

TITLE IV. LAND USE

SECTION 400.150 POWER AND DUTIES OF PLANNING AND ZONING COMMISSION

- B. 5 Make recommendations to the Board of Aldermen concerning conditional use permits, special use permits and proposed Zoning Map changes.
- 6. Hold public hearings on rezoning applications and amendments to the land development regulations and make recommendations to the Board of Aldermen regarding the approval or disapproval of rezoning applications or amendments to the land development regulations.

SECTION 400.630 "R-1L" AND "R-1H" SINGLE-FAMILY RESIDENTIAL DISTRICTS

Property in question is zoned "R-1:"

- A. Not listed is Agricultural.
- B. 4 Agricultural District lists: Kennels, stables, dairies and riding academies, provided that any building or enclosure where animals or fowl are kept or exercise runways shall be located at least one hundred (100) feet from the boundary of any "R" district.
- C. Minimum depth, width and lot size shall be provided in accordance with the requirements set forth in Article XIII.

ARTICLE XII. CONDITIONAL USES AND NON-CONFORMING USES (p 447)

Conformance with the principles of the Comprehensive Plan
Impact on surrounding properties

ARTICLE XVII. AMENDMENTS

SECTION 400.930 AMENDMENTS AUTHORIZED

SECTION 400.940 INITIATION OF AMENDMENT (p. 459)

- A. Amendments may be proposed by any citizen, property owner, organization or governmental body.
- B. An application for an amendment, along with pertinent data and information as may be prescribed by the Commission, shall be submitted to the Commission at least thirty (30) working days prior to the date of public hearing to be held by the Commission on the application. Applications for amendments initiated by the Commission, the Board of Aldermen or the Board of Adjustment shall be accompanied by a resolution of such body pertaining to the proposed amendment.
- C. The application submitted shall contain the following information:
 - 1. The name, address and phone number of the applicant.
 - 2. Legal description of the property proposed for rezoning.
 - 3. The name of the person, firm or organization holding title to such real estate.
 - 4. The street address of such real estate and if there is no street address, a sufficient description of the location of said real estate to enable the ordinary person to determine its location.
 - 5. The amendment requested. For rezonings, the zoning classification requested.
- D. A fee established by the Board of Aldermen shall be paid to the City of Billings for each application for an amendment to cover the costs of advertising and other administrative expenses involved. The Board of Aldermen, the Planning and Zoning Commission and Board of Adjustment shall be exempt from this fee.

FEE: \$ 300.00

SECTION 400.950 PUBLIC HEARINGS REQUIRED

A. The Commission shall hold a public hearing on all proposed amendments. Notice of public hearing shall be given in the following manner:

1. Notice of public hearing shall be given by publication in a newspaper of general circulation in the City of Billings at least fifteen (15) days prior to said hearing.
2. Amendments pertaining to a change in zoning district boundaries or classification of property shall require notices to be posted by the applicant in three (3) conspicuous places on the property for which the zoning change is requested. Said signs shall be provided by the City and a deposit as established by the Board of Aldermen shall be required on said signs. Said signs shall be posted not less than ten (10) days prior to the public hearing held by the Commission.

Deposit amount _____ per sign

3. Notice of such hearing shall also be provided by certified United States record owners of property within the area proposed to be rezoned and within one hundred eight-five (185) feet of the property proposed to be rezoned. The applicant shall provide shall provide the City with proof of such notification, including certified return receipts and a list of all persons and addresses notified.

B. The Commission shall make written findings of fact on the proposed amendment and shall submit same together with its recommendations to the Board of Aldermen. The Commission shall not, however, forward its recommendations to the Board of Aldermen when at the hearing before the Commission the applicant or his/her agent did not appear and present evidence in regard to the applicant's request for a change in zoning classification or district boundaries.



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PLANNING & ZONING COMMISSION

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INITIATION OF AMENDMENT TO REZONE APPLICATION

1. NAME _____
ADDRESS _____
PHONE NO. _____

2. SURVEYED LEGAL DESCRIPTION OF PROPERTY PROPOSED FOR REZONING

3. NAME OF PERSON HOLDING LEGAL TITLE TO SUCH REAL ESTATE.

4. STREET ADDRESS OF REAL ESTATE TO BE REZONED.

5. AMENDMENT REQUESTED. FOR REZONING, THE ZONING CLASSIFICATION REQUESTED.
PRESENT ZONED AT _____ CHANGE REQUESTED _____

Application Fee enclosed _____ 300.00

Sign Deposit (3) 25.00 _____ 75.00 (Refundable at end of Project)

Comments _____

Applicant Signature

Date Amendment Application Submitted

FOR OFFICE USE

Received by _____ Date _____

Applicant _____

Address _____

Zoning Change request _____ to _____

Notice of Public Hearing to newspaper fifteen (15) prior to said hearing.

Date of notice in paper.

Staff Signature Date

Three (3) Notices posted on property for rezoning ten (10) days before Public Hearing.

Date signs posted.

Property Owners within 185' radius of above address:

Certified Mail notification sent: _____

Receipts attached: _____

Staff Signature Date

Commissions written findings.

Staff Signature Date