

Requirements: Please apply online through the Citizen Access portal:

<https://services.billingsmt.gov/citizenaccess/>. 1) Create a login in 2) Create a Personal Account 3) Apply for CITY ZONE CHANGE 4) Select CITY ZONE CHANGE for the Project type. 5) Complete Application. 6) Select PAY FEES

Call (406) 657-8247 if you need assistance.

NO forms are included in this packet. Forms are separate documents on line at

<https://www.billingsmt.gov/756/Zone-Changes>

ZONE CHANGE



These application packets have been updated. Please read carefully. Applications not completed appropriately may be deemed as an incomplete application causing delay or rejection.

APPLICATION DEADLINE – FIRST WORKDAY OF THE MONTH

ZONE CHANGE APPLICATIONS

Process Review Packet

CITY OF BILLINGS

Planning & Community Services Department
Phone: (406) 657-8247 – (406) 247-8610
plnonline@billingsmt.gov – application information
Website: <https://www.billingsmt.gov/755/Zoning-Information>

Zone Changes involve a change to the approved zoning map for one or more parcels of land at the request of a property owner. The process for making these changes is outlined in [Section 27-1628](#) of the Billings, MT City Code (BMCC). The City Council may also initiate an amendment to the zoning map for one or more parcels of land, but this is a rare occurrence.

The application and process of review and approval ensures the request is fully understood by the surrounding property owners, and the Zoning Commission, the advisory board to the City Council. The Zoning Commission holds a public hearing and receives input from Planning staff, the applicant, surrounding property owners and interested parties. The Zoning Commission then makes a recommendation on the application to the City Council. The City Council is the final decision maker for all city zone changes.

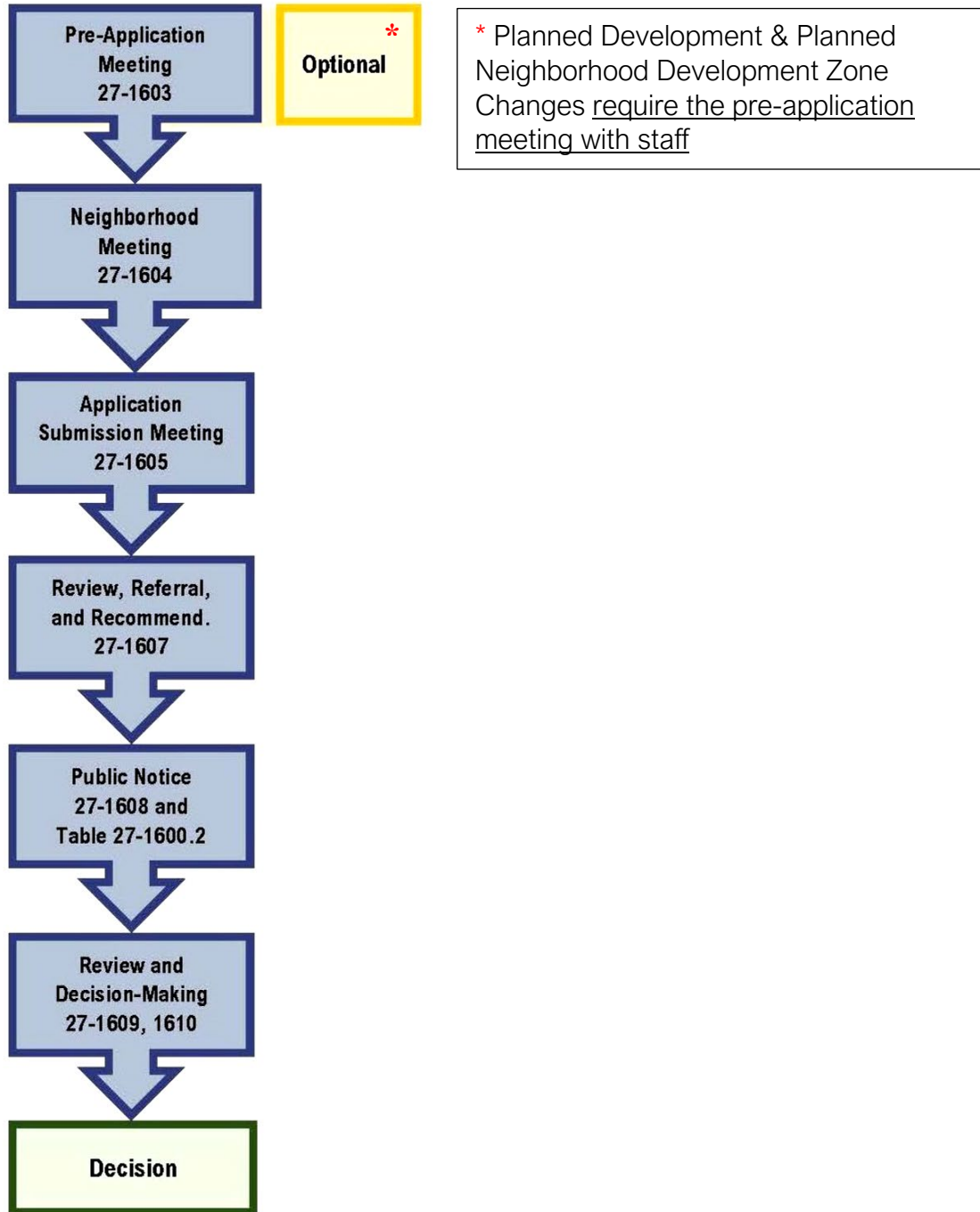
Zone changes do not approve a specific site plan, subdivision or proposed development. Zone districts establish the allowed range of uses on a particular piece of property. Parcels may have more than one zone district based on the intent of the owner. Zoning district categories are generally divided into residential, mixed uses, commercial uses, public districts, and industrial districts. More than 80% of the land in Billings is designated for neighborhood or mixed residential uses.

All zone change decisions are based on findings for the 10 statutory review 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 affect 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.

The local regulations and state law provide the process for notification, review, study and recommendation, as well as public hearings for zone changes.

Here is a flow chart summary of the process



NOTICE TO PETITIONER

In an effort to ensure all new zoning applications are complete and can be successfully processed by the Planning staff, advisory boards and decision-making bodies, an application review appointment is now required (per [Section 27-1605](#)) at the time of submittal. The application review can be done over the phone, in an on-line platform (MS Teams, ZOOM etc.) or in person. Please contact one of the phone numbers on page two of this packet or send a request to plnonline@billingsmt.gov when you have completed your on-line application to arrange an application review. Agents may act on a property owner's behalf to review the application at the required meeting.

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 and the site plan submitted is properly scaled
- Any deficient, missing or incorrect information can be noted for a follow-up submission
- All requests for uses, zoning districts or specific variances are correctly described and noticed

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

In general, an application review appointment will take approximately ½ hour.



Application Submission Meeting Zone Change Checklist

If the application is unacceptable, you will be notified as to what changes need to be made. Incomplete and/or unacceptable applications may delay the review process by four weeks or longer.

<u>Item</u>	<u>Location:</u>	<u>Staff X</u>	<u>Applicant X</u>
1.	Pre-Application Statement of Owner(s) or Agent(s) affirming pre-application meeting was held, and include the following: <ul style="list-style-type: none"> ✓ Date, time & location of the meeting; ✓ The sign-in sheet of attendees, and ✓ A brief synopsis of the meeting (questions, answers etc.) ✓ Complete form uploaded to application 		
2.	Application form completed, signed, and uploaded		
3.	Location/legal description and property information verified (by staff)		
4.	Prepare and submit a written statement on your request to explain how the request: <ul style="list-style-type: none"> ✓ 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 Upload these documents to the on-line application		
5.	Digital photographs may be submitted and are often helpful. They should be of a size adequate to show the nature of the property. All photos need to be uploaded to the on-line application		
6.	The scanned and uploaded radius map provided by Planning showing all property required to be notified by mail outside of the boundary of the subject property		
7.	The scanned and uploaded certified list of names and mailing addresses of the owners of all property shown within the radius on the map provide by Planning. This list of certified names and mailing addresses placed on the label template provided and uploaded to the on-line application.		
8.	Filing fee for the application and postage fee as required (.40 cents per label)		

Notes/Complete or additional needed:

Staff Review Date: _____ By: _____
Signature

Complete application received on: _____ Staff Initials: _____

CITY ZONE CHANGE
PRE-APPLICATION NEIGHBORHOOD MEETING REQUIRED
APPLICANT NOTIFIES SURROUNDING OWNERS AND
HOLDS THIS MEETING
([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 to you of the **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 the applicant/agent 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 hybrid meeting format (virtual and in person) to accommodate public health requirements and must be held within the required 2-mile radius.

PRE-APPLICATION NEIGHBORHOOD NOTIFICATION AND MEETING DEADLINES
2024-2025

<u>DEADLINE</u> MAILING OF NOTICE PRE-APP MEETING (2 WKS PRIOR TO 1 ST WORK DAY OF MONTH)	<u>DEADLINE</u> PRE-APP MEETING (1 WK PRIOR TO 1 ST WORK DAY OF MONTH)	<u>DEADLINE</u> COMPLETED ZONE CHANGE APP (1 ST WORK DAY OF MONTH)
August 19, 2024	August 26, 2024	September 3, 2024
September 17, 2024	September 24, 2024	October 1, 2024
October 18, 2024	October 25, 2024	November 1, 2024
November 18, 2024	November 25, 2024	December 1, 2024
December 13, 2024	December 20, 2024	January 2, 2025
January 20, 2025	January 27, 2025	February 3, 2025
February 14, 2025 (Friday)	February 24, 2025	March 3, 2025
March 18, 2025	March 25, 2025	April 1, 2025
April 17, 2025	April 24, 2025	May 1, 2025
May 16, 2025	May 23, 2025	June 2, 2025
June 17, 2025	June 24, 2025	July 1, 2025
July 18, 2025	July 25, 2025	August 1, 2025
August 19, 2025	August 26, 2025	September 2, 2025 (TUES)
September 17, 2025	September 24, 2025	October 1, 2025
October 20, 2025	October 27, 2025	November 3, 2025
November 17, 2025	November 24, 2025	December 1, 2025
December 12, 2025	December 19, 2025	January 2, 2026

Radius Map Certification Instructions

- ❑ Obtain FROM THE Planning Division a radius map and a list of property owner names showing all parcels which lie within 300 feet (or more) of the exterior boundaries of the subject property. These will be emailed to you.
- ❑ Obtain a certified list of names and addresses of the owners of all property shown within the radius on the map by forwarding the email you receive from the Planner processing your application, which includes the radius map and list of surrounding property owners, to Rico Garza at RGarza@mt.gov and request a certified list of addresses. Make sure to include all of your contact information so you can be notified when the list is complete. Mr. Garza can be reached at (406) 896-4000 if you have additional questions.
- ❑ Once the list of names has been certified, the Yellowstone County Clerk & Recorder will notify you directly. You can expect a 2-3 day processing time. There will be a certification charge, payable to the Yellowstone County Clerk & Recorder, of \$0.50 per certified name. The Clerk and Recorder's office can be reached at (406) 256-2785.
- ❑ Place the list of names and mailing addresses on the provided AVERY 5160 label template. Save as a digital document. The names must be typed or neatly printed. If an owner name and mailing address appears more than once on the certified list, please make only one label.
- ❑ Upload a scanned copy of the certified list, the radius map & list, along with the completed label template with your on-line application.

PROCESS REVIEW AND INSTRUCTIONS FOR FILLING IN APPLICATION FORMS

All applications shall be submitted to the Planning Division, through its [Citizen Access Portal](https://services.billingsmt.gov/citizenaccess/) (<https://services.billingsmt.gov/citizenaccess/>) Instructions and fillable forms are available here: [Zoning Forms](https://www.ci.billings.mt.us/802/Zoning-Permits-and-Applications). (<https://www.ci.billings.mt.us/802/Zoning-Permits-and-Applications>) The filing fee must accompany the on-line application in order for it to be accepted.

All questions must be fully answered on the application form or attached on separate documents (e.g. cover letter, proposed findings of review criteria etc.). Please type or neatly print. You may attach further pages if additional space is needed. All plans and other exhibits submitted with this application will be retained as a part of the permanent record. All documents and exhibits will be uploaded with the on-line application.

1. Complete the Zone Change application form – save as a digital document. Digital signatures accepted.
2. Request a radius map, a surrounding owners list and mailing labels for the required pre-application neighborhood meeting to be noticed and conducted by the applicant. (See Page -5-)
3. Notice and conduct the pre-application neighborhood meeting as required. Complete the owner's statement affirming the meeting was held and the application is based on the material presented at the meeting. Save as a digital document. Digital signatures accepted.
4. Request certification from the Dept. of Revenue and Clerk & Recorder of the surrounding property owners (list and map provided above). **See page -8- for certification instructions.**
5. Prepare a brief synopsis of the pre-application meeting questions and answers and a roster of the persons who attended. Save as a digital document.
6. Prepare a statement explaining how the proposed zone change:
 - a. Is consistent with the adopted [Growth Policy, Neighborhood Plans](#), and other applicable city development policies. (2016 Growth Policy Guidelines provided starting on Page 11)
 - b. Meets the [10 statutory criteria](#) for a zone change
 - c. Fits in with the existing or planned developments within the areaSave as a digital document.
7. Prepare a mailing label template digital document (AVERY 5160 – 30 labels per sheet) from the certified list of surrounding owners by neatly printing or typing the names and mailing addresses. One label per distinct owner/mailing address regardless of how many times the name/address appears on the certified list. This label template will be submitted with the on-line application, along with a scanned copy of the certified list and map.

8. Prepare and submit the required filing fees: Checks may be mailed or dropped off at the following address:
Planning Division
P.O. Box 1178
Billings, MT 59103

All checks shall be made payable to the *City of Billings*.
MasterCard and Visa are accepted on line.

THIS APPLICATION FEE IS NON-REFUNDABLE AND IS NO GUARANTEE THAT THE ZONE CHANGE WILL BE GRANTED.

RESIDENTIAL or COMMERCIAL: \$1,637.00
PLANNED (UNIT) DEVELOPMENT: \$2,238.00
PLANNED NEIGHBORHOOD DEVELOPMENT: \$2,487

Postage: Current USPS rate for postcards (per mailing label - all applications)

IMPORTANT NOTICE TO PETITIONER: You will be notified by mail approximately one week in advance as to the time, date and place of the Zoning Commission public hearing on your requested zone change. You will receive a copy of the Planning staff report to the Zoning Commission on your request. Attendance at the public hearing is not required, but is strongly recommended, so that you may present your case to the Commission.

As the applicant, you may request to delay your application hearing in front of the Zoning Commission or City Council. You may also request withdrawal of the application either at the hearing or before the hearing in writing. Delays or withdrawals must be accepted by the Commission or the Council.

A withdrawal of an application once a public hearing has been noticed, allows you to resubmit the application after a waiting period of 120 days. If the City Council denies the zone change application, a new application on the same property may not be submitted for one year.

State law allows surrounding owners to protest a zone change. A “valid” protest is a petition against the zone change that is signed by at least 25% of the properties within 150 feet of the boundary of the zone change parcel. A valid protest requires a 2/3 majority of the present and voting members of the City Council to approve the zone change. A zone change normally requires a simple majority of the Council for approval.

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												
Planned Development (PD) Zone Change	27-700	R	R	R	R	R	R	R	RR	RR	D	DC
Planned Neighborhood Development (PND) Zone Change	27-800	R	R	R	R	R	R	R	RR	RR	D	DC
Zone Change	27-1628	O	R	R	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**2024-2025****CITY ZONING COMMISSION****Advisory Board to the City Council for Zone Changes**

Applications for zone changes must be presented to the Planning Division by 5:00 p.m. on the dates as set forth below after the required pre-application Neighborhood Meeting has been noticed and held by the applicant. 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.

APPLICATION DEADLINE
1ST WORKDAY OF THE MONTH

ZONING COMMISSION HEARING
1ST TUESDAY OF THE FOLLOW-
ING MONTH

CITY COUNCIL HEARING
4TH MONDAY OF THE MONTH

September 3, 2024	October 1, 2024	October 28, 2024
October 1, 2024	November 6, 2024 (Wed)	November 25, 2024
November 1, 2024	December 3, 2024	January 13, 2025
December 2, 2024	January 7, 2025	January 27, 2025
January 2, 2025	February 4, 2025	February 24, 2025
February 3, 2025	March 4, 2025	March 24, 2025
March 3, 2025	April 1, 2025	April 21, 2025
April 1, 2025	May 6, 2025	May 27, 2025
May 1, 2025	June 3, 2025	June 23, 2025
June 2, 2025	July 1, 2025	July 28, 2025
July 1, 2025	August 5, 2025	August 25, 2025
August 1, 2025	September 2, 2025	September 22, 2025
September 2, 2025 (TUES)	October 7, 2025	October 27, 2025
October 1, 2025	November 4, 2025	November 24, 2025
November 3, 2025	December 2, 2025	January 12, 2026
December 1, 2025	January 6, 2026	January 26, 2026
January 2, 2026	February 3, 2026	February 23, 2026

