

County

APPLICATION FORM

CITY ZONE CHANGE

Billings-Zone Change # 1707 **- Project #** PZX-21-00250

The undersigned as owner(s) of the following described property hereby request a Zone Change as outlined in the City of Billings Zoning Regulations.

Present Zoning N-4 & P-1

Proposed Zoning: A, RR-1, RR-3 & P-1

TAX ID# A27440 et al. CITY ELECTION WARD _____

Legal Description of Property: Block 1, Block 2 & portion of Block 3, Terrace Estate Subd, 3rd Flty

Address or General Location (If unknown, contact City Engineering): 1321 Allied Creek Road

Size of Parcel (Area & Dimensions): 47.527 Acres

Present Land-Use: Agriculture

Proposed Land-Use: Single Family Residential

Covenants or Deed Restrictions on Property: Yes _____ No

If yes, please attach to application

*** Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.

Owner(s): _____

(Recorded Owner)

(Address)

(Phone Number)

(email)

Agent(s): Pinpoint Land Surveys, PLLC Clay Schwartz, PLS

(Name) 1318 Florian Ave.; Huntley, MT 59037

(Address) 406-373-9856

(Phone Number)

pinpointlandsurveys@gmail.com

(email)

I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Zone Change. Also, I attest that all the information presented herein is factual and correct.

Signature: [Signature]

(Recorded Owner)

Date: 2-25-22





ZONE CHANGE REQUEST



The undersigned as owner(s) of the following described property hereby request a Zone Change as outlined in the Yellowstone County Regulations.

Check one: City of Billings Zone Change **Yellowstone County Zone Change**

Address 1321 Alkali Creek

Legal Description A27440

STATEMENT: Answer the following questions on a separate document and upload to the online project attachments.

1. In what ways is your proposal consistent with the goals and policies of the adopted Growth Policy?
Explain your need for the intended zone change and why the property cannot be used under the existing zoning.
2. Explain how the new zoning will fit in with the existing zoning and land uses of the immediate area.

REQUIRED UPLOADS Online Applications: <https://services.billingsmt.gov/citizenaccess/>

--**Pre-Application Statement of Owner(s) or Agent(s)** affirming pre-application meeting was held, and include the following: 1) the pre-application neighborhood meeting was held, and 2) the zone change application is based on materials presented at the meeting. Include a copy of the meeting notice, written materials mailed or provided at the meeting, the sign-in sheet of attendees, and a brief synopsis of the meeting results.

--**Signed Application and Zone Change Statement** (Zone Change questions)

--**Site Plan**

--**Typed Mailing Labels Certified Surrounding Property Owners**

--**Radius Map & Certified List of Property Owners**

I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Zone Change. I attest that all the information presented herein is factual and correct.

Recorded Owner(s) James & JoAnn Boyer

Owner's Address 2810 Central Ave unit C, Billings, MT 59102

Owner's Phone Number 406-698-5455 E-mail laura@boyerproperties.com

Applicant/Agent Laura Boyer

Applicant/Agent's Address 2810 Central Ave unit C, Billings, MT 59102

Applicant/Agent's Phone Number 406-698-5455 E-mail laura@boyerproperties.com

Signature of Recorded Owner(s)

Date 2-25-22

AUTHORITIES: Procedures and Review Criteria for Zone Change requests Billings Montana City Code (BMCC) Section 27-1502 et seq. SEC. 27-1502. AMENDMENTS TO CHAPTER. (a) General. This chapter, including the official zoning map, may be amended only by the city council but no amendment shall be finally approved by the city council unless it has been submitted to the city zoning commission for review and recommendation. Proposals to amend this chapter, including the official zoning map, may be initiated by the city council or by the board of planning. Proposals to amend this chapter, except for the official zoning map, may also be initiated by the city zoning commission. Before enacting an amendment to this chapter, the city council shall give public notice and hold a public hearing thereon. Before enacting on its own motion an amendment to the official zoning map, the city council shall provide written notification by mail of such amendment to each property owner whose name appears on the last tax record of the property subject to the amendment. The notification shall include what the proposed amendment is, the time, date and place of the public hearing on the proposed amendment. Such notification shall be made no less than fifteen (15) days nor more than thirty (30) days in advance of the date of public hearing.

AUTHORITIES: Procedures and Review Criteria for Zone Change requests Unified Zoning Regulations Section 27-1508 et seq. SEC. 27-1508. AMENDMENTS TO CHAPTER. (a) General. Although each zoning district is primarily intended for a predominant type of use, there are a number of uses which may or may not be appropriate in a particular district depending upon all the circumstances of the individual case. For example, the location, nature of the proposed use, the character of the surrounding development, traffic capacities of adjacent streets and potential environmental effects, all may indicate that the circumstances of the development should be individually reviewed. It is the intent of this chapter to provide a system of review of such uses so that the community is assured that the uses are compatible with their locations and with surrounding land uses, and will further the purpose of this chapter and the objectives of the comprehensive plan. ****Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.**

STATEMENT REGARDING ZONE CHANGE

The land owners, James and JoAnn Boyer, are proposing to amend Terrace Estates Subdivision, 3rd Filing by aggregating 78 existing lots into 4 larger lots. The proposed new lots do not meet the area requirements for the current N4 zoning designation. In order to conform with the lot area requirements, the owners wish to change the zoning to A, RR-3 and RR-1 based on the area of each lot.

This zone change meets the statutory criteria as follows:

- (1) *Whether the new zoning is designed in accordance with the growth policy.*
This proposal will significantly reduce the potential traffic impact as the density is reduced from 78 lots to 4 lots. It will add area to the existing city park while maintaining the wildlife corridor and provide a larger usable area that will take in the city's storm and sewer lines. This proposal will protect the natural landscape of the area.
- (2) *Whether the new zoning is designed to secure from fire and other dangers.*
This proposal will greatly reduce the potential for structure fires as the density will decrease from 78 lots to 4 lots.
- (3) *Whether the new zoning will promote public health, public safety and general welfare.*
Due to the decrease in density, the impact to the environment and the need for police services will be reduced.
- (4) *Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.*
Due to the decrease in density, the impact to all of these will be reduced.
- (5) *Whether the new zoning will provide adequate light and air.*
Due to the decrease in density, the impact to light and air will be reduced.
- (6) *Whether the new zoning will effect motorized and nonmotorized transportation.*
Due to the decrease in density, this development will greatly reduce the potential traffic volume in the area.
- (7) *Whether the new zoning will promote compatible urban growth.*
This development borders the City of Billings. These larger lots will provide a transition to the agricultural properties further out from the city limits.
- (8) *Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses.*
These larger lots will be single family residences which fit in with the residential character of the neighborhood.
- (9) *Whether the new zoning will conserve the value of buildings.*
This proposal will not devalue existing homes in the neighborhood as the density will be decreased providing more open space.
- (10) *Whether the new zoning will encourage the most appropriate use of the land throughout Yellowstone County.*
As this development borders a residential neighborhood in the City of Billings, the larger lots will provide a transition to agricultural lands further out from the city.