

**CITY ZONE CHANGE APPLICATION FORM**

**CITY ZONE CHANGE**

Billings Zone Change # 1047 Project # PZX-24-00063

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 N3 Suburban Neighborhood

Proposed Zoning: N1 First Neighborhood Residential, NX1 Mixed Residential 1, NX2 Mixed Residential 2, and P1 Parks and Open Space

PARCEL TAX ID# A36637, A36636, A37389 CITY ELECTION WARD 4

Legal Description of Property: Attached Exhibit C

Address or General Location (If unknown, contact City Engineering): Lots 15 and 16, Block 3 of Copper Ridge 7th Filing and a portion of Lot 15A Block 3 of Co

Size of Parcel (Area square feet or acres): 62.56 Acres

Present Land-Use: Residential

Proposed Land-Use: Residential

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

Owner(s) WH Copper Ridge 54 LLC

(Record Owner)

24911 Avenue Stanford SANTA CLARITA, CA 91355

(Address)

661-222-9207

(Phone Number)

lwilliams@williamshomes.com

(email)

Agent(s): John Halverson

(Name)

1300 N Transtech Way, Billings, MT 59102

(Address)

406-869-3311

(Phone Number)

jhalverson@sandersonstewart.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: 

(Record Owner – Digital Signature Allowed)

Date: FEB. 1, 2024

## **Lots 15 and 16, Block 3 of Copper Ridge 7th Filing and a portion of Lot 15A Block 3 of Copper Ridge Subdivision 8th Filing**

Zone Change Request from N3 Suburban Neighborhood Residential to N1 First Neighborhood Residential, NX1 Mixed Residential 1, NX2 Mixed Residential 2, and P1 Parks and Open Space

### **Statement of Proposal**

Williams Homes and WH Copper Ridge 54 LLC, are seeking to and Rezone Lots 15 and 16, Block 3 of Copper Ridge 7th Filing and a portion of Lot 15A Block 3 of Copper Ridge Subdivision 8th Filing.

The intent of the requested zoning will allow for the future development of single-family homes, cottage courts, duplexes, townhomes, and multi-family residential units.

The proposed zoning will provide an incremental increase in residential density compared to that of the Copper Ridge subdivision to the east. It also provides a greater degree of housing choice in the area at a scale that is compatible with existing development and within zones that already exist in the neighborhood surrounding the intersection of Rimrock Road and 62<sup>nd</sup> Street West.

### **Responses to Questions in Zoning Application**

- a. **In what ways is your proposal consistent with the statutory criteria, guidelines and policies of the adopted Growth Policy?**

The Growth Policy states:

In the next 20 years, Billings will manage its growth by encouraging development within and adjacent to the existing City limits, but preference will be given to areas where City infrastructure exists or can be extended within a fiscally constrained budget and with consideration given to increased tax revenue from development. The City will prosper with strong neighborhoods with their own unique character that are clean, safe and provide a choice of housing and transportation options.

The requested zoning is in compliance with the following growth guidelines:

#### **Essential Investments (Relating Public and Private Expenditures to Public Values)**

- ***The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plan.***

Yes. Streets within this master-planned neighborhood are designed for low speeds to calm traffic and provide safe environments for all users while still providing enough room for emergency vehicles to safely navigate.

- ***Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings.***

Yes. This master-planned neighborhood will provide pedestrian connections to adjacent development in Copper Ridge and will continue the path along the north side of Rimrock Road.

- ***Developed parks that provide recreation, special amenities (community gardens, dog parks, viewing areas), and active living opportunities are desirable for an attractive and healthy community.***

Yes. This master-planned neighborhood will provide a centrally located park that will be developed, owned, and maintained by the HOA. In addition to the central park, a dedicated landscape buffer along the eastern edge of the development between the existing Copper Ridge neighborhood and this proposed development further eases the incremental transition from the existing N3 residential to the proposed N1-zoned area. The proposed zoning plan also includes a park dedication along a portion of the northern edge of the proposed development to allow a future trail along the southern edge of the railroad track. All of those areas will be zoned P1.

- ***Infill development and development near existing City infrastructure may be the most cost effective.***

Yes. The proposed master-planned neighborhood abuts areas already served by city water and sewer, and includes zones which already exist in the area surrounding the planned commercial node at 62<sup>nd</sup> and Rimrock Road. Because this proposed zone change includes an incremental increase in residential density, City and municipal infrastructure will be more cost effective than less-dense development, on a per-capita basis.

- ***Neighborhoods that are safe and attractive and provide essential services are much desired.***

Yes. The design of this master-planned neighborhood, in compliance with relevant subdivision and zoning regulations, will promote a high level of public safety. This includes streets, parking and recreational areas which are easily observable from residences within the development. This property will not impact public health, safety, and welfare any differently than the other neighborhood developments which are developed in accordance with the City's zoning requirements.

#### **Place Making (Enhance, Maintain, Preserve, and Improve Existing Public Places)**

- ***A multi-use community recreation facility is desirable.***

Yes. This PND provides recreational open spaces in the form of public parks, a continued walking path along the north side of Rimrock Road, a centrally located park space, a green buffer along its eastern boundary, and dedication of space along the railroad tracks to its north, along which a future trail is planned.

- ***The history and heritage of Billings are cornerstones of our community.***

Yes. Billings has always adapted to the changes in economic drivers and been welcoming of projects that allow the community to continue to grow and prosper in a systematic and planned way. This zone change will follow in that spirit by supporting a variety of housing units at an attainable price.

- *Enhancing public buildings and spaces to be more efficient in their uses of energy, money, and space is important to having a vibrant and livable City.*

Yes. The master-planned neighborhood's centrally located public park will serve as a shared community gathering and recreation space for the entire neighborhood. The compact nature of this development will ensure that the public space is a well-used and vibrant community asset.

### **Community Fabric (Attractive, Aesthetically Pleasing, Uniquely Billings)**

- *Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods*

Yes. This master-planned neighborhood will be developed in accordance with the City's code regulating street sections to include planted boulevards. This will ensure that vehicular traffic is calmed and can navigate the development at slow, safe speeds for all street users. Street-front landscaping will be provided in accordance with the zoning code's landscape section, providing street trees and other water-efficient landscaping.

- *Planning and construction of interconnected sidewalks and trails are important to the livability of Billings.*

This master-planned neighborhood will feature sidewalks on all streets, including pedestrian connections to adjacent development and the surrounding pedestrian network. It will include the continuation of the pedestrian path along the north side of Rimrock Road.

### **Strong Neighborhoods (Livable, Safe, Social and Resilient Neighborhoods)**

- *Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels*

The mixture of zones and housing types within this master-planned neighborhood provides a diversity of housing choices to serve residents of all life stages and incomes. The largest part of the site, 49.25% gross, is proposed as N1 which, because of its efficient use of land, will create more attainable homes than in the adjacent, N3-zoned neighborhood. NX2 is the second-most prevalent zone district in the master-planned neighborhood, with approximately 19% of the site's gross area. This zone, which exists about three-quarters of a mile to the east, can host structures of up to eight units, which will likely take the form of townhomes or multiplexes. The remainder of the neighborhood, about 8% gross, of land within the proposed neighborhood is NX1 Mixed Residential 1, which can host a range of building types from single family to four-plex homes. The diversity of housing in the

proposed master-planned neighborhood will allow residents of varying income levels and age groups to call this neighborhood home.

- ***Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, good will and social interaction.***

This proposed neighborhood is about one mile from the emerging commercial node at the intersection of 62<sup>nd</sup> Street West and Rimrock Road. Residents of this neighborhood will be able to reach that node within a twenty-minute walk or brief bike ride.

- ***Public safety and emergency service response are critical to the well-being of Billings' residents and businesses.***

The property considered under this zone change will use named streets within its bounds to better address locations within and provide an enhanced level of public safety. Per City of Billings subdivision regulations, compliance with which will be confirmed during the subdivision approval process, this master-planned neighborhood will connect to the surrounding road network two or more locations. Streets in the neighborhood are planned to connect to two streets in the Copper Ridge neighborhood to the east, and three connections to Rimrock Road toward the south.

### **Prosperity (Promoting Equal Opportunity and Economic Advancement)**

- ***Predictable, reasonable City taxes and assessments are important to Billings' taxpayers.***

The incremental increase in residential densities that will result from this proposed zone change will promote efficient use of land, city services and provide relatively high tax revenues per acre compared to less-dense residential development.

- ***Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses.***

This master-planned neighborhood will attract a diverse demographic of residents seeking housing alternatives to large lot, single-detached residential. The homes planned for this neighborhood will provide access to investment and wealth-building for working class and aging Billings residents alike. The property's proximity to the commercial node planned at the intersection of 62<sup>nd</sup> St. West and Rimrock Road has the potential to reduce those residents' transportation costs. The incremental increase in density that will result from the proposed zone change will also reduce tax burden that will support the high-quality services that a modern work force demands.

The community that is planned as part of this Zone Change will help Billings manage its growth by encouraging development within and adjacent to the existing City limits, giving preference to areas where City and municipal infrastructure exists helping to maintain fiscal responsibility for the City. This development will allow the City to increase tax revenue,

decrease tax burden on residents, and promote prosperity by further developing a variety of neighborhoods with their own unique character that are governed by City regulations and provide housing choice and additional housing inventory.

The West Billings Plan states:

- ***More compact development patterns are desirable because they make full use of urban services, offer cost-effective infrastructure, and hold down costs to the taxpayer.***

Yes. This proposed, master-planned neighborhood will develop in a compact manner and will host residential densities that will support cost-effective provision of municipal services.

- ***Plan for a mix of land uses that reduces automobile usage by locating stores, housing, schools, and recreation within a very short drive (or walking distance) from each other in compact neighborhoods with pedestrian-oriented streets***

Yes. The proposed zone change area is one mile from the planned commercial node at 62<sup>nd</sup> St. West and Rimrock Road. As this neighborhood develops, the path along the north side of Rimrock Road will also be extended, contributing to the active transportation network in the area. Streets within the proposed PND will be designed in accordance with all relevant City regulations to include pedestrian facilities, planted boulevards, and traffic calming measures.

- ***PG1.M.5 Enable the approval of development project that incorporate innovative mixed-use land planning concepts that provide for community aesthetics, compatible land uses, a mix of housing opportunities, open space, and other community amenities by revising zoning and subdivision regulations.***

Yes. The proposed neighborhood includes a mixture of housing opportunities including zones that allow single-detached homes, cottage courts, duplexes, townhomes, and multiplexes that will provide attainable housing for a range of ages and incomes. This proposal also includes areas zoned P1 public space for a centrally located park and a natural buffer area along the eastern boundary of the site between it and the existing Copper Ridge neighborhood.

The 10 Zone Change Criteria:

- ***Whether the new zoning is designed in accordance with the Growth Policy***

Yes, this master-planned neighborhood is being developed under the consideration of the Growth Policy statement and guidelines on previous pages. The land on which the project is planned has already been annexed into the city and is adjacent to parcels where municipal services exist. The residential uses proposed on the site are provide an incremental increase in residential density and are compatible with existing residential uses in the area.

- ***Whether the new zoning is designed to secure from fire and other dangers***

Yes, the subject parcels will be serviced by City fire and police services and will be designed in accordance with City of Billings rules and regulations thus assuring protection from common dangers.

- ***Whether the new zoning will promote public health, public safety and general welfare***

Yes, All development within the proposed neighborhood will be designed under the City Zoning code which will regulate density and land use transitions. All residential uses will be subject to City of Billings building codes, and the utility and surface infrastructure will be constructed in accordance with City of Billings rules and regulations assuring compliance to this criterion. All public spaces within the neighborhood are also designed to be easily observable from residences, which provides a higher level of public safety.

- ***Whether the new zoning will facilitate the adequate provision of transportation, water sewerage, schools, parks and other public requirements***

Yes, the proposed neighborhood will provide streets designed in compliance with relevant City of Billings regulations for adequate transportation provision. Impacts on the road network will be determined during later subdivision and master site plan approvals processes, which will include a Transportation Impact Study. Water, sewer and storm facilities will also be developed in accordance with all relevant regulations. The residential densities proposed in this master-planned community will create a neighborhood that costs less for schools to serve, as it will require less distance for buses to travel for student pick up and drop off. Areas zoned P1 within the planned neighborhood are more than double what is required in subdivision regulations, thus providing ample recreational opportunity for area residents.

- ***Whether the new zoning will provide adequate light and air***

Yes. This community is being developed in accordance with City of Billings rules and regulations and therefore meets this requirement.

- ***Whether the new zoning will affect motorized and nonmotorized transportation***

Because the proposed zone change is within one mile of a planned commercial node at 62<sup>nd</sup> St. West and Rimrock Road, it is reasonable to predict that some portion of the trips generated by the residential uses planned for this site will be captured by walking, bicycling trips to that node, thus reducing the impact of this development on the surrounding roadway network. Beyond that, this proposal will have no greater impact on the transportation network than any other residential development.

When this development progresses through the approvals process to master site plan review, a Traffic Impact Study will be completed, and the developer will be responsible for any

improvements the study deems necessary because of the trips generated by this development.

The zone change will continue to support and address growth needs and have additional connections to the local street network while concentrating housing within the established City of Billings projected growth areas.

- ***Whether the new zoning will promote compatible urban growth***

Yes, this master-planned community provides the next, incremental increase in density from the existing Copper Ridge neighborhood. The homes within the N1 and NX1 and NX2 zones are restricted to the same or lower height limits as the existing N3 zoned development to the east of the subject parcels. The zones contained in this proposal already exist in the area node of development surrounding the intersection of 62<sup>nd</sup> Street West and Rimrock Road.

This master-planned community also includes a P1-zoned green buffer of varying depth between 70 and 160 feet. This area will provide a recreational amenity for all residents in the area and further eases the transition from existing development to the proposed neighborhood.

- ***Whether the new zoning considers the character of the district and the peculiar suitability of the property for the particular use.***

Yes. The property comprises the western portion of the Copper Ridge master-planned development, which contains residential uses, and is bordered on its eastern edge by NX1 and NX2-zoned residential uses. This proposal will continue the character of the neighborhoods in the area by including zone districts which already exist in the node of development forming around the intersection of 62<sup>nd</sup> Street West and Rimrock Road.

- ***Whether the new zoning will conserve the value of buildings***

Yes. Although there is no evidence to suggest that the development of smaller homes or multi-family residential uses has any negative effect on the value of adjacent, existing single-detached residential uses, this neighborhood provides an ample green buffer between existing residential uses and the residential uses proposed. Williams Homes, the developer of this community, also has a proud record of increasing the value properties surrounding their developments. This master-planned neighborhood will be constructed and designed to higher standards than the duplex and multi-plex uses existing in the area.

- ***Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings***

Yes. The City of Billings continues to need projects that provide housing choice within financial reach of working people. It is appropriate to continue to promote development within City Limits boundaries that makes efficient use of costly land, labor, and construction

materials. This zone change helps support an appropriate level of development which will serve the City both now and in the future.