
ZONE CHANGE



These application packets have been updated to include the adoption of Project Re:Code. Please read carefully. Applications not completed appropriately under the new code may be deemed as an incomplete application causing delay or rejection.

**CITY ZONE CHANGE
NEIGHBORHOOD MEETING REQUIRED
(BMCC Section 27-1604)**

The City of Billings requires a pre-application neighborhood meeting for each zone change request. **The Planning Division will provide a list and mailing labels of surrounding property owners.** This list of owners is based on best available information but is not certified by the Clerk & Recorder of Yellowstone County. A certified list of surrounding property owners is still required at the time a zone change application is submitted.

The surrounding property owners, the Planning Division and the Neighborhood Task Force (if any) must be notified by mail at least seven (7) calendar days in advance of the required pre-application neighborhood meeting.

The meeting notice must contain the following information:

- 1. Date, time & location of the meeting.**
 - 2. The existing and proposed zoning.**
 - 3. The legal description of the property and the name and contact information of the owner(s) of the property.**
- **The pre-application neighborhood meeting must be conducted at least seven (7) calendar days but not more than 60 calendar days prior to submitting a zone change application.**
 - **The notice of the pre-application neighborhood meeting must be mailed at least seven (7) calendar days prior to the meeting.**
 - **The meetings must be held within 2-radius miles of the subject property.***
 - **The meeting must be scheduled after 5 pm on a weekday evening or between the hours of 8 am and 7 pm on a weekend day.**

*meetings may also be held on a virtual meeting format to accommodate public health requirements

PRE-APPLICATION NEIGHBORHOOD MEETING DEADLINES
2021-2022

DEADLINE	DEADLINE	DEADLINE
MAILING OF NOTICE PRE-APP MEETING (2 WKS PRIOR TO 1ST MONDAY)	PRE-APP MEETING (1 WK PRIOR TO 1ST MONDAY)	COMPLETED ZONE CHANGE APP (1ST MONDAY)
Dec 16, 2020	Dec 28, 2020	Jan 4, 2020
January 18, 2021	January 25, 2021	February 1, 2021
February 15, 2021	February 22, 2021	March 1, 2021
March 29, 2021	March 22, 2021	April 5, 2021
April 19, 2021	April 26, 2021	May 3, 2021
May 17, 2021	May 24, 2021	June 7, 2021
June 21, 2021	June 28, 2021	July 6, 2021 (TUES)
July 19, 2021	July 26, 2021	August 2, 2021
August 23, 2021	August 30, 2021	September 7, 2021 (TUES)
September 20, 2021	September 27, 2021	October 4, 2021
October 18, 2021	October 25, 2021	November 1, 2021
November 22, 2021	November 29, 2021	December 6, 2021
December 13, 2021	December 20, 2021	January 3, 2022
January 24, 2022	January 31, 2022	February 7, 2022
February 21, 2022	February 28, 2022	March 7, 2022
March 21, 2022	March 28, 2022	April 4, 2022
April 18, 2022	April 25, 2022	May 2, 2022
May 20, 2022 (Fri)	May 27, 2022 (Fri)	June 6, 2022
June 21, 2022 (Tues)	June 28, 2022 (Tues)	July 5, 2022 (Tues)

ZONE CHANGE APPLICATION

CITY OF BILLINGS

Planning & Community Services Department
2825 3rd Ave North, 4th Floor
Billings, MT 59101
Phone: 657-8246 Fax: (406) 657-8327
Website: <http://ci.billings.mt.us>

INSTRUCTIONS

- Complete the attached application form (last page of packet)
- Request a radius map, a surrounding owners list and mailing labels for the required pre-application neighborhood meeting. (See Page -2-)
- Conduct the pre-application neighborhood meeting (BMCC Section 27-1604) as required. Prepare copies pre-application meeting materials including the owner's statement affirming the meeting was held and the application is based on the material presented at the meeting.
- Prepare a brief synopsis of the pre-application meeting result, a roster of the persons who attended and audio or written minutes of the meeting.
- Prepare a statement explaining how the proposed zone change:
 - Is consistent with the adopted Growth Policy, Neighborhood Plans, and other applicable city development policies
 - Meets the 10 statutory criteria for a zone change
 - Fits in with the existing or planned developments within the area
- Request certification from the Dept. of Revenue and Clerk & Recorder of the surrounding property owners (list and map provided above)
- Prepare by printing or typing the certified names and mailing addresses on to mailing labels. These labels will be submitted to the Planning Division along with the certified list and map.

All applications shall be submitted in person to the Planning & Community Services Department, 2825 3rd Ave North, 4th Floor, or submitted online using the Citizen Access portal. The filing fee must accompany the application in order for it to be accepted.

Photographs may be submitted and are often helpful. They should be of a size adequate to show the nature of the property. Please submit only one copy of each photo.

- Request an **application review appointment** on or before the application deadline day (1st Monday of each month) with the Planning Division (BMCC Section 27-1605) – contact Jeannette Vieg viegj@billingsmt.gov or 406-657-8247.

This appointment will ensure:

- All required forms, documents, cover letters, mailing labels, fees, site plans and other information is included
- All information on the land record and subject property is accurate
- Any deficient, missing or incorrect information can be noted for a follow-up submission
- All requests for uses, zoning districts are correctly described and noticed

The Planning Staff will work with you to ensure your requested appointment time can be scheduled or alternative dates and times can be arranged. For applicants outside of Yellowstone County, a conference call appointment may be scheduled to review the application. Agents may act on a property owner's behalf to review the application and appear on behalf of the applicant.

Applications with deficient, missing or inaccurate information will not be processed. Please read the application packet closely to ensure all required information is included in your submittal prior to scheduling an application review appointment.

- Prepare and submit the required filing fees: Checks shall be made payable to the *City of Billings*. MasterCard and Visa are accepted as well as cash. **THIS APPLICATION FEE IS NON-REFUNDABLE AND IS NO GUARANTEE THAT THE ZONE CHANGE WILL BE GRANTED.**

RESIDENTIAL:	\$1,062.00
COMMERCIAL:	\$1,470.00
PLANNED DEVELOPMENT < 5 ACRES:	\$1,223.00
PLANNED DEVELOPMENT >5 ACRES:	\$1,960.00
PLANNED NEIGHBORHOOD DEVELOPMENT	
Neighborhood PND:	\$1,400 + Master Site Plan Fee
Mixed Residential PND:	\$1,400 + Master Site Plan Fee
Mixed Use PND:	\$2,250 + Master Site Plan Fee

Sign Deposit (all applications): **\$125.00 (REFUNDABLE)**

The sign deposit will be returned when the sign is returned by the applicant or agent at the first public hearing. If the sign is not returned at the first public hearing, the deposit will be retained.

The 10 Zone Change Criteria:

- (1) Whether the new zoning is designed in accordance with the growth policy;
- (2) Whether the new zoning is designed to secure from fire and other dangers;
- (3) Whether the new zoning will promote public health, public safety and general welfare;
- (4) Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;
- (5) Whether the new zoning will provide adequate light and air;
- (6) Whether the new zoning will effect motorized and nonmotorized transportation;
- (7) Whether the new zoning will promote compatible urban growth;
- (8) Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses;
- (9) Whether the new zoning will conserve the value of buildings; and
- (10) Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings.

IMPORTANT NOTICE TO PETITIONER: You will be notified by mail (and/or email) approximately 1-week in advance as to the time, date and place of the public hearing on your petition. Attendance at the public hearing is not required, but is strongly recommended, so that you may present your case to the Commission.

City Zoning Code Section 27-1628 – Zone Change – Administrative Process

Section		Application Process							Review and Determination			
		Pre-Application Meeting	Neighbor. Meeting	Application Submission Meeting	Referral Review	Staff Review	Public Notice Required	Public Hearing Required	Staff	Zoning Comm	City Council	District Court (DC) or Board of Appeals (BOA)
		Key: O Optional, R Required, -- Not Applicable							Key: R Review, RR Review and Recommend, D Decision, A Appeal, -- Not Applicable			
Project Application Type												
Administrative Relief	27-1614	--	--	R	--	R	--	--	D	--	--	BOA
Class. Newly Annexed Area	27-1615	O	O	R	R	R	R	R	RR	RR	D	DC
Planned Development (PD)	27-700	R	R	R	R	R	R	R	RR	RR	D	DC
Planned Neighborhood Development (PND)	27-800	R	R	R	R	R	R	R	RR	RR	D	DC
Special Review	27-1623	O	R	R	R	R	R	R	RR	RR	D	DC
Variance	27-1627	O	O	R	R	R	R	R	RR		BOA	DC
Zone Change	27-1628	O	R	R	R	R	R	R	RR	RR	D	DC
Permits												
Fence	27-1620	O	--	R	--	R	--	--	D	--	--	BOA
Landscape Plan	27-1618	O	--	R	--	R	--	--	D	--	--	BOA
Master Site Plan	27-1619	O	--	R	R	R	--	--	D	--	--	BOA
Proportionate Compliance	27-1620	O	--	R	--	R	--	--	D	--	--	BOA
Short-Term Rental	27-1621	O	--	R	--	R	--	--	D	--	--	BOA
Sign/Temporary Sign	27-1622	O	--	R	--	R	--	--	D	--	--	BOA
Temporary Use	27-1624	O	--	R	R	R	--	--	D	--	--	BOA
Wind and Solar Facilities	27-1625	O	--	R	--	R	--	--	D	--	--	BOA
Wireless Communication	27-1626	O	--	R	--	R	--	--	D	--	--	BOA
Code Administration												
Appeal of Admin. Decision	27-1616	--	--	R	--	R	R	R	RR	--	BOA	DC
Code Interpretation	27-1617	--	--	R	--	R	--	--	D	--	--	BOA
Zoning Text Amendment	27-1628	--	--	--	R	R	R	R	RR	RR	D	DC

2016 BILLINGS GROWTH POLICY STATEMENT AND GUIDELINES

Statement: 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.

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 plans
- Public transit and commercial air service are critical to ensure access to and around the City
- Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings.
- 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
- Natural landscapes are important because they define the uniqueness of Billings and help protect the environment
- Landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors
- Public health and safety and emergency service response are critical to the well-being of Billings' residents, businesses, and visitors
- Infill development and development near existing City infrastructure may be the most cost effective
- Accessible, friendly and cost-effective government are important public values
- The history and heritage of Billings are cornerstones of our community
- Neighborhoods that are safe and attractive and provide essential services are much desired
- Infrastructure and service investments that stabilize or improve property values, secure future utility costs, consider maintenance costs, and improve our environmental quality far into the future (i.e. energy efficient) are desirable
- It is important to factor in maintenance costs when programming public spaces and infrastructure
- Integrated, long range water planning that better utilizes existing resources and treatment options, and when necessary acquires new ones, is vital.
- Regulatory compliant water and wastewater treatment plants that provide sufficient capacity will help sustain community growth
- A supportive school system that inspires, motivates, and prepares students for meaningful employment is important for ensuring a high quality, competitive community
- A cost/benefit study is important to make cost effective land use decisions

Place Making (Enhance, maintain, preserve, and improve existing public places)

- A multi-use community recreation facility is desirable
- Enhancement and maintenance of public spaces and buildings through City stewardship is integral to a vibrant community
- Park master plans and transportation plans are important to facilitate the preservation and improved public access to the Yellowstone River and the Rims
- Public and private partnerships are valuable for creating enhanced entryways into Billings
- Locally grown foods help sustain agriculture, provide healthy options, and support local businesses
- The history and heritage of Billings are cornerstones of our community
- Natural landscapes are important because they define the uniqueness of Billings and help protect the environment and beautify neighborhoods
- Encouraging the installation of art in public spaces enhances the places and showcases the talents and diversity of the community
- 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

Community Fabric (attractive, aesthetically pleasing, uniquely Billings)

- Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity
- Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods
- Outdoor public spaces provide casual and relaxing gathering areas for people
- Planning and construction of interconnected sidewalks and trails are important to the livability of Billings
- Developed parks that provide recreation, special amenities, and active living opportunities are desirable for an attractive and healthy community
- Natural landscapes and parks are important because they define the uniqueness of Billings and help protect the environment
- Cost-effective landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors

Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods)

- Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels
- 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
- Safe and livable neighborhoods can be achieved through subdivision design that focuses on complete streets, pedestrian-scale street lights, street trees and walkable access to public spaces
- Neighborhoods that are safe and attractive and provide essential services are much desired
- Zoning and subdivision regulations that utilize Crime Prevention Through Environmental Design (CPTED) strategies result in safer neighborhoods

- Implementation of the Infill Policy is important to encourage development of underutilized properties
- Public safety and emergency service response are critical to the well-being of Billings' residents and businesses

Home Base (healthy, safe and diverse housing options)

- 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
- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings
- Public safety and emergency service response are critical to the well-being of Billings' residents
- Homes that are safe and sound support a healthy community
- Accessory dwellings units provide an important type of affordable housing options if compatible
- Energy efficient housing can reduce energy consumption

Mobility and Access (transportation choices in places where goods and services are accessible to all)

- Connecting people to places with transportation choices is vital to the well-being of Billings' residents, businesses and visitors
- Safe and accessible transportation systems benefit everyone's quality of life
- Affordable public transit is much desired
- Development oriented to transit routes will provide more transportation choices and is preferred
- "Safe Routes to Schools" promotes physical health and reduces vehicle trips, earning parents more time and less costs for transportation
- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings
- On-street bike facilities promote predictability for all users
- Expanded air service ensures that Billings remains a competitive and an accessible destination
- Technology can reduce congestion and facilitate emergency vehicle travel at railroad crossings

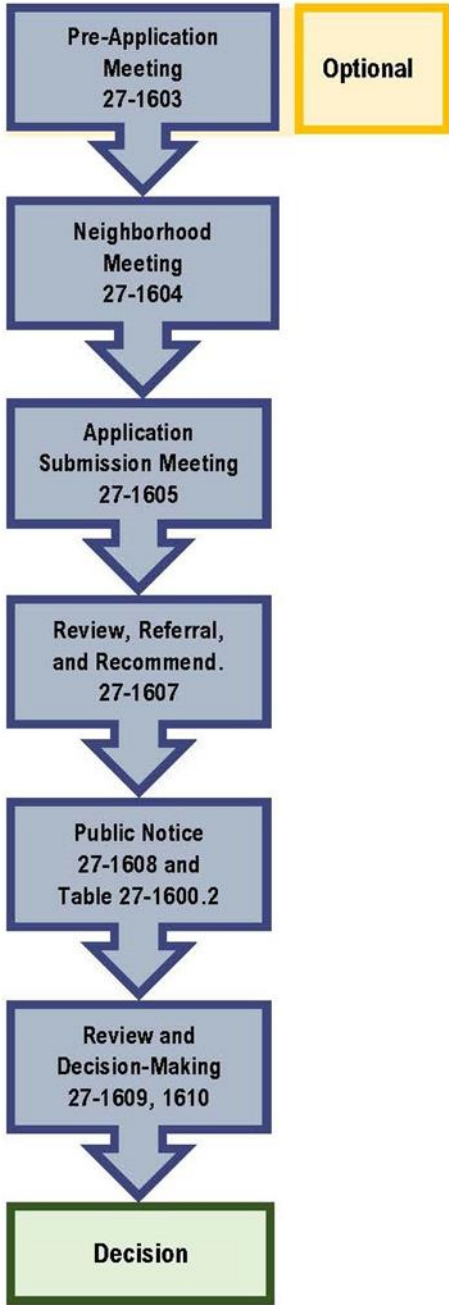
Prosperity (promoting equal opportunity and economic advancement)

- Predictable, reasonable City taxes and assessments are important to Billings' taxpayers
- A diversity of available jobs can ensure a strong Billings' economy
- Successful businesses that provide local jobs benefit the community
- Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses
- Retaining and supporting existing businesses helps sustain a healthy economy
- Continued workforce training benefits the community and helps attract and retain businesses

- Strategically placed industrial parks will encourage a more diverse city economy, and will better help manage effluent and emission from industrial processes

APPLICATION DEADLINES
2021 2022
 CITY ZONING COMMISSION

Applications for **zone changes** must be presented to the Planning & Community Services Department by 5:00 p.m. on the dates as set forth below after the required pre-application Neighborhood Meeting has been held. These deadlines cannot be altered due to state laws concerning public notice. All parties involved will be sent a notice of the time, date, and place of the public hearing.



<u>DEADLINE</u> (1 st MONDAY)	<u>ZONING COMMISSION</u> <u>PUBLIC HEARING</u> 1 st TUESDAY, 4:30 p.m.	<u>CITY COUNCIL</u> <u>PUBLIC HEARING</u> 4 th MONDAY, 5:30 p.m.
Jan 4, 2021	Feb 2, 2021	Feb 22, 2021
Feb 1, 2021	March 2, 2021	March 22, 2021
April 5, 2021	May 4, 2021	May 24, 2021
May 3, 2021	June 1, 2021	June 21, 2021
June 7, 2021	July 6, 2021	July 26, 2021
July 6, 2021 (Tues)	Aug 3, 2021	August 23, 2021
Aug 2, 2021	Sept 7, 2021	Sept 27, 2021
Sept 7, 2021 (Tues)	October 5, 2021	October 25, 2021
Oct 4, 2021	Nov 2, 2021	Nov 22, 2021
Nov 1, 2021	Dec 7, 2021	Jan 10, 2022
Dec 6, 2021	Jan 4, 2022	Jan 24, 2022
Jan 3, 2022	Feb 1, 2022	Feb 28, 2022
Feb 7, 2022	March 1, 2022	March 28, 2022
March 7, 2022	April 5, 2022	April 25, 2022
April 4, 2022	May 3, 2022	May 23, 2022
May 2, 2022	June 7, 2022	June 27, 2022
June 6, 2022	July 5, 2022	July 25, 2022
July 5, 2022 (Tues)	Aug 2, 2022	August 22, 2022

Pre-Application Statement of Owner(s) or 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:** _____

2. **Written description of the Zone Change Plan** including existing and proposed new zoning:

3. **Subject Property Map:** please attach to this form

4. **Legal Description of Property:**

5. **Neighborhood Task Force Area:** Yes /// No . If Yes, Name of Task Force and mailing address of Chairperson:

6. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to this form

7. **A copy of the meeting notice.** please attach to this form

8. **A brief synopsis of the meeting results including any written minutes or audio recording.** please attach to this form

9. **The undersigned affirm the following:**

1) The pre-application neighborhood meeting was held on the _____, day of _____, 20__.

2) The zone change application is based on materials presented at the meeting.

Owner (s): _____ **Telephone:** _____

Address: _____ **Email:** _____

Agent (s): _____ **Telephone:** _____

Address: _____ **Email:** _____

APPLICATION FORM

CITY ZONE CHANGE **Billings Zone Change #** _____ **- Project #** _____

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 _____

Proposed Zoning: _____

TAX ID# _____ CITY ELECTION WARD _____

Legal Description of Property: _____

Address or General Location (If unknown, contact City Engineering): _____

Size of Parcel (Area & Dimensions): _____

Present Land-Use: _____

Proposed Land-Use: _____

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): _____

(Name)

(Address)

(Phone Number)

(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: _____ Date: _____

(Recorded Owner)



Date Stamp