



CITY ZONING COMMISSION
AGENDA-Tuesday, April 1, 2025, 4:30 p.m.
City Council Chambers, 5th Floor
316 N 26th St., Billings MT

NOTICE TO THE PUBLIC

Citizens are invited to:

- Review the Agenda Packet on the City's website at: <https://ci.billings.mt.us/117/Agendas-Minutes>
- View the meeting live online at Facebook

Public comment will be taken only during the Public Comment periods as indicated on the agenda and during the Public Hearings, if any are scheduled, under the Regular agenda. Comments may be sent to the Board via email before 12:00 PM on the meeting date. All emails received prior to this time will be entered into the record for the public hearing. Comments may be submitted by:

- Mail: City/County Planning Division, PO Box 1178, Billings MT 59103
- Email: bernsb@billingsmt.gov
- NOTICE: All meetings and official activities of the MPO are held in buildings and locations that comply with accessibility standards according to the Americans with Disabilities Act (ADA). A TTY number for the hearing impaired, 406-657-3079, is available upon request. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing.
Please direct questions to Brenda Berns, Planning Clerk @ bernsb@billingsmt.gov or 406-247-8610

Call the meeting to order.

Introduction of City Zoning Commission Members and Planning Department Staff.

Public Comment

Approval of Minutes:

Meeting Minutes of March 4, 2025

Disclosure of any Conflict of Interest-Members of the Commission and Staff

Disclosure of an Outside (Ex Parte Communication)-Members of the Commission and Staff

Regular Business:

- A. Opening of public hearings.
- B. Reading of rules for the procedure by which the public hearings will be conducted.
- C. Reading of notices of the public hearings on the following items:

Public Hearings:

- a. **City Zone Change 1064** -- 1115, 1116, 1121, 1122, 1126 & 1127 Buffalo Crossing Drive - A zone change request from Suburban Neighborhood Residential (N3) to Mid-Century Neighborhood Residential (N2), on Lots 4, 5, 6 in Block 3, and 7, 8 & 9, in Block 1 Buffalo Crossing Subdivision, a total area of 1.498 acres. Lots range in area from 9,247 sf to 12,583 sf. A pre-application neighborhood meeting was held on February 8, 2025, at the subject property. Tax IDs: A38201, A38202, A38203, A38215, A38216, A38217.

Other Business/Announcements

Adjournment

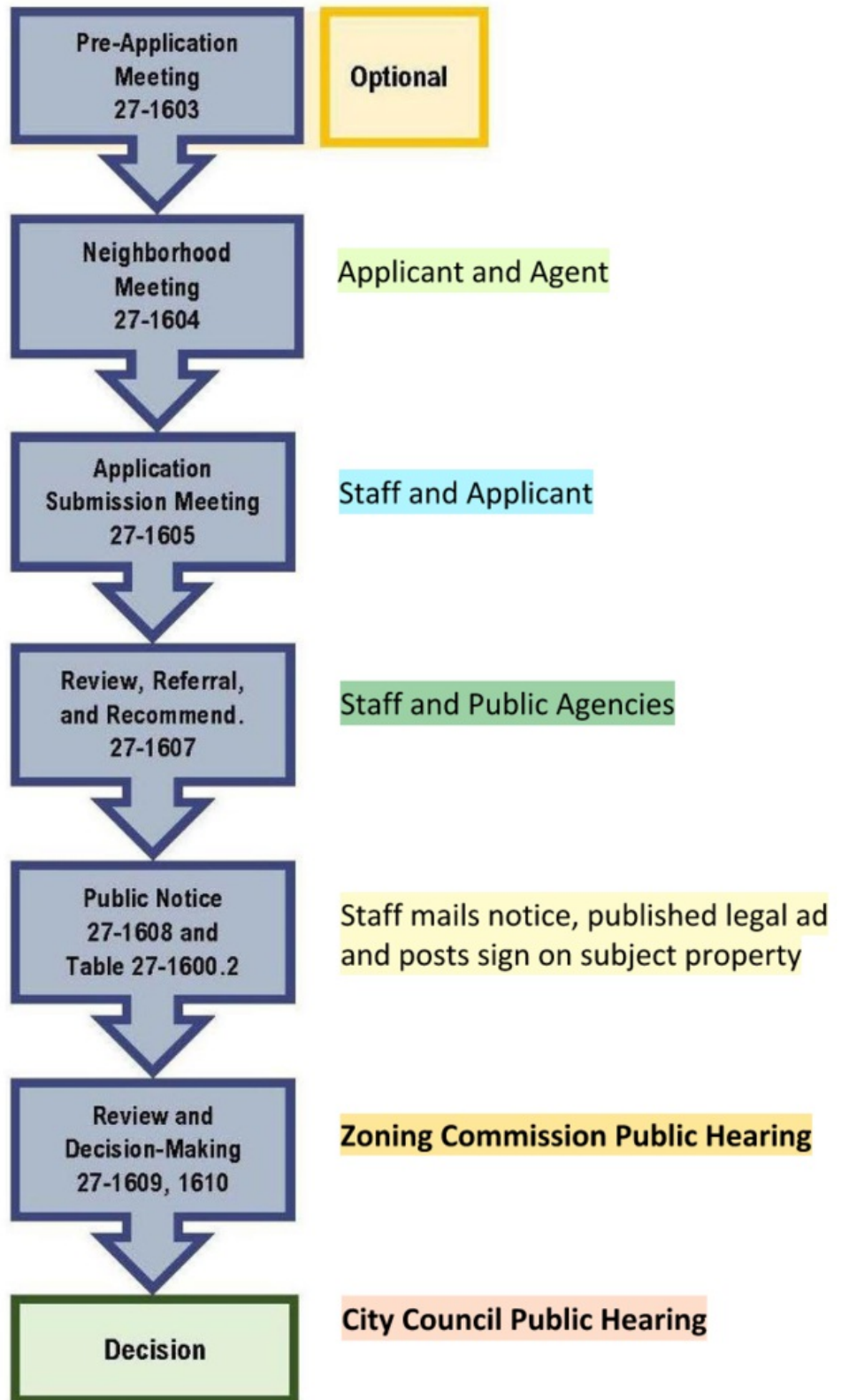
The City Council has designated **April 28, at 5:30 p.m.** as the date and time to receive the Zoning Commission recommendation for the zone changes and hold a public hearing. If approved on first reading, a **second reading will occur on May 12, 2025, at 5:30 pm.**

Before taking any action on an application for a **Zone Change**, the City Council shall first consider the findings and recommendations of the City Zoning Commission. In no case shall the City Council approve a zone change other than the one advertised. The City Council shall take one of the following actions on the zone change requests: 1) approve the application; 2) deny the application; 3) allow withdrawal of the application; or 4) delay the application for a period not to exceed thirty (30) days.

As provided in Montana Code Annotated, Section 76-2-305(2), in the event of a protest petition against such **zone change** map amendment signed by the owners of twenty-five (25) percent or more of: (1) the area of the lots included in any proposed change; or (2) those lots or units, as defined in MCA 70-23-102, **one hundred fifty (150) feet from a lot included in a proposed change**, such proposed amendment shall not become effective except by the favorable vote of two-thirds (2/3) of the present and voting members of the city council. For purposes of this protest provision interest in the common elements of the condominium, as expressed in the declaration, included in the calculation of the protest. If the property, as defined in 70-23-102, spans more than one lot, the percentage of the unit owner's undivided interest in the common elements must be multiplied by the total number of lots upon which the property is located. The percentage of the unit owner's undivided interest must be certified as correct by the unit owner seeking to protest a change or by the presiding officer of the association of unit owners. The protest petition must be received in the Planning Division office **by 5:00 p.m. on the Friday preceding the first reading of the ordinance by the City Council.**

Testimony regarding the above-mentioned item may also be submitted in writing to the Planning Division, P.O. Box 1178, Billings, MT 59103.

Public hearings are accessible to individuals with physical disabilities. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify Brenda Berns, Planning Clerk at bernsb@billingsmt.gov or 406-247-8610



Date: 04/01/2025
Title:
Presented by:
Department: Planning & Community Services
Presentation:

Information

RECOMMENDATION

The minutes of the Board meeting of March 4, 2025

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve

FISCAL EFFECTS

Attachments

Minutes of March 4, 2025

City of Billings Zoning Commission
 Tuesday, March 4, 2025 at 4:30pm

Commission		01/07/2025	02/04/2025	03/04/2025	04/01/2025	05/06/2025	06/03/2025	07/01/2025	08/05/2025	09/02/2025	10/07/2025	11/04/2025	12/02/2025
Daniel J Brooks	Chairman	1	1	1									
Greg McCall	Vice Chair	1	1	A									
David Goss	Commissioner	1	1	1									
Beau Mulvaney	Commissioner	1	1	1									
Andy Megorden	Commissioner	1	1	A									

Please note: "A" stands for excused absence, "1" stands for present, "V" stands for Zoom participation, "C" stands for Canceled

Total Number of 2025 Applications	01/07/2025	02/04/2025	03/04/2025	04/01/2025	05/06/2025	06/03/2025	07/01/2025	08/05/2025	09/02/2025	10/07/2025	11/04/2025	12/02/2025	TOTAL
Zone Change	1	1	2										4
Special Review	-	1											1

Call the Meeting to Order: Chairman Brooks called the meeting to order at 4:31 PM

Attending Staff: Nicole Cromwell, Zoning Coordinator; Anna Vickers, Planning Division Manager; Tate Johnson, Planner; Brenda Berns, Planning Clerk

Participants: Taylor Kasperick, Performance Engineering

Public Comment

Chairman Brooks called for public comments. There were no comments from the public.

Approval of Minutes: February 4, 2024

Commissioner Goss made a Motion, seconded by Commissioner Mulvaney to approve the meeting minutes as amended. The motion was carried by a unanimous vote.

Disclosure of Exparte Communication

COMMISSIONER	DISCLOSED	NONE	ABSTAINED	ABSENT
Daniel J Brooks		X		
Greg McCall				X
David Goss		X		
Beau Mulvaney		X		
Andy Megorden				X

Commissioner Goss formally disclosed to the Commission his engagements with St. John’s West End and Heights locations concerning potential residency, including the payment of a deposit and placement on their waiting list. It was determined that no conflict of interest or recusal was necessary.

Disclosure of Conflict of Interest

COMMISSIONER	DISCLOSED	NONE	ABSTAINED	ABSENT
Daniel J Brooks		X		
Greg McCall				X
David Goss	X			
Beau Mulvaney		X		
Andy Megorden				X

Site visits: Commissioner Goss conducted a site visit of Zone Changes 1062 and 1063.

Regular Business:

- a. City Zone Change 1062 – Missions United at Sierra Granda Blvd and High Sierra Blvd – Public 2 to Public 3 – Medical Campus** – A zone change request from Public 2 (P2) to Public 3 – Medical Campus (P3-Med) on a 11.868 acre parcel of land legally described as Lots 1C, 1D, 1E of Block 3, High Sierra Sub 2nd Filing, generally located on the southwest corner of Sierra Granda Blvd and High Sierra Blvd. The intent of the zone change is to make the parcels a united campus for Missions United. A P2 zone district limits the number of principal structures to two. A P3 campus zone allows any number of principal structures. A pre-application neighborhood meeting was held on January 27, 2025, at the Lake Hills Golf Course Clubhouse. Tax ID’s: A30252, A34035, and A34036.

Tate Johnson, Planner, provided an overview of the current zoning and the proposed zone change. The applicant, Mission United, a senior living campus, is represented by Taylor Kasperick of Performance Engineering. The proposal includes the development of five separate buildings: one 12-plex and four 4-plex units, along with an asphalt trail and the completion of Siesta Avenue. In 2006, the lot underwent the Special Review process, which approved the establishment of a church and a senior retirement facility, leading to the completion of the first phase of the St. John’s campus.

Existing Zone – P2	Proposed Zone – P3
<ul style="list-style-type: none">• Intended for small scale civic and community service structures and uses, such as religious assembly, public safety facilities, and schools, within either a neighborhood or commercial setting.• Maximum of two (2) principal buildings are allowed per lot in the P2 district.	<ul style="list-style-type: none">• Intended for public and civic uses involving multiple structures that are developed in a campus-like environment.• Available for medical, educational, and civic campuses.• Allows three (3) or more principal buildings

Planning staff recommends approval of the zone change.

- Meets the Growth Policy (2016) and Infill Development Policy (2011)
 - Essential Investments
 - Strong Neighborhoods
 - Home Base
- Promotes efficient use of land while maintaining compatibility with existing development
- Proposed zoning will support the development of a campus style housing facility for aging residents

The City Council shall consider the Zoning Commission recommended findings of the ten (10) review criteria as submitted in the staff report.

Agent Statement:

Taylor Kasperick of Performance Engineering stated that the project aims to offer a diverse range of housing options. Mission United and St. John’s are planning to expand the Heights facility, Wyndstone, with a mix of housing options tailored to their clients. As part of their current and future development plans, they intend to implement public infrastructure improvements to help alleviate traffic congestion in the area.

Questions

Commissioner Goss inquired about the plan to access Mission Way. Mr. Kasperick stated access will be provided through a shared driveway, with a public right-of-way off Siesta Avenue. Access to the private road will be limited.

Chairman Brooks asked what the key concerns were raised during the public meeting attended by five individuals. Mr. Kasperick responded the primary concern expressed by the homeowners was the potential increase in property taxes. However, it was noted that taxes are based on individual lots, so significant impacts were not anticipated. Another concern raised was the impact the development would have on the prairie dog population in the area.

Public Hearing

Chairman Brooks opened the public hearing. As no public comments were received, the hearing was subsequently closed.

Motion

Commissioner Mulvaney made a motion to forward a recommendation to the City Council for approval of Zone Change 1062 with the ten (10) Staff recommended Review Criteria, seconded by Commissioner Goss. The motion was carried with a unanimous vote.

COMMISSIONER	Yes	No	ABSTAINED	ABSENT
Daniel J Brooks	X			
Greg McCall				X
David Goss	X			
Beau Mulvaney	X			
Andy Megorden				X

Recommendation of approval will be forwarded to City Council at their March 24, 2025 meeting.

- b. City Zone Change 1063 – 4502 thru 4550 King Avenue West – NX3 to NX1 and N2 – A** zone change request from Mixed Residential 3 (NX3) to Mixed Residential 1 (NX1) and Mid-Century Neighborhood (N2) on a 9,401-acre parcel of land legally described as Lot 1-A of Block 1 of the amended plat of Lots 1, 3, and 4 of Block 1, Western Sub, generally located in the 4500 block of King Ave West east of the intersection of S 46th St W. Thue units per structure. A pre-application neighborhood meeting was held on January 23, 2025, at the Emmanuel Baptist Church at 328 S Shiloh Rd. Tax ID:C15618

Ms. Cromwell gave an overview of the current zoning and requested zone change.

NX3	NX1 & N2
❖ Minimum 5-unit dwellings – no upper limit	❖ 1 to 4-unit dwellings in NX1, 1 or 2-unit dwellings in N2
❖ 50 feet of street frontage per structure	❖ 20 feet per 1 or 2-unit dwelling in NX1 50 feet per 3 or 4-unit dwelling in NX1 50 feet per 1 or 2-unit dwelling in N2
❖ 4-story maximum height	❖ NX1 max height is 2.5 stories or 27 ft
❖ Build-to zones (front and street-side), building separations and minimum setbacks (rear and side)	❖ N2 max height is 2 stories or 27 ft
❖ Open space or park required for each 3 acres of NX development	❖ Build-to zones (front and street side), building separations and minimum setbacks (rear and side)
❖ Off-street parking is 1/dwelling unit	❖ Open space or park required for each 3 acres of NX development
❖ Accessory buildings (carports, gazebos, community centers, manager units) allowed	❖ Off-street parking is 1 per unit for 3 or 4-unit structures and 2 per dwelling unit for 1 or 2-unit dwellings
❖ Accessory uses allowed – home occupations, community gardens, short-term rentals	❖ Accessory buildings (carports, gazebos, community centers, manager units) allowed ❖ Accessory uses allowed – home occupations, community gardens, short-term rentals

Planning staff recommends approval of Zone Change 1063.

- Meets the Growth Policy (2016), and Infill Policy (2011)
 - Strong Neighborhoods
 - Housing Choice
 - Community Fabric
- NX1 and N2 zones are compatible with adjacent and nearby zones
- Will offer a new housing choice west of Shiloh Rd – 1 or 2-unit dwellings

The City Council shall consider the Zoning Commission’s recommended findings of the ten (10) review criteria as submitted in the staff report.

Questions

Commissioner Brooks inquired about road access. Ms. Cromwell responded that there will be a connection to the east through the adjacent existing multi-family development.

Agent:

Taylor Kasperick of Performance Engineering explained that the applicant has owned the land for some time and that market preferences favor duplex and 4-plex units. While the minimum unit requirement per building is five—typically pushing developments into multi-level structures, the owner does not intend to pursue multi-level buildings for this lot. Instead, the plan is to utilize single-floor units to accommodate a diverse range of renters. The proposed development includes approximately 80 units, aligning with the surrounding neighborhood. The 2–4-unit complex model is considered the most suitable for this project.

Chairman Brooks stated there was one person in attendance and asked their concern. Mr. Kasperick stated she inquired about access to her property to the north.

Public Hearing

Chairman Brooks opened the public hearing. As no public comments were received, the hearing was subsequently closed.

Motion

Commissioner Goss made a motion to forward a recommendation to the City Council for approval of Zone Change 1063 with the ten (10) Staff Recommended Review Criteria as recommended by staff, seconded by Commissioner Mulvaney. The motion was carried with a unanimous vote.

COMMISSIONER	Yes	No	ABSTAINED	ABSENT
Daniel J Brooks	X			
Greg McCall				X
David Goss	X			
Beau Mulvaney	X			
Andy Megorden				X

Recommendation of approval will be forwarded to the City Council at their March 24, 2025 meeting.

c. City Zone Change 1060 – City Zoning Code Text Amendments –

The amendments include the following:

1. A general cleanup ordinance that will correct cross-reference errors, numerical mistakes and ensure consistency within the code.
2. An amendment to Section 27-309, Table 27-1000.1, Sec. 27-1003, and 27-1803 related to the definition of a manufactured home. Legislative changes in 2023 require an update to remain in compliance with state law.
3. An amendment to Section 27-1704 to create clarity in options for enforcement of violations of the zoning code.
4. An amendment to Table 27-1000.1 to allow vehicle sales as a special review use within the Corridor Mixed Use 1 (CMU1) zone district.

Ms. Cromwell stated there are Four Amendments (maximum allowed per change).

Four amendments:

1. General Cleanup Ordinance – correcting errors and cross references, re-inserting height exceptions
2. Residential Manufactured Home update to conform to new state law
3. Enforcement & Violations – clarity for process
4. Vehicle sales by special review in CMU1

1. General Cleanup

- Cross references and numerical errors corrected.
- Added back the height exceptions to each zone district type – currently only in Public zone districts.
- Remove block design standards from PND section – City adopted block design standards in subdivision update 2024.
- Expand list of intended recreation uses in Public 1 zone districts.

Questions

Commissioner Goss requested clarification on antennas—whether the regulations pertain to the receiving/transmitting equipment or the structure to which the antenna is attached.

Ms. Cromwell clarified that the regulations apply specifically to the antenna itself. There is an exception in both residential and commercial sections, allowing antennas to be placed on top of a house or building for radio communications.

2. **Manufactured Home Districts**

- 2023 Legislature change definition of Manufactured Home and ability to regulate same through zoning.
- Type of MH definition removed, year manufactured removed from state law.
- Mobile Home is not the same as Manufactured Home.
- Update district language, use table/standards and definitions to conform with new state law.

3. **Enforcement & Violations**

- Current code allows Zoning Coordinator to choose between 10 options to address violations.
- Code Enforcement and City Attorney recommend predictable consequences – e.g. a fence violation = civil municipal infraction and establishing an industrial use in a residential zone – a misdemeanor.

Questions

Chairman Brooks clarified that, under Section 27-1704 **Penalties for Violation**, the Zoning Coordinator may choose an enforcement option beyond those specified in subsections (g) or (h) if it is more suitable to the specific circumstance and violation. He noted that this flexibility could be confusing and offered it as feedback.

Ms. Cromwell confirmed that this interpretation is correct.

4. **Vehicle Sales by Special Review in CMU1**

- Current code does not allow vehicle sales in CMU1.
- Some CMU1 districts are in locations that may be ok for vehicle sales.
- Recent zone change withdrawn – CMU1 to CMU2 only way to allow vehicle sales now.
- Special Review allows applicants to prove compatibility without up-zoning to more intense district.

Questions

Chairman Brooks clarified that if a special review were more appropriate than a zone change, there is an established process for applicants to follow. Ms. Cromwell confirmed, explaining that the process is similar to a zone change and includes a pre-application meeting with surrounding property owners, submission of a site plan, identification of inventory and customer parking, and other requirements.

Commissioner Goss noted that the Planning Staff, Zoning Commission, and City Council all have the authority to impose conditions on the application. Ms. Cromwell affirmed this statement.

Motion

Commissioner Goss made a motion to forward a recommendation of approval to the City Council for approval of Zone Change 1060 – Zoning Code Text Amendments, seconded by Commissioner Mulvaney. The motion was carried with a unanimous vote.

COMMISSIONER	Yes	No	ABSTAINED	ABSENT
Daniel J Brooks	X			
Greg McCall				X
David Goss	X			
Beau Mulvaney	X			
Andy Megorden				X

Recommendation of approval will be forwarded to the City Council at their March 24, 2025 meeting.

Other Business

Ms. Cromwell advised the Commission there will be a meeting April 1, 2025.

Adjournment: The meeting adjourned at 5:18 PM

Brenda J Berns, Planning Clerk

-- To be Approved by a motion at the next regularly scheduled meeting.

Zoning Commission

Date: 04/01/2025
Title: Zone Change 1064 - 1115, 1116, 1121, 1122, 1126 & 1127 Buffalo Crossing Drive
Presented by: Karen Husman
Department: Planning & Community Services
Presentation: Yes

Information

RECOMMENDATION

Planning staff is recommending approval and adoption of the findings of the 10 review criteria for Zone Change 1064.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

This is a zone change from Suburban Neighborhood Residential (N3) to Mid-Century Neighborhood Residential (N2) for six lots in the Buffalo Crossing Subdivision. The total area subject to the proposed zoning is 1.498 acres of land. Two of the lots have split zoning (N2 and N3) and the proposed zone change will remedy this situation. The intent of the zone change is to allow for two-family dwellings on the property.

Two master plans for multi-family developments are currently in progress near the subject property. A Master Site Plan for Parcel 4B of Certificate of Survey 2735, located northeast of the subject parcels, has been approved for 18 units on an NX2-zoned parcel, consisting of three fourplex dwellings and one sixplex dwelling. Another Master Site Plan is under review for 56 units on Block 1, Lot 1, and Block 3, Lot 1 of Buffalo Crossing Subdivision, further north and east along Grand Avenue on NX2-zoned parcels. This plan includes one sevenplex, two sixplexes, three fourplexes, and five fiveplex dwellings.

There are few housing choices in this area of West Billings. Most (70%+) are single-family homes on urban lots (7,000 sf+). There are several areas that also offer duplex dwellings. Foxtail Village to the north has 18 duplexes, Grand Peaks to the east has about 22 duplexes, and Signal Peak at 62nd St W and Rimrock Rd has about 77 duplex townhomes. These comprise less than 20% of the total housing choice in the area. The rarest housing choice is the attached multi-family unit (3+ units per structure), either for rent or ownership. This is less than 5% of the total housing choice west of Shiloh Road from Central Avenue to the north. A resilient urban fabric has more housing choices than are currently available in West Billings.

Planning staff is recommending approval based on the compatibility with the adjacent zoning and the zoning will provide predictable development in Buffalo Crossing. The proposed zoning is in conformance with the 2016 Growth Policy guidelines.

APPLICATION DATA

OWNER: Doug Wild
AGENT: Greg Reid, WWC Eng.
LEGAL DESCRIPTION: Lots 4-6, Block 3 and Lots 7-9, Block 1, Buffalo Crossing Subd.
ADDRESS: 1115, 1116, 1121, 1122, 1126, 1127 Buffalo Crossing Drive
CURRENT ZONING: N3 (Suburban Neighborhood Residential)
PROPOSED ZONING: N2 (Mid-Century Neighborhood Residential)
EXISTING LAND USE: Vacant parcels
PROPOSED LAND USE: Single-family or Duplex dwelling units
SIZE OF PARCEL(S): Lots from 9,247 sf to 12,583 sf for a total of 12,583 sf.

SURROUNDING LAND USE & ZONING

NORTH:
Zoning: N2 - Mid-Century Neighborhood and RR3 - Rural Residential 3 (County)
Land Use: Duplex dwellings and agricultural land

SOUTH:
Zoning: A - Agriculture (County)
Land Use: Agricultural

EAST:
Zoning: N3 - Suburban Neighborhood
Land Use: Medium density single-family dwellings (6 to 8 dwellings per acre)

WEST:
Zoning: RR3 - Rural Residential 3 (County)
Land Use: Agricultural

STAKEHOLDERS

The applicant conducted a pre-application neighborhood meeting on February 8, 2025, at the subject property, with one neighboring property owner in attendance. The primary concerns raised focused on density, parking, and whether the future residents would be owners or renters. The attendee also inquired about the reasoning behind the proposed zone change. The applicant explained that the existing N2 lots had been sold to a buyer interested in purchasing the additional six lots, contingent on their allowance for duplex dwellings. Additionally, the applicant received two emails expressing concerns that the zoning change could set a precedent for increased duplex housing, particularly non-owner-occupied units.

Planning staff fulfilled all notification requirements, including mailing notices, posting the property, updating the Current Zoning Application web page with a synopsis, and publishing legal information for the Zoning Commission hearing. No public comments were received by Planning staff before this report.

Buffalo Crossing Subdivision was established in 2022 through a Planned Neighborhood Development (PND) zone change process, which also included the annexation of a 33.64-acre parcel located south of Grand Avenue and 60th St West. It is bordered by Trails West Subdivision to the east and Foxtail Village Subdivision to the north, across Grand Avenue.

The approved Mixed Residential PND designated approximately 5 acres as N2, 19 acres as N3, 3.6 acres as NX2, and about 5 acres as open space (P1). PND regulations require either a Mixed Residential or Commercial/mixed-use zoning designation for any arterial street frontage. Zone Change 1011 was approved as part of the PND process, incorporating mixed residential zoning (NX2), N2, and N3 districts, along with the minimum required Public 1 (P1) zoning, which must account for at least 2% of the net area. The PND, subdivision, and annexation were all approved concurrently.

ALTERNATIVES

The City Zoning Commission may:

- Recommend approval and adoption of the findings of the ten review criteria for Zone Change 1064; or,
- Recommend denial and adopt different findings of the ten review criteria for Zone Change 1064; or,
- Delay action on the zone change request for up to 60 days at the request of the applicant or on its own motion; or
- Allow the applicant to withdraw the zone change request.

The Zoning Commission is required to make a recommendation to the City Council on this application for zone change. The application will not proceed to the City Council without a recommendation. The applicant has not requested a delay or withdrawal of the application.

FISCAL EFFECTS

Approval or denial of the proposed zone change will not have an effect on the Planning Division budget.

SUMMARY

Prior to any recommendation to the City Council, the Zoning Commission shall consider the following:

1) Is the new zoning designed in accordance with the Growth Policy and neighborhood plans?

The proposed zone change is consistent with the following guidelines of the 2016 Growth Policy:

Strong Neighborhoods;

- Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels.
- Neighborhoods that are safe and attractive and provide essential services are much desired.
- Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, goodwill, and social interaction.

Home Base;

- A mix of housing types that meet the needs of a diverse population is important.
- The Housing Needs Assessment is an important tool to ensure Billings recognizes and meets the demands of future development.
- Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy, and safe.

The proposed zoning would enable the sale and development of existing vacant parcels as single-family or two-family dwellings, aligning with the development pattern of the parcels to the north. The current concept plan allows for up to six additional dwelling units, with one additional unit per parcel. The proposed zoning also conforms to the West Billings Neighborhood Plan. The West Billings Neighborhood Plan goals and objectives stated the need to locate compatible uses and offer a range of housing choices and development densities. The West Billings Plan adopted a number of goals, policies, and implementation strategies:

- Establish Development Patterns that Use Land More Efficiently and encourage innovative land-use planning techniques to be used in building higher density and mixed-use developments as well as infill developments.

2) Is the new zoning designed to secure from fire and other dangers?

The new zoning requires minimum setbacks, open and landscaped areas and building separations. The new zoning, as do all zoning districts, provides adequate building separations and density limits to provide security from fire and other dangers. The site will be developed in conformance with Section 27-300 (BMCC) for residential zones as well as landscaping (27-1200). New buildings would be required to meet City Building Codes and Engineering standards as well.

3) Whether the new zoning will promote public health, public safety and general welfare?

Similar to criteria 2, public health and public safety will be promoted by both the existing zoning and the proposed zoning. The proposed N2 zoning would allow the vacant property to be developed with compatible uses to the already approved Buffalo Crossing neighborhood. The site and structure regulations found in Section 27-300 for the N2 zone districts promote the minimum standards to ensure public health and safety and promote general welfare.

4) Will the new zoning facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?

Transportation: The proposed zoning should not have any measurable impact on transportation. The impact on traffic will depend on the number of residents and drivers on the site when development occurs. The owner will need to coordinate any changes to the existing traffic analysis done for Buffalo Crossing with the City Engineering Department.

Water and Sewer: The City will provide water and sewer to the property.

Schools and Parks: The proposed zoning itself should not affect schools and parks, this will depend on the new residents when a development plan moves forward. Schools and parks should not be negatively affected by the proposed zoning. The School district provided no comments on this zone change. Parks should not be negatively impacted by the proposed zoning. Approval of this zone change should not impact the parkland requirements already in place for the Buffalo Crossing Subdivision.

Fire and Police: The subject property will be served by city public safety services. The Police and Fire Departments had no concerns with the zone change.

5) Will the new zoning provide adequate light and air?

Similar to criteria 2 and 3, the proposed zoning provides for sufficient setbacks to allow for adequate separation between structures and adequate light and air. Any development of the property would follow the requirements of Section 27-300 (BMCC) and other city regulations for development.

6) Will the new zoning affect motorized and non-motorized transportation?

The proposed zoning itself will not have a negative effect on motorized and non-motorized transportation. The motorized transportation will be entering the development from Grand Avenue and 60th Street West at Buffalo Crossing Drive. As part of the original subdivision development requirements, Buffalo Crossing Drive, along the subject property, has completed the installation of new curb/gutter based on the City of Billings standards and will have sidewalk installed upon completion of residences. City Engineering is updating its site development code to require sidewalks for all private streets and the zoning code requires street trees for all public or private roads.

7) Will the new zoning promote compatible urban growth?

The proposed zoning is compatible with the adjacent zoning and existing urban growth proposed for this area. The property to the west is outside the city limits and is agricultural land. The surrounding residential subdivisions are compatible with this proposed zoning. The zoning does promote compatible urban growth.

8) Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?

The proposed zoning will allow the development of two-unit dwellings in an area where this housing choice is limited. The N2 zone is compatible with the surrounding development with the existing development to the north and east. The proposed zoning does consider the character of the district and the suitability of the property for future uses.

9) Will the new zoning conserve the value of buildings?

The new zoning is not expected to alter the value of any buildings in the area. Any development of the property will need to meet the site development requirements in the zoning code. For the N2 zone, this includes, but is not limited to, building heights, setbacks, and window and door facade coverage. In general, new buildings improve property values in the area. There are several areas close by that also offer a two-unit dwelling. Foxtail Village to the north has 18 duplexes, Grand Peaks to the east has about 22 duplexes, and Signal Peak at 62nd St W and Rimrock Rd has about 77 duplex town homes.

10) Will the new zoning encourage the most appropriate use of land throughout the City of Billings?

The proposed zoning will allow the development of duplexes, townhomes or condominiums (up to 2 units per building).

This is an appropriate location for the zoning to density that is compatible with adjacent uses. This also contributes to the neighborhood stability of the area. There are several areas that also offer a two-unit dwelling. Foxtail Village to the north has 18 duplexes, Grand Peaks to the east has about 22 duplexes, and Signal Peak at 62nd St W and Rimrock Rd has about 77 duplex town homes. The proposed zoning and use will encourage the most appropriate use of the parcels.

Attachments

Zoning Map & Site Photos
Application & Applicant Letter
Neighborhood Meeting Info.
Site Plan
History

Zoning Map and Site Photos



Subject Property
Current Zone = N3
Proposed Zone = N2

RR3

N2

N3

NX2

N3

Subject Property Aerial



Site Photos



Subject Property East side



Subject Property West side



Looking Northeast



Looking Northwest



Looking South



Looking Southeast

CITY ZONE CHANGE APPLICATION FORM

CITY ZONE CHANGE Billings Zone Change # 1064 Project # 25-00030 ^{PZX}

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

Proposed Zoning: N2

PARCEL TAX ID# see attached CITY ELECTION WARD Ward IV

Legal Description of Property: Lots 7-9, Block 1 & Lots 4-6, Block 3 of Buffalo Crossing Subdivision

Address or General Location (If unknown, contact City Engineering): Buffalo Crossing Drive/Little River Loop South

Size of Parcel (Area square feet or acres): see attached

Present Land-Use: vacant

Proposed Land-Use: residential

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

Owner(s) Buffalo Crossing, LLC - Doug Wild

(Record Owner)

(Address)

406-670-2242

(Phone Number)

doug.wild@cdhmontana.com

(email)

Agent(s): WWC Engineering - Greg Reid

(Name)

(Address)

406-894-2210

(Phone Number)

greid@wwcengineering.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: Doug Wild Date: 02/19/25

(Record Owner – Digital Signature Allowed)

(1) Whether the new zoning is designed in accordance with the growth policy;

The 2016 City of Billings Growth Policy, states that growth will be managed 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 proposed zone change would provide additional tax revenue to the city and provide an increase in density of lots within an existing residential development that is currently provided by city services.

(2) Whether the new zoning is designed to secure from fire and other dangers;

The requested zone change of Suburban Neighborhood Residential (N3) to Mid-Century Neighborhood Residential (N2) would not create any dangers within the development. With the zone change, the developer will continue the development of residential properties and provide an option of duplex units to be constructed. There are existing fire hydrants located at the intersection of 60th Street West and Little River Loop North, and Buffalo Crossing Drive and Little River Loop South, and along Buffalo Crossing Drive between Lot 9, Block 1 and Lot 6. Block 3, therefore there are no anticipated dangers of fire protection with the development.

(3) Whether the new zoning will promote public health, public safety and general welfare;

The proposed zone change from N3 to N2 would allow for the developer, or future owner(s), the option to construct a single-family residence or a duplex residence on the property. The developer has installed new infrastructure within the development such as water, sewer, and stormwater retention which includes curb/gutter, sidewalk, and road construction. The improvements have been designed and installed to meet the City of Billings standards.

(4) Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;

The proposed zone change from N3 to N2 may impact transportation surrounding the property. The development of Buffalo Crossing was previously constructed with improvements such as water/sewer/storm utilities and roadway to the property which included curb/gutter. Sidewalks are not constructed on the frontage of the properties, but are to be constructed at the time of construction of a residence on each lot.

The City of Billings will be providing the water service. With an existing main along Buffalo Crossing Drive, there is an immediate access to water service for the development. The property will be served by the sanitary main installed within Buffalo Crossing Drive.

Since the development continues to be residential and may add additional units, the neighborhood schools and parks may be impacted by this zone change. This will depend on the types of individuals that purchase property within the development.

(5) Whether the new zoning will provide adequate light and air;

The development has a stormwater pond that would be considered as open space as well as private parkland that was designated within Buffalo Crossing Subdivision. This zone change may increase the number of

units in the development. As such, the zone change may be expected to have an increase of structures, with open space maintained, resulting in an increase in the impacts to light and air.

(6) Whether the new zoning will effect motorized and nonmotorized transportation;

The proposed zoning will not have a negative effect on motorized and nonmotorized transportation. The motorized transportation will be entering the development from Grand Avenue and 60th Street West to Buffalo Crossing Drive. As part of the original subdivision development requirements, Buffalo Crossing Drive, along the subject property, has completed the installation of new curb/gutter based on the City of Billings standards and will have sidewalk installed upon completion of residences. Those improvements will allow nonmotorized transportation to travel safely adjacent to the property and throughout the development.

(7) Whether the new zoning will promote compatible urban growth;

The proposed zone change will allow the developer, or future owner(s), the option of constructing a single-family residence or a duplex residence in an existing development. The N2 zoning will be a continuation of the existing zoning immediately north of this zone change. The development has satisfied the City of Billings regulations for residential development on the street, sidewalks, water, sewer, and stormwater.

(8) Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses;

The character of the district surrounding the subject property, is a mix of residential and agricultural. The proposed zone change from N3 to N2 would allow the property to stay consistent with the adjacent lots to the north which are zoned N2 and the lots to the south are zoned N3. With completion of Buffalo Crossing Subdivision, the developer was required to comply with the requirements for residential development such as (but not limited to) infrastructure improvements.

(9) Whether the new zoning will conserve the value of buildings; and

Immediately adjacent to the proposed zone change are lots zoned N2 and N3 within Buffalo Crossing Subdivision. As such, this zone change would not be changing the type of residential development that exists within the development

(10) Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings.

Given the current demand of residential development within Billings, this proposed zone change would allow the developer to provide additional residential property. The additional residential property would generate a return on investment for the City of Billings with access to existing services to the property. Continued growth of this area as residential property, increases the return on investment of the City with all improvements previously completed in Buffalo Crossing Subdivision, such as water/sewer/storm utilities and roadway improvements.

CITY ZONE CHANGE Pre-Application Statement of Owner(s) and Agent(s)

The owner(s), contract purchasers (if any) and agents (if any) are required to submit this completed form and any attachments along with a completed zone change application packet, including any required fees, for a zone change to be processed by the Planning Division.

1. **Present Zoning:** N3
2. **Written description of the Zone Change Plan** including existing and proposed new zoning:
change zoning from N3 to N2
3. **Legal Description of Property:**
Lots 7-9, Blk 1 & Lots 4-6, Blk 3 of Buffalo Crossing Subdivision
4. **Neighborhood Task Force Area:** Yes /// No . If Yes, Name of Task Force
yes, West End Task Forct
5. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to on line application
6. **A brief synopsis of the meeting results including any written minutes or audio recording.**
please attach to on line application
7. **The undersigned affirm the following:**
 - 1) The pre-application neighborhood meeting was held on the 8th, day of Feb, 2025.
 - 2) The zone change application is based on materials presented at the meeting.

Owner (s):
Buffalo Crossing, LLC Telephone: 406-670-2242
 Address: _____ Email: doug.wild@cdhmontana.com

Agent (s):
WWC Engineering Telephone: 406-894-2210
 Address: _____ Email: greid@wwcengineering.com

Complete this form and upload to your on-line Zone Change application

Buffalo Crossing LLC Zone Change Pre-Application Neighborhood Meeting Minutes

February 8, 2025 at 10:00 am

Attendance:

Greg Reid – WWC Engineering

See attached sign-in sheet and emails received

The meeting was opened by WWC Engineering (WWC) giving a description of the current zoning and the proposed zoning. WWC also explained the zone change process along with the Zoning and Council meetings that are required for the zone change to be completed.

Two area attended the zone change to ask questions regarding it. Items asked or discussed with these area residents are noted below. Comments or discussion unrelated to zoning of the property were not included within the list below, such as discussion of the size of the duplexes being constructed on the nearby lots.

- What led to this zone change being desired?
 - It was explained that the developer of the property listed and sold all of the potential duplex lots immediately after filing of his final plat. One of the builders that purchased those lots, desires to also purchase the 6 lots that were zoned N3, if they could be rezoned to N2 and allow continued duplex construction.
- It was noted that the continued growth in the area would impact the overall area for traffic as the City's bus system does not go to this area due to lack of density for potential bus stops at this time.
- Discussion was held as to the anticipated timeline of the future phase of Buffalo Crossing Subdivision and its connection with the final phase of Trails West Subdivision.
- The maximum number of stories in N2 was discussed as being limited to 2 stories as opposed to the other nearby zoning NX2, that allows more.

Pre-Application Neighborhood Zone Change Meeting - Buffalo Crossing LLC
February 8, 2025 at 10:00 am

	<u>Name</u>	<u>Address</u>	<u>Phone no.</u>
1	Flavonidol Hobg	11205 Blackberry Way	406-534-4340
2			
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10			
11			
12			
13			
14			
15			

Aaron Redland

From: Charley Blom <pastorcharley49@gmail.com>
Sent: Friday, January 31, 2025 11:24 AM
To: Aaron Redland
Subject: Re: Buffalo Crossing Subdivision Meeting

WARNING: This email originated from an external sender. Please use caution when clicking links or opening attachments.

thanks so much aaron

On Fri, Jan 31, 2025 at 10:52 AM Aaron Redland <aredland@wwcengineering.com> wrote:

Hi Charley,

Attached is a zoomed-out layout with an aerial; the subdivision is west of Trails West.

Let me know if you have any other questions.

Aaron

 **WWC** ENGINEERING
AARON REDLAND | Project Manager
550 S 24th St. W. Ste.201 | Billings, MT 59102
O: 406.894.2210 | D: 406.534.6119 | C: 406.671.5606
www.wwcengineering.com

From: Charley Blom <pastorcharley49@gmail.com>
Sent: Friday, January 31, 2025 9:58 AM
To: Aaron Redland <aredland@wwcengineering.com>
Subject: Buffalo Crossing Subdivision Meeting

WARNING: This email originated from an external sender. Please use caution when clicking links or opening attachments.

Aaron

thanks for the letter informing us of the zoning change for part of thee Buffalo Crossing Subdivision. We may attend, but we need to have the cross streets, to find the Subdivision. On our version of google maps the streets in the subdivision aren't shown.

thanks for your assistance.

Charley Blom

--

Charley Blom

Coaching Pastors for Personal Growth

pastorcharley49@gmail.com

Cell: 530-927-7735

--

Charley Blom

Coaching Pastors for Personal Growth

pastorcharley49@gmail.com

Cell: 530-927-7735

Aaron Redland

From: Pam C <mtmom@live.com>
Sent: Saturday, February 1, 2025 12:45 PM
To: Aaron Redland
Subject: Buffalo Crossing, LLC

WARNING: This email originated from an external sender. Please use caution when clicking links or opening attachments.

Thank you for the opportunity let you know that I DO NOT support the proposed zoning change. Trails West neighborhood was told that this neighborhood would be "mixed housing". I do not support allowing for more duplex's vs single family residences. If this is allowed, there is nothing to keep you from soliciting to do the same with remaining phases. It is not what we were told when we "gave support" originally.

Thank you, again.

Pam Christianson

From: Aaron Redland <aredland@wwcengineering.com>
Sent: Friday, January 31, 2025 3:44 PM
To: Pam C <mtmom@live.com>
Subject: RE: Buffalo Crossing, LLC

With the proposed zoning and size of the lots, they would only be allowed to construct duplexes.

 **WWC** ENGINEERING
AARON REDLAND | Project Manager
550 S 24th St. W. Ste.201 | Billings, MT 59102
O: 406.894.2210 | D: 406.534.6119 | C: 406.671.5606
www.wwcengineering.com

From: Pam C <mtmom@live.com>
Sent: Friday, January 31, 2025 1:20 PM
To: Aaron Redland <aredland@wwcengineering.com>
Subject: Re: Buffalo Crossing, LLC

WARNING: This email originated from an external sender. Please use caution when clicking links or opening attachments.

Thank you, Aaron, for the information. So the developer is wanting to change the zoning so that they can build more multi-family housing, correct?

Pam

From: Aaron Redland <aredland@wwcengineering.com>
Sent: Friday, January 31, 2025 11:38 AM
To: Pam C <mtmom@live.com>
Subject: RE: Buffalo Crossing, LLC

Hi Pam,

Buffalo Crossing Subdivision is west of Trails West Subdivision. Below are the definitions of those zones from the Billings Zoning Code.

N2: Mid-century neighborhood residential. The N2 district is intended to continue the existing character of the residential neighborhoods with single- and two-family homes developed during the middle of the twentieth century. This district may also be used for new neighborhoods designed with similar characteristics of the mid-century neighborhoods. These characteristics include homes wide on the lot, proportionate garages located in the front façade, low pitched roofs, and doors and windows on the front facades. Building and garage location are specified in the regulations, with basic parameters for front doors and windows.

N3: Suburban neighborhood residential. The N3 district is intended for residential neighborhoods primarily with single-family homes. Characteristics include wide lots and attached garages typically located on the front building façade, often greater than thirty-five (35) percent of the façade. Basic setback and height parameters apply.

N2 zoning allows single-family and duplex units. N3 zoning allows only single family which will be the remaining portion of the subdivision that extends south to Stockman Avenue in the future. The new zoning will need to match the existing zoning of the surrounding properties which are directly to the north; Lot 6, Block 1 and Lots 2 and 3, Block 3. I am also including a link to the Billings Zoning Code as a reference.

https://www.billingsmt.gov/DocumentCenter/View/51192/Chapter_27_ZONING-through-Supp-62-Aug-2023?bidId=

Let me know if you have any other questions.

Aaron


WWC ENGINEERING
AARON REDLAND | Project Manager
550 S 24th St. W. Ste.201 | Billings, MT 59102
O: 406.894.2210 | D: 406.534.6119 | C: 406.671.5606
www.wwcengineering.com

From: Pam C <mtmom@live.com>
Sent: Thursday, January 30, 2025 4:48 PM
To: Aaron Redland <aredland@wwcengineering.com>
Subject: Buffalo Crossing, LLC

WARNING: This email originated from an external sender. Please use caution when clicking links or opening attachments.

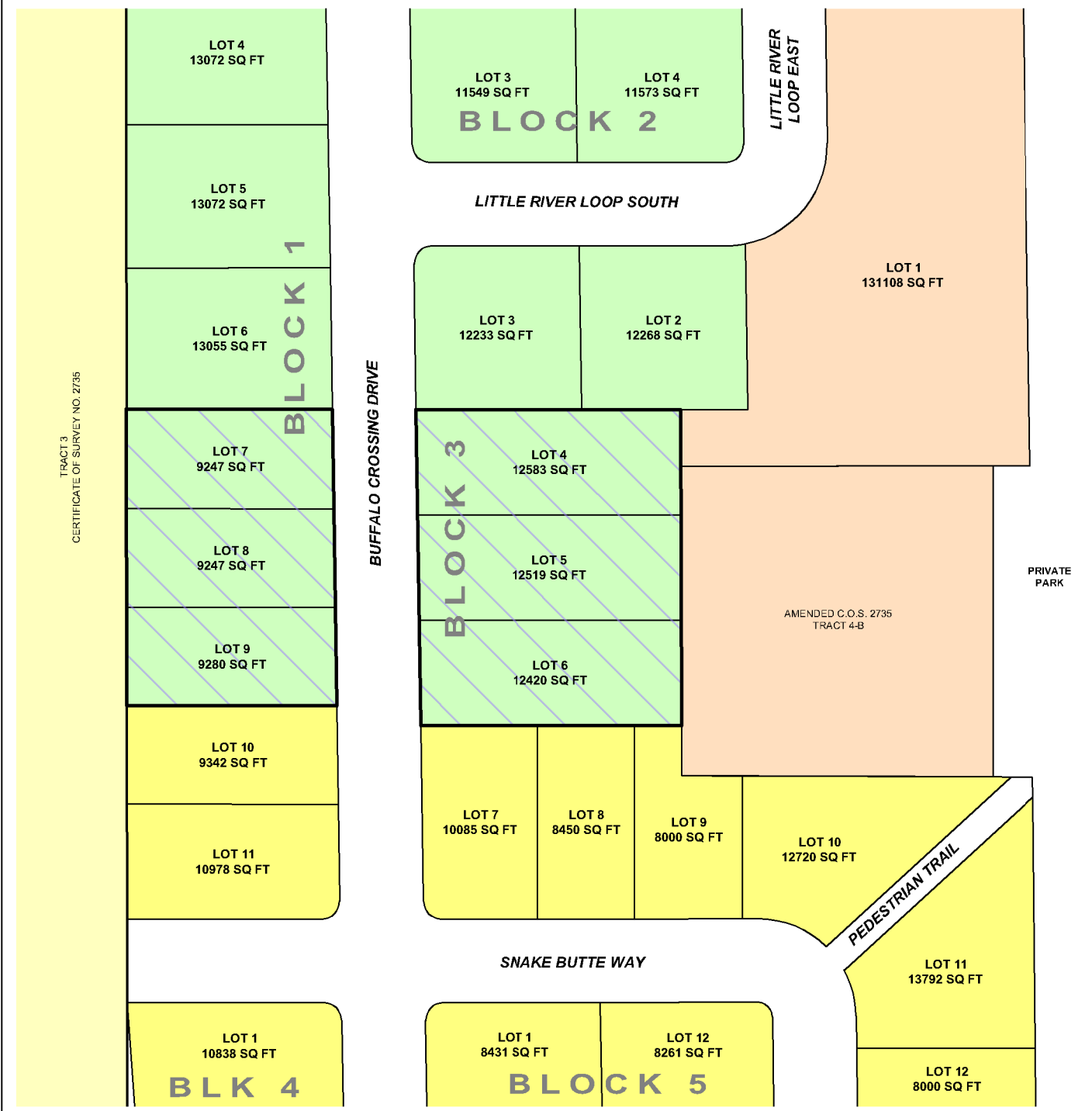
Good afternoon -

I received a zone change notification regarding this. I presume this is the new build area to the west of the Trails West subdivision? Would you please explain what the meanings are of "suburban neighborhood residential" and "mid-century neighborhood residential"? What would the difference mean to the development? Will there be any single-family residences with either of those? What property directly to the north? The developer's own property or the neighborhood across Grand?

Thank you.

Pam Christianson

TRACT 3
CERTIFICATE OF SURVEY NO. 2735




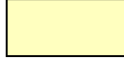



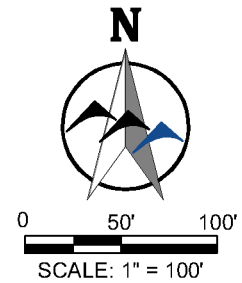
BIRELY RIGHT-OF-WAY
TRAILS WEST SUBDIVISION, FIRST FILING


EXHIBIT DRAWING

LOTS 7-9, BLOCK 1 & LOTS 4-6, BLOCK 3 BUFFALO CROSSING SUBDIVISION CITY OF BILLINGS, MONTANA

LEGEND

-  NX2 - MIXED RESIDENTIAL
-  N2 - MID-CENTURY NEIGHBORHOOD RESIDENTIAL
-  N3 - SUBURBAN NEIGHBORHOOD RESIDENTIAL
-  RR3 - RURAL RESIDENTIAL
-  PROPOSED N2 - MID-CENTURY NEIGHBORHOOD RESIDENTIAL



PREPARED FOR BUFFALO CROSSING, LLC	DESIGNED BY: AMR DRAWN BY: AMR CHECKED BY: GTR DATE: JAN, 2025	SHEET A
	PREPARED BY  WWC ENGINEERING 550 S. 24TH ST. W., SUITE 201 BILLINGS, MT 59102 (406) 894-2210 www.wwcengineering.com	
BUFFALO CROSSING ZONE CHANGE EXHIBIT DRAWING CITY OF BILLINGS, MONTANA		

Zoning History for City ZC 1044 – 5900 Grand Ave – Buffalo Crossing

SUBJECT PROPERTY	Zone Change	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
Buffalo Crossing	City ZC 1011	4/11/22	PND, Subdivision & Annex RR3 to MX2, N2, N3 and Public 1	Y	
	2 Master Site Plans	3/4/25 1 pending	1=18 multi family units 2=56 multi family units	Y Pending	
SURROUNDING PROPERTY	Zone Change	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
Trails West	City ZC 847	10/14/2008	R96 to R60-R	Yes	Current zone = N3
Foxtail Village	City ZC 729	5/10/2004	A-1 to R70 and R96	Yes	Current zone = N2 and N3
Foxtail Village	City ZC 774	4/10/2006	R96 to R70	Yes	Current zone = N2
Foxtail Village	City ZC 764	8/22/2005	R96 & R70 to R60	No	Withdrawn
5900 Grand Ave	County ZC 620	11/3/2009	A-1 to AS	Yes	Includes Parcels 1-4 of C/S 2735
5900 block Grand Ave	1044	4/8/2024	RR1 to NX2	Y	Appr. w/Annexation