

ORDINANCE 22-_____

**AN ORDINANCE OF THE CITY OF BILLINGS,
PROVIDING THE ZONE CLASSIFICATION ON Tract 1 & 2
of C/S 2828 and the adjacent Drain ROW, 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 1 and 2 C/S 2828 and the adjacent Drain ROW** 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. This ordinance references the zoning master plan for the PND, that shows four zone districts including **Mid-Century Neighborhood Residential (N2)**, **Mixed Residential 1 (NX1)**, **Mixed Residential 3 (NX3)** and **Public 1, Parks and Recreation (P1)**.

Section 4. ZONE DISTRICT AMENDMENT. The official zoning map is hereby amended and the zoning for **Tracts 1 and 2 C/S 2828 and the adjacent Drain ROW, a 27.81 acre parcel,** and is hereby changed from **Agriculture (A)**, to **Mid-Century Neighborhood Residential (N2)**, **Mixed Residential 1 (NX1)**, **Mixed Residential 3 (NX3)** and **Public 1, Parks and Recreation (P1)** as shown on the attached **Planned Neighborhood Development exhibit**, and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Mid-Century Neighborhood Residential (N2)**, **Mixed Residential 1 (NX1)**, **Mixed Residential 3 (NX3)** 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 24th day of January, 2022.

PASSED, ADOPTED and APPROVED on second reading this 14th day of February, 2022

CITY OF BILLINGS

BY: _____

William A. Cole, Mayor

Attest:

BY: _____

Denise R. Bohlman, City Clerk

Zone Change 1004, Dorn/Bell C/S 2828 Tracts 1 & 2 , adjacent Drain ROW

