

ORDINANCE 22-\_\_\_\_\_

AN ORDINANCE OF THE CITY OF BILLINGS,  
PROVIDING THE ZONE CLASSIFICATION ON  
BLOCK 11, LOT 2, EMMA JEAN HEIGHTS SUB., 2<sup>ND</sup> FILING  
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.** **Block 11, Lot 2, Emma Jean Heights Sub., 2<sup>nd</sup> FILING** is presently zoned **Mid-Century Neighborhood Residential (N2)** and is shown on the official zoning map within this zone.

**Section 3. ZONE DISTRICT AMENDMENT.** The official zoning map is hereby amended and the zoning for **Block 11, Lot 2, Emma Jean Heights Sub., 2<sup>nd</sup> FILING**, is hereby changed from **Mid-Century Neighborhood Residential (N2)** to **Suburban Neighborhood Residential (N3)**, and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining **Suburban Neighborhood Residential (N3)** 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 REPEALER.** All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed, including ordinance 22-5811 approved on second reading June 13, 2022, which was intended to accomplish this zoning map amendment but included an incorrect legal description of the subject property referencing Emma Jean Heights Sub., 1st FILING instead of Emma Jean Sub. 2nd FILING.

**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 11<sup>th</sup> day of July, 2022.

PASSED, ADOPTED and APPROVED on second reading this 25th day of July, 2022

CITY OF BILLINGS

BY: \_\_\_\_\_

William A. Cole, Mayor

Attest:

BY: \_\_\_\_\_

Denise R. Bohlman, City Clerk

Zone Change 1015, Emma Jean Heights

Correcting Ordinance 22-5211