

ORDINANCE 21-5774

AN ORDINANCE OF THE CITY OF BILLINGS,  
PROVIDING THE ZONE CLASSIFICATION ON A 10-ACRE  
PORTION OF LOT 2, BLOCK 1, CHERRY CREEK  
ESTATES SUBDIVISION, GENERALLY LOCATED  
BETWEEN NORTH AND SOUTH CHERRY CREEK LOOP  
AND EAST OF BITTERROOT DRIVE BE AMENDED

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

**Section 1. RECITALS.** *Title 76, Chapter 2, Part 3, MCA, and Sections 27-302 and 27-1502, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.

**Section 2. DESCRIPTION.** A 10-acre portion of Lot 2, Block 1, Cherry Creek Estates Subdivision is presently zoned Rural Residential 1 (RR1) and Public 1 (P1) and is shown on the official zoning map within these zones.

**Section 3. ZONE DISTRICT AMENDMENT.** The official zoning map is hereby amended and the zoning for 10-acre portion of Lot 2, Block 1, Cherry Creek Estates Subdivision, is hereby changed from Rural Residential 1 (RR1) and a portion of Public 1 (P1) to Suburban Neighborhood Residential (N3), as shown on the attached exhibit, and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to Suburban Neighborhood Residential (N3), as set out in the Billings, Montana City Code.

**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 REPEALER.** All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.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 23<sup>rd</sup> Day of August, 2021.

PASSED, ADOPTED and APPROVED on second reading this 13<sup>th</sup> day of September, 2021.

CITY OF BILLINGS

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

Attest:

BY: \_\_\_\_\_  
Denise R. Bohlman, City Clerk  
Zone Change 995, Cherry Island Estates

