) and Public 1, Parks and Recreation (P1)**, as set out in the Billings, Montana City Code.

Section 5. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 6. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 7. 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 10th day of January, 2022.

PASSED, ADOPTED and APPROVED on second reading this 24th day of January, 2022

CITY OF BILLINGS

BY: _____

William A. Cole, Mayor

Attest:

BY: _____

Denise R. Bohlman, City Clerk

Zone Change 1003, The Timbers C/S 3795 Tracts A and B

Zone Change 1003 – Exhibit

- ZONE NX1 4.9 AC / 215,178 SF TOTAL
- ZONE N3 64.1 AC / 2,792,872 SF TOTAL
- ZONE NMU 0.9 AC / 39,500 SF TOTAL
- PARK 14.7 AC / 639,893 SF TOTAL
- PHASE 1
- PHASE 2
- PHASE 3

