

ORDINANCE 25-5922

AN ORDINANCE OF THE CITY OF BILLINGS, RELATING TO THE MODIFICATION OF THE SOUTH BILLINGS BOULEVARD URBAN RENEWAL DISTRICT; AND ADOPTING A MODIFIED URBAN RENEWAL PLAN, INCLUDING A TAX INCREMENT PROVISION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:

Section 1. RECITALS.

WHEREAS, under the provision of Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the "Act"), the City of Billings, Montana (the "City") is authorized, among other things, to identify and declare an area as containing blight with the intention of eliminating it through urban renewal; and

WHEREAS, the City is authorized by the Act to expand urban renewal areas with tax increment provision by adopting a revised urban renewal plan by ordinance; and

WHEREAS, the City in May 2025 began a review to document the existence of the conditions that contribute to blight in the area being considered for expansion of the South Billings Boulevard Urban Renewal, and that a "statement of blight" be prepared.

WHEREAS, in accordance with Mont. Code Ann. §7-15-4210, on September 22, 2025 the Council passed Resolution 25-11296 (the "resolution of necessity"), declaring that the area designated for SBBURD expansion shown below in Exhibit A and described below in Exhibit B (each of which is hereby incorporated herein and made a part hereof) is "blighted", as defined in Montana Urban Renewal Law, Mont. Code Ann. §7-15-4206; declaring that rehabilitation and redevelopment of the area (pursuant to Mont. Code Ann. 7-15-4203) are necessary and desirable in the interest of the public health, safety, and welfare of the residents of the City; and that rehabilitation and redevelopment be made with a commitment to quality improvement and a commitment to property owner and community involvement in decision making.

WHEREAS, opportunities have been presented to the City that make it desirable for the City to consider urban renewal projects within the District consisting of improvements to infrastructure, city facilities or property, improving such properties with landscaping, utilities, and other similar improvements in accordance with the Act.

WHEREAS, an urban renewal plan entitled the South Billings Boulevard Urban Renewal Plan is attached hereto as Exhibit C (which is hereby incorporated herein and made a part hereof) (the "Plan"). The Plan contains a tax increment provision and will govern the operation and administration of the District.

WHEREAS, the amendment to the Plan has been reviewed by the Yellowstone County Board of Planning and found to be in conformance with the Billings 2016 Growth Policy, as evidenced by the Board letter from its meeting on October 14, 2025.

WHEREAS, a notice of the public hearing was mailed to the people whose names appear on the county treasurer's tax records as the owners, reputed owners, or purchasers under contract for deed of the property at the address shown on the tax record both within the existing SBBURD and within the proposed area of expansion of the SBBURD. The Billings Public Schools District 2, Yellowstone County, and Elysian School District 23 also were notified by email, or US Mail, and in person of the public hearing and to provide an opportunity to meet and consult in a public meeting regarding the proposed expansion of the SBBURD and the proposed tax increment financing provision and its effect on these taxing jurisdictions. A notice of the public hearing also was published on October 17 and October 24, 2025, in the Yellowstone County News.

Section 2. ORDINANCE.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Billings, Montana, as follows:

1. Findings. This Council hereby finds, determines and declares, based on the comments received at the public hearing and other studies and information available to this Council, that:
 - a. Some of property to be included in the SBBURD expansion area through this modification and property already in the SBBURD as set forth in the modified Plan, presently contains structures and property that have become ill-suited for their original use; are vacant and underutilized, endanger the life, limb, health, property, or safety of the general public or their occupants; that there is deterioration of building structure components or infrastructure in the area such as roadways, alleys, curb, gutters and sidewalks; and that there are inadequate utilities and infrastructure such as storm sewers, storm drainage, sanitary sewer, and water lines. Accordingly, the Council finds that property in the **proposed expansion area of the District** is blighted within the meaning of Mont. Code Ann. Section 7-15-4206 of the Act. This Council finds that the rehabilitation, redevelopment or a combination thereof of the property is necessary in the interest of the public, health, safety and welfare of the residents of the City. This Council finds that undertaking measures to eradicate or diminish the blight will help to foster a more dynamic, livable, and vibrant area.
 - b. No housing element or structure is disturbed by this District making no relocation necessary;
 - c. The modified Plan conforms to the Growth Policy or parts thereof of the City for the municipality as a whole;
 - d. The modified Plan will afford maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the District by private enterprise;

2. **Plan Adoption.** The expansion area and modified Plan is hereby adopted and approved in all respects, including without limitation, the segregation and application of tax increments as provided in Mont. Code Ann. Sections 7-15-4282 through 7-15-4293 of the Act as provided therein.

Section 3. NOTICE. Notice as required by Mont. Code Ann. Sections 7-15-4214 and 7- 15-4215 was given by publication as provided in Mont. Code Ann. 7-1-4127 and by mailing a notice of the hearing as provided in Mont. Code Ann. 7-1-4129, not less than ten (10) days prior to the date of the hearing to the persons whose names appear on the county treasurer's tax records.

Section 4. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 5. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 6. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 27th day of October, 2025.

PASSED, ADOPTED and APPROVED on second reading this 10th day of November, 2025.



CITY OF BILLINGS

BY: William A. Cole
William A. Cole, Mayor

Attest:

BY:

Denise R. Bohlman
Denise R. Bohlman, City Clerk