

**Final Report of the Miles City Zoning Commission
Valley Financial Credit Union Zone Change
RA District to GC District
June 10, 2026**

I. GENERAL INFORMATION

A. Meetings

- 1. Zoning Commission Hearing:** June 10, 2026
- 2. City Council 1st Reading:** Tuesday, June 23, 2026 at 6:00 p.m. in the City Hall Conference Room
- 3. City Council 2nd Reading/Public Hearing:**
Tuesday, July 14, 2026 at 6:00 p.m. in the City Hall Conference Room

B. Project Proponents/Landowners:

- 1. Applicant:** Olivia Prewitt, IMEG Consultants Corp
- 2. Landowner:** Valley Financial Credit Union

C. Property Description

The subject Valley Financial Credit Union property is located at 10 N. Earling Avenue approximately ½ block north of Main Street and is comprised of Lots 5 & 6 and the north 10' of Lot 7, Block 13 of East Side Addition, located in Section 34, T8N, R47E, City of Miles City, Custer County, Montana.

The site comprised of Lots 5 & 6 and the north 10' of Lot 7 is presently vacant and was previously used as Barney's Block & Heads, a commercial auto equipment service garage that was recently removed. According to the Montana Cadastral Program, that commercial building was built in 1960, however, the reviewer is uncertain how long the commercial use was in place.

Lot 5 is currently zoned Residential A (RA) District, while Lot 6 and the north 10' of Lot 7 are currently zoned General Commercial (GC) District.

D. Project Description

The proposed zone change would apply to Lot 5 only, which is currently zoned RA District, while Lot 6 and the north 10' of Lot 7 are currently zoned GC District. The application indicates the zone change is intended to make the entire property zoned GC District to facilitate commercial use of the property for additional off-street parking to serve the Valley Credit Union building at 2503 Main Street.

It should be noted the Valley Credit Union building was permitted with sufficient off-street parking and overall compliance with the zoning code for its GC District designation without relying on Lots 5 & 6 and the north 10' of Lot 7 to achieve zoning compliance, such as for parking, landscaping, etc. With the current zone change proposal, the application includes a proposed landscape buffer along the north boundary and a proposal to install a 6' tall vinyl fence along that boundary to screen the adjacent residential home to the north.

IMEG staff has indicated the intent to submit a subdivision Exemption Claim Application, with the purpose to aggregate the Lots 5 & 6 and the north 10' of Lot 7 into one lot through an amended plat, which can occur independently of the proposed zone change.¹

Review of the landscaping plan for compliance with Sec. 24-49 has not been entirely completed to date; final review of the proposed landscaping by staff will occur prior to approval of the plans and/or based on the plans for the aggregation of lots when the subdivision Exemption Claim Application and draft amended plat are submitted for review with lot sizes and lot coverage known.

E. Area Zoning and Land Uses

The subject Lot 5 of Block 13 of the East Side Addition is part of an area along the north side of Main Street where the north halves of Blocks 13 & 14 of the East Side Addition between N. Winchester Avenue and N. Sewell Avenue are zoned in the RA District, while the south halves of the blocks along Main Street are zoned in the GC District. The same configuration of the two zoning districts continues to the east through Block 5 of the Legion Addition to N. Legion Avenue. To the west on N. Winchester Avenue (starting one block to the west), Blocks 15 and 16 of the East Side Addition are instead split by the RA District and Residential B (RB) District, with the north halves zoned RA and south halves zoned RB. To the southwest of the Valley Credit Union property along the south side of Main Street is a portion of the RB District, which continues westerly on the north halves of several blocks along the south side of Main Street, while to the south along Main Street are several full blocks of the GC District, which extend to the east to encompass the nearly completed City Fire Hall, where the City limits end near N. Haynes Avenue.

It appears Lot 5 has been included in the RA District on the City's zoning maps since at least 1995 (the oldest zoning map the reviewer has). The lot is part of the north half of the block, and has been an undeveloped parking area associated with the former Barney's Block & Heads commercial building and under the same ownership, which explains the split zoning of the overall property.

¹ Exemption Claim Application was submitted following the Zoning Commission meeting, which is currently in process.

As the zoning map would suggest, this is a mixed-use area. To the west across N. Earling Avenue at the corner of Main Street is the Carquest Auto Parts store in the GC District. To the west/northwest, north, and northeast are single family residential uses in the RA District. To the east across the alley is an accountant's office in a former dwelling, with accessory buildings on a lot in the GC District. To the southeast across the alley is the former Valley Credit Union bank building, which currently serves as a multi-tenant commercial office building, with multiple commercial tenants, such as a leather shop and a massage therapy clinic.

F. Maps

The following pages and figures include maps and a site plan pertinent to the proposal.

Figure 1: Zoning Map in the area:

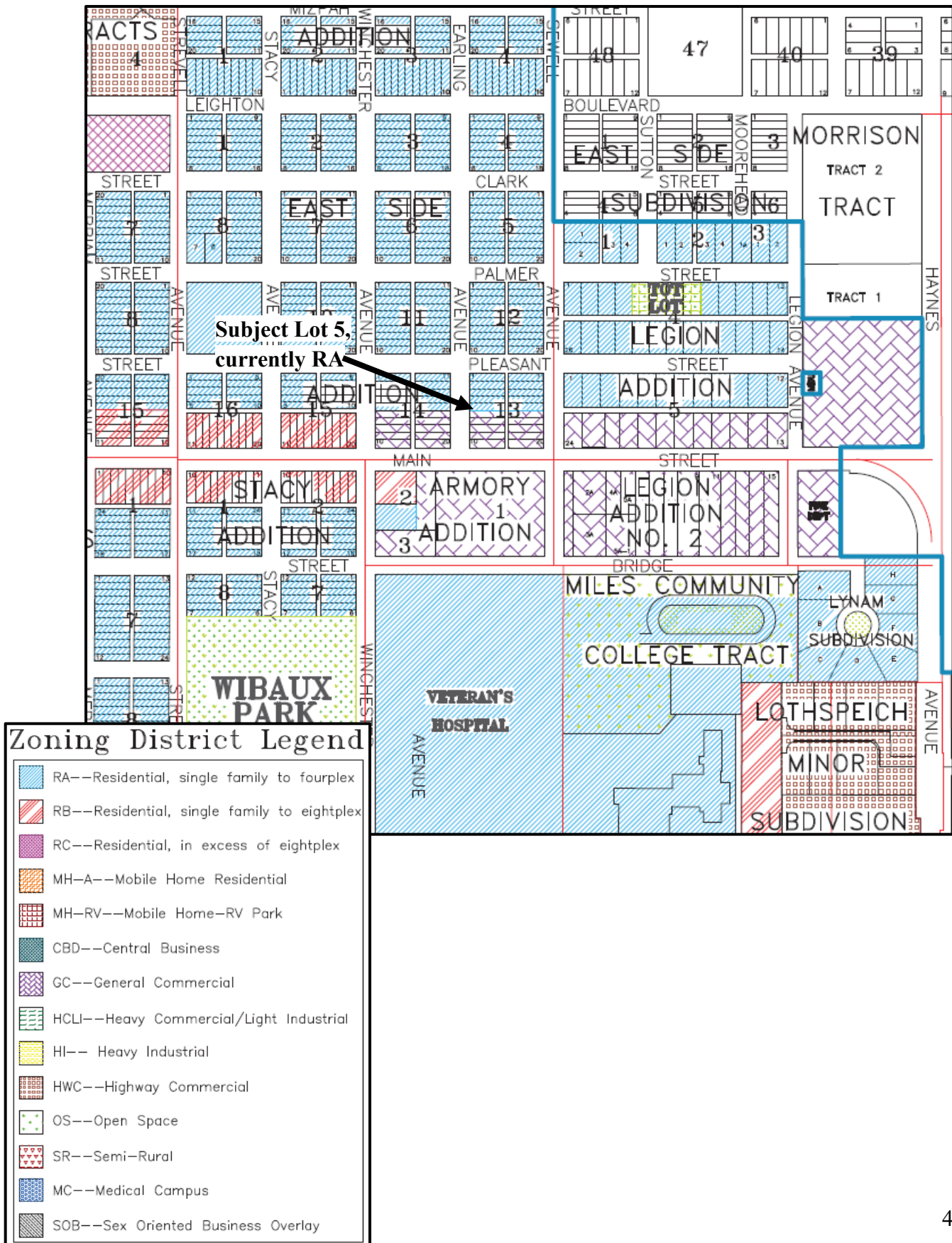
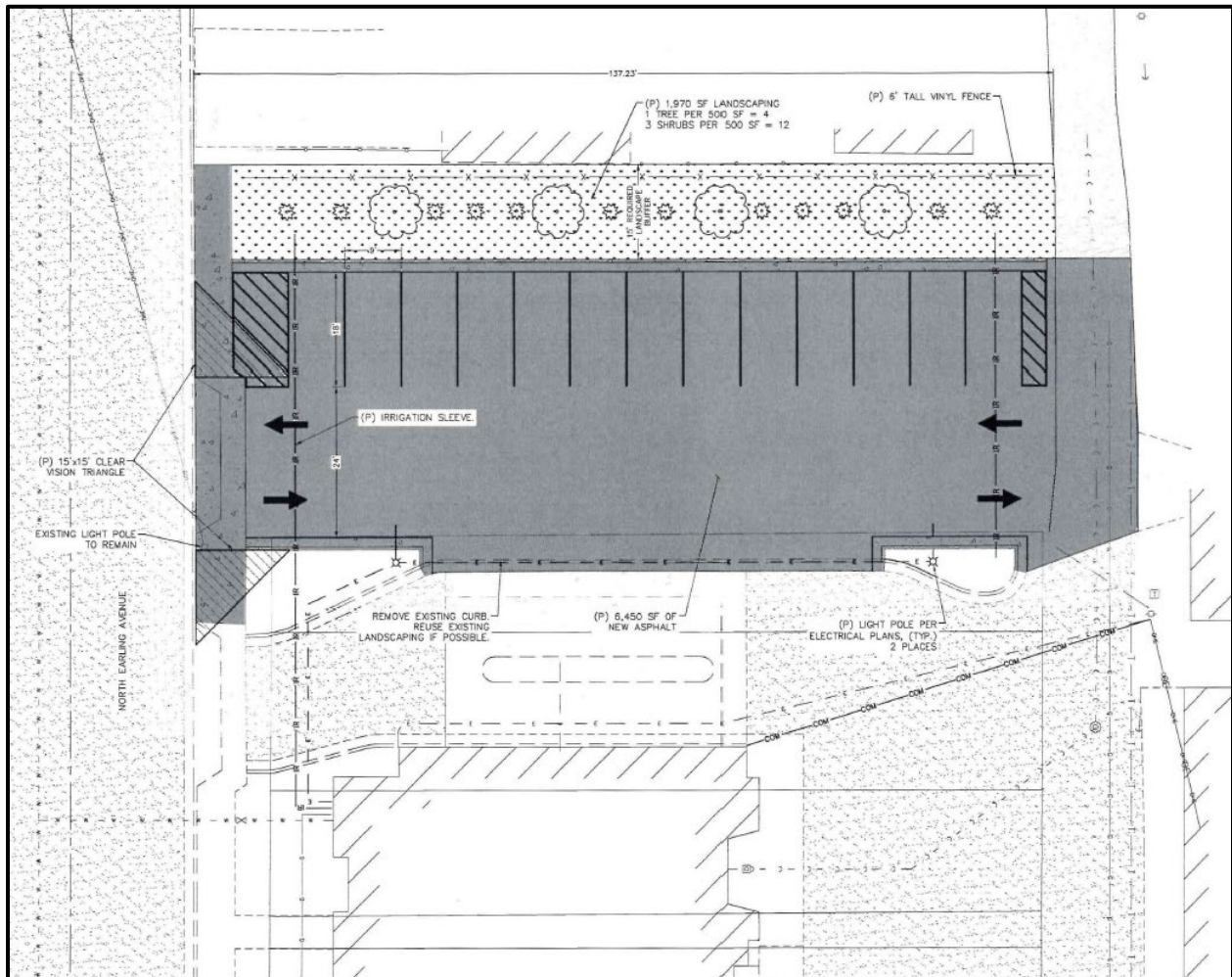


Figure 2: An excerpt of Figure 6 of IMEG's application, showing the split zoning and relative location of the former Barney's building at 10 N. Earling:



Figure 3: An excerpt of the site plan included with IMEG's application, showing the proposed overflow parking lot, landscaping buffer, and screening fence:



G. Attachments

The following are attached to this report:

1. Attachment 1: IMEG's Petition for Zone Change, along with a cover letter that provides narrative responses to the zoning criteria, and figures with photos, a map, and site plan in support of the application.
2. Attachment 2: Draft ordinance for the proposed zone change.

II. APPLICABLE REGULATIONS AND RECOMMENDED FINDINGS

A. Zone changes and zoning amendments – Purpose and Process

Administration of petitions for amendments to the official zoning district map is outlined in [Sec. 24-96](#) of the zoning code. The following are the 'purpose' and 'amendment process' for review of zone changes and zoning amendments. Other sections for applicable to the review, with recommended findings based on the criteria for zoning, are provided in the next section.

(a) *Purpose*. Any person may petition for the amendment of the zoning district map and/or these regulations. The amendment procedure shall be as provided here and in MCA 76-2-303. Amendments may also be initiated by the zoning commission or administrator, in which cases steps subsections (b)(1) through (b)(3) below, will not be required.

(b) *Amendment process*.

- (1) The applicant shall submit a properly completed application form, the required supporting materials, including a narrative evaluating the amendment request under the amendment criteria in (c) below, and the required application fee at city hall.
- (2) The administrator shall determine whether the application is complete and sufficient. When an application is determined incomplete or insufficient, the administrator shall provide written notice to the applicant indicating what information must be submitted for the review to proceed.
- (3) After the application is determined to be complete and sufficient, the administrator shall schedule a public hearing on the application for a zoning amendment on the agenda of the next zoning commission meeting for which the notice requirements can be met (section 24-97), and at which time allows for its proper consideration.
- (4) The administrator shall give notice of the public hearing in accordance with section 24-97.

- (5) The administrator shall prepare, or contract for the preparation of, a report that describes the proposed amendment and how it complies, or fails to comply, with the amendment criteria. The report shall include a recommendation for approval, approval with modifications or denial.
- (6) The zoning commission shall conduct at least one public hearing on the proposed amendment. At the hearing, the zoning commission shall make a report regarding the proposed zone change and consider whether the proposed amendment meets the amendment criteria. The zoning commission shall review the particular facts and circumstances of the proposed amendment and develop findings and conclusions that support its recommendation that the city council approve, approve with modifications, or disapprove it accordingly.
- (7) The zoning commission's action on a proposed amendment may be tabled, but for no more than 35 days.
- (8) The administrator shall convey the zoning commission's recommendation and all public comments to the city council and, unless the application is withdrawn, place a hearing on the agenda of the next city council meeting for which the notice requirements can be met (Section 24-97), and at which time allows for its proper consideration. The city council shall not hold its public hearing or take action until it has received the report of the zoning commission.
- (9) The administrator shall give notice of the city council's public hearing in accordance with section 24-97.
- (10) The city council shall conduct a public hearing on the proposed amendment. At the hearing, the city council shall consider the recommendation of the zoning commission and all testimony received, then approve, reject, or modify and approve the amendment. Action on the proposed amendment may be tabled, but for no more than 35 days.
- (11) If approved or approved with modifications, the city council shall pass an ordinance effectuating the amendment to the zoning map or regulations, as applicable.
- (12) An amendment to the zoning may not become effective except upon favorable vote of two-thirds of the present and voting members of the city council if a protest against a change is signed by the owners of 25 percent or more of:
 - a. The area of the lots included in the proposed change; or
 - b. Those lots or units, as defined in MCA 70-23-102, 150 feet from a lot included in a proposed change. For purposes of this protest provision, each unit owner is entitled to have the percentage of the unit owner's undivided

interest in the common elements of the condominium, as expressed in the declaration, included in the calculation of the protest. If the property, as defined in MCA 70-23-102, spans more than one lot, the percentage of the unit owner's undivided interest in the common elements must be multiplied by the total number of lots upon which the property is located. The percentage of the unit owner's undivided interest must be certified as correct by the unit owner seeking to protest or by the presiding officer of the association of unit owners.

- (13) At the conclusion of the amendment process, the administrator shall notify the applicant of the city council decision within ten days.

-NOTE: 2025 Legislation amended several sections of state law pertaining to municipal zoning and notices; the process and draft ordinance have followed the effective and current provisions of Montana Code Annotated (MCA); where conflict exists between state law and the zoning code, the stricter requirements have been followed.

B. Amendment Criteria and Recommended Findings

Sec. 21-96(c) of the Zoning Code provides the “Amendment criteria” for zone changes and zoning amendments. The evaluation criteria are listed below, followed by the reviewer’s and Zoning Commission’s recommended findings in *italics*.

(c) Amendment criteria.

(1) Zoning amendments shall be made:

- a. In accordance with the growth policy;

Finding 1-a: *The 2025 Miles City Growth Policy does not include provisions specific to this property’s zoning. The future land use map applies to areas surrounding the City, and not areas already zoned. However, there are implementation measures in the 2025 Growth Policy that are applicable to zone changes and zoning in general. The following are recommended findings relative to the zone change’s accordance with the growth policy:*

- *Economic Objective E.1.e: “Identify barriers in the zoning regulations, and other City codes, and amend them as necessary.” This objective is to promote Economic Goal E.1: “Foster sustained economic growth in Miles City.” Approving a zone change to General Commercial for Lot 5, which has presumably been associated with a commercial use in a building that existed for 65 years, according to the Montana Cadastral Program, would remove the barrier that would preclude the intended use of the overall property for a commercial parking lot. The rezone would incrementally work to foster economic growth in the City.*

- *Economic Objective E.3.c: “Work with commercial and industrial developers on how the City can accommodate their needs while mitigating adverse impacts.” This objective is to promote Economic Goal E.3: “Support industrial and commercial development.” The reviewer and City staff discussed the proposed zone change and parking lot project with the landowners’ agents leading up to the zone change application being submitted, advising the agents that inclusion of landscaping along with a screening fence to mitigate potential glare from headlights in the commercial parking lot with the parking spaces oriented in a south-north direction, would be advisable. The application included the proposed screening fence and landscaping along the north boundary. By the applicant including this form of mitigation as part of the proposal, and the landowners subsequently implementing the mitigation measures, the zone change would promote Economic Objective E.3.c and Goal E.1. Please note the landscaping plan will be reviewed upon submittal of information representative of the intended aggregation of lots proposal and/or other plans.*
- *Economic Objective E.7.c: “Implement land use regulations that support a resilient tax base for the community.” This objective is to promote Economic Goal E.7: “Diversify the City’s revenue stream.” Approving a zone change to General Commercial for Lot 5 would support this goal and objective by changing how the zoning code will be implemented in a manner that allows for commercial use. Commercial properties tend to be taxed at a higher taxable rate than residential properties and vacant lots classified as residential. The zone change is likely to result in an incrementally increased tax revenue for the City, supporting a more resilient tax base.*
- *Land Use Objective LU.3.a: “Protect private property rights and respect property owners’ wishes to enjoy and gain economic return from their properties and investments while ensuring that other public and private interests are not unreasonably compromised or impacted by land uses and development projects.” This objective is to promote Land Use Goal LU.3: “Balance property rights with the common interests of the community.” Approving a zone change to General Commercial for Lot 5 would support this goal and objective by promoting the landowners’ property rights while not unreasonably compromising or impacting other interests.*
- *Section 7, Land Use (page 65) states the following: “A key tool for Miles City to be resilient to these expected projections will be to guide future land uses through the Miles City zoning codes. The zoning text must be revised to provide clear guidelines so that the zoning map and regulations can be a more effective tool to implement this growth policy. The zoning map must be revised to reflect current conditions and expected future trends. The zoning map will be revised as proponents of future development proposals, and land uses to approach the city with zone change requests, and the city will work on revising the zoning map to guide the planning area with land use designations in appropriate geographic, physical, and social settings.”*

Approval of the proposed zoning districts would support the above-listed policies, goals and objectives. As such, the proposed zoning is in accordance with the 2025 Miles City Growth Policy.

b. To secure safety from fire and other dangers;

Finding 1-b: *The change of ±3,075 square feet of land historically associated with a commercial use from RA to GC is not likely to provide additional safety from fire and other dangers. The zoning code, other City codes, and provision of City services already secure safety from fire and other dangers, and the zone change is unlikely to impact or change this.*

c. To promote public health, safety, and general welfare; and

Finding 1-c: *The zone change from RA to GC is not likely to have any specific or measurable benefit or detriment to public health, safety, or general welfare. Commercial uses require landscaping and other specifications to be met, which, along with the zoning code, other City codes, and provision of City services, minimize such impacts.*

d. To facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.

Finding 1-d: *The zone change to GC would not affect transportation, water, sewerage, schools, parks and other public requirements. The planned parking lot will not be connected to City water or sewer, but these services are available in this location in the event an alternative use requiring water and sewer services is proposed in the future. The property is well served by the City streets and alley. The property is unlikely to be occupied by school-aged children or result in additional needs for parks. No other needs for public services or facilities have been identified. For these reasons, the zone change from RA to GC is not likely to have any specific or measurable change to the facilitation of the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.*

(2) In reviewing and making recommendations or decisions on zoning amendments, the administrator, zoning commission, and city council shall also consider:

a. Reasonable provision of adequate light and air;

Finding 2-a: *The zone change on ±3,075 square feet of land from RA to GC is not likely to have any specific or measurable change to provision of adequate light and air because the existing RA and the proposed GC districts provide adequate light and air through providing building setbacks, limited building heights, and maximum lot coverage standards.*

b. The effect on motorized and non-motorized transportation systems;

Finding 2-b: *The zone change from RA to GC will not affect motorized or non-motorized transportation systems because the primary result of the zone change is that it would provide for a commercial use; and the City's transportation system is already in place, adequately serves the lot and surrounding area, and is capable of serving expected commercial uses permitted in the GC District.*

c. The promotion of compatible urban growth;

Finding 2-c: *The proposed expansion of the GC District to include land historically associated with a commercial use is consistent with the general discussion in the 2025 Growth Policy, Section 7, "Land Use" on Page 60 that states:*

"Miles City also intends to ensure that new development is compatible with existing development by:

- *Adopting zoning that generally extends the existing pattern of development (i.e., more residential near existing residential areas and more commercial near existing commercial areas)..."*

The proposed expansion of the GC District to include land historically associated with a commercial use would promote compatible urban growth by extending the adjacent GC District by approximately 3,075 square feet to provide for expanded commercial activity in an appropriate location.

d. The character of the district, and its peculiar suitability for particular uses; and

Finding 2-d: *The lot appears suitable for the allowed uses in GC, which include general commercial uses and other specific uses typical of a municipal commercial district like GC. There would be no change to the character of the GC District with this zone change, and the RA District would be minimally impacted by the reduction of ±3,075 square feet of land historically associated with a commercial use. In this instance, the stated intent of the zone change is to provide for a parking lot for an adjacent commercial use, which appears suitable for the site and less impactful on the RA District and homes than other permitted uses in the GC District. The intended commercial use will trigger landscaping requirements to buffer the use from the adjacent residential use and RA District, and the applicant has indicated the intent to provide a landscaped buffer and screening fence, enhancing the suitability of the site for the intended commercial use.*

- e. Conserving the value of buildings and encouraging the most appropriate use of the land throughout the jurisdictional area.

Finding 2-e: *The applicant's response to this criterion is as follows: "Split zoning on a single parcel can hinder site planning and introduce uncertainty for reinvestment. Unifying the zoning district supports predictable standards for development and allows the site to be used in a coordinated way that improves functionality while mitigating impacts through buffering/landscaping-supporting compatibility and neighborhood stability." This analysis appears reasonable in some respects; however, the City must consider not only the benefits of the owners of the subject property, and in light of the current owners' plans, but also impacts on other property values from impacts that may result from the other allowed uses in the GC District. Considering this is already a mixed-use area, the addition of ±3,075 square feet of land historically associated with a commercial use into the GC District is unlikely to negatively impact the value of any buildings, particularly if an effective landscaping and fencing plan is implemented.*

In the areas of transition between commercial and residential uses, effective landscaping implemented as required by Sec. 24-49 of the zoning code for commercial uses will further protect the values of existing buildings, enhance land use compatibility, and encourage appropriate land uses in the community.

- f. Whether the proposal might be considered illegal spot zoning. Factors to be considered include whether the proposed land use is significantly different from the prevailing use in the area; whether the area of the proposed zone change is relatively small not only in terms of acreage, but from the perspective of the number of separate landowners who would benefit from the proposed change; and whether the change would amount to special legislation designed to benefit only one or a few landowners at the expense of the surrounding landowners or general public. In order for spot zoning to be considered illegal, all three of the factors must be present.

Finding 2-f: *The applicant's response to this criterion is as follows: "This request should not be considered illegal spot zoning, as the proposed land use is similar to surrounding uses in the area. The purpose is to correct an inconsistency in zoning where the northern portion of the property is residential, and the southern portion is commercial. We are proposing for the entire property to be commercial to align with an existing adjacent commercial use to the south. The change applies consistently to the whole parcel rather than creating a small isolated "island" district. The request is tied to an*

identified site-planning need (bank support parking) and includes measures (landscaping buffer) to remain compatible with nearby residential uses.”

The applicant’s response is an appropriate spot zoning analysis that supports the conclusion that this should not be considered spot zoning. The following is an additional spot zoning analysis, with recommended findings:

- *Whether the proposed land use is significantly different from the prevailing use in the area: The commercial parking lot use and other allowed uses in the GC District are different from the prevailing residential uses in this area of RA, but consistent with the uses in this area of GC. Because of the wide range of land uses in the area, the commercial use is not significantly different than the prevailing uses in the area. This factor is therefore not present.*
- *Whether the area of the proposed zone change is relatively small not only in terms of acreage, but from the perspective of the number of separate landowners who would benefit from the proposed change: The area proposed for the zone change is small – approximately 3,075 square feet, and only the landowners/applicant would benefit from the proposed change. This factor is therefore present; however, it is important to consider that the zone change would expand an adjacent district to include the subject property.*
- *Whether the change would amount to special legislation designed to benefit only one or a few landowners at the expense of the surrounding landowners or general public: The zone change would, to some extent, amount to special legislation for the current landowners; however, it does not appear there would be an “expense” to the surrounding landowners or general public. If it is determined there are unmitigated impacts on surrounding landowners or the general public from the zone change, thus amounting to an “expense”, this factor would be present.*

Because the first spot zoning factor is not present, the third has not been found to be present, and all three of the above factors must be present for it to be considered illegal spot zoning, this zone change would not be illegal spot zoning.

(3) Other criteria include whether the amendment:

- a. Corrects an inconsistency in the zoning; and

Finding 3-a: *The proposed zone change does correct an inconsistency in the zoning, whereas the property currently has a split zoning along internal lot*

lines, and the intent is to adjust the zoning district boundaries to follow the overall property boundaries instead of the internal lot line.

- b. Addresses changing conditions or furthers a specific public challenge such as the need for affordable housing, economic development, mixed use development or sustainable environmental features.

Finding 3-b: *The applicant's response to this criterion is as follows: "Yes. The rezoning supports continued commercial viability and economic activity by enabling adequate off-street parking to serve an existing bank use. It also supports compatibility by incorporating landscaping and buffering consistent with Miles City's stated landscaping objectives, including improved land use compatibility and visual appeal." It appears the zone change does address the changing conditions identified by the applicant, in that the zone change will provide for the off-street parking desired by the landowner as the business expands in this location.*

Conclusion on the above findings:

Based on the above findings, the proposed zone change from RA to GC substantially complies with the applicable criteria, and is therefore appropriate.

III. ZONING COMMISSION RECOMMENDATION

The Zoning Commission adopted the preliminary report and reviewer-recommended findings as the Zoning Commission's findings of fact and recommends the City Council approve the zone change from RA to GC for property described as Lot 5 of Block 13 of East Side Addition, located in Section 34, Township 8 North, Range 47 East, City of Miles City, Custer County, Montana. Said zone change shall provide for the entirety of Lots 5 & 6 and the north 10' of Lot 7, Block 13 of East Side Addition to be zoned General Commercial (GC) District. This report is the Zoning Commission's final report to be transmitted to the City Council. Upon final passage of the zone change ordinance by City Council, the official Miles City zoning district map adopted under [Sec. 24-11](#) of the zoning code will be amended by the City of Miles City.



Attachment 1

PETITION FOR ZONE CHANGE

Community Services & Planning

City of Miles City 17 S. 8th Street, P.O. Box 910 Miles City, MT 59301 406-234-3493

Date Received: APRIL 14, 2026
(to be filled out by City)

Note: If more than one property/petitioner a list of signatures and legal descriptions may be attached to this application.

I, Olivia Prewitt, IMEG Consultants Corp is/are petitioning the City of Miles City to rezone
(Signature)
the following property:

LEGAL DESCRIPTION OF PROPERTY:

Street Address or General Location 10 N Earling Ave, Miles City, MT 59301

Tract/s 5-6, N 10' LT 7 in Section 34 Township 8N Range 47E
Block 13

OR

Lot/Tract/s _____ of East Side Addition in Section _____ Township _____ Range _____
(Subdivision Name)

Assessor Number/s or Geocode 14-1740-34-1-18-08-0000

PRIMARY CONTACT:

Applicant Name: IMEG Consultants Corp If a business: Contact Name Olivia Prewitt
(Please print) (Please print)

Address: 1143 Stoneridge Drive Suite 1
Bozeman, MT 59718

Phone: 406-587-1115 Cell Phone: 406-624-5452 Email: Olivia.J.Prewitt@imegcorp.com

DESCRIPTIVE DATA:

Total area in acres: ~0.17 acres

Existing Zoning: Lot 5 RA-Residential, the remainder Proposed Zoning: All GC-General Commercial
GC-General Commercial

Existing Use: _____

☒ Yes ☐ No Purpose of the zone change is for pending development/sale. If so please explain the nature of the proposal or state any other reason for requested change: Valley Credit Union is currently being built on Lots 7-10 of Block 13. The Credit Union would like to change the zoning of Lots 5-6, N 10' LT 7 Block 13 so be used for additional parking and will have a landscaping buffer to the neighboring property.

Note: All information must be filled in for the application to be complete. Submission of an application is not a guarantee that a zone change will be approved.



April 10, 2026

City of Miles City
Community Services and Planning
17 S. 8th Street
P.O. Box 910
Miles City, MT 59301

RE: Zoning Amendment Application for Lot 5-6 & North 10' Lot 7 of Block 13 in East Side Addition
10 N Earling Ave, located in Section 34, T08N, R47E, Custer County, Montana.

To Whom It May Concern:

I am submitting this letter in support of a request to rezone the property located at 10 N Earling St from its current split zoning. Lot 5-6 and the North 10' of Lot 7, Block 13 are currently zoned in two different sections. Per the Miles City Zoning Map, Lot 5 is zoned RA-Residential and the remainder of the lot is zoned General Commercial. We are proposing to zone the entire property as General Commercial. This request is intended to create continuity across the property and support an appropriate, compatible use of the site consistent with the surrounding area. The review fee payment was made directly from Valley Credit Union to Miles City and was previously delivered.

Project Description and Purpose

The intent of the rezoning is to allow the property to be used for additional off-street parking to serve Valley Credit Union located on the property immediately to the south. The site will take access from Earling St and the adjacent alley. A landscaping buffer is proposed between the parking area and the residential home to the north. Please see our response below to the necessary criteria for zone changes.

Consistency with Growth Policy

The requested zoning map amendment would correct and simplify the existing split-zoning condition by applying a single, consistent zoning district across the entire property. Given the property's relationship to the existing commercial (bank) use to the south and the mixed surrounding context, a unified General Commercial designation supports orderly land use decisions and more consistent application of development standards on the property.

Safety from Fire and Other Dangers

The rezoning supports a parking-lot use rather than introducing a new building. Access from Earling St and the alley supports safe circulation and emergency access. Any future improvements would remain subject to applicable City review processes and codes to address safety-related requirements.

Public Health, Safety, and General Welfare

The rezoning proposal promotes public safety and general welfare by providing organized off-street parking to serve the adjacent bank use, which can reduce spillover parking and parking-related conflicts on nearby streets. The proposed landscaping buffer along the north edge provides a transition to adjacent residential use. We are proposing a 6-foot vinyl fence, along with 4 trees and 12 shrubs, within the buffer

to mitigate visual impacts and potential headlight glare to the adjacent home. Two low-impact light poles will be added to landscaped islands to provide lighting for customers and employees walking to their vehicles. The lighting will be contained on the property.

Adequate Provision of Transportation, Water, Sewage, and Other Public Requirements

Transportation access is available via Earling St and the alley. The proposed use is parking, which is expected to rely primarily on existing roadway infrastructure. The proposal is described as a “dry lot,” and is not intended to create significant new demand on City water or sewer systems. The rezoning and the proposed use are not expected to create new demands for schools, parks, or similar public facilities.

Adequate Light and Air

The proposed use (parking) does not create building mass that would reduce light and air for neighboring properties. The proposed landscaping buffer along the north edge will support a softer transition to the adjacent residence while maintaining appropriate site openness. We are proposing a 6-foot vinyl fence, along with 4 trees and 12 shrubs, within the buffer to mitigate visual impacts and potential headlight glare to the adjacent home. Two low-impact light poles will be added to landscaped islands to provide lighting for customers and employees walking to their vehicles. The lighting will be contained on the property.

Motorized and Non-Motorized Transportation Systems

Providing off-street parking improves motorized circulation and reduces informal parking patterns. While non-motorized impacts are expected to be limited for this use, the site can be laid out to maintain safe pedestrian movement from vehicles to the bank property to the south.

Compatible Urban Growth

The rezoning promotes compatible urban growth by aligning zoning with the property’s functional role as support parking for an existing commercial use immediately to the south, while incorporating a landscaping buffer to respect the residential edge to the north. Miles City’s landscaping provisions are intended to improve land use compatibility and visual appeal for commercial projects and accommodate runoff, and the project is consistent with those purposes.

Impact on the Character of the District

The surrounding properties are mixed, with residential to the north, commercial to the south, and residential/commercial to the east and west. Rezoning the full parcel to General Commercial will allow the parcel to function consistently with the adjacent commercial use (bank) while the proposed landscaping buffer provides a compatible transition to the residence to the north.

Conserving Value and Encouraging the Most Appropriate Use of Land

Split zoning on a single parcel can hinder site planning and introduce uncertainty for reinvestment. Unifying the zoning district supports predictable standards for development and allows the site to be used in a coordinated way that improves functionality while mitigating impacts through buffering/landscaping—supporting compatibility and neighborhood stability.



Spot Zoning

This request should not be considered illegal spot zoning, as the proposed land use is similar to surrounding uses in the area. The purpose is to correct an inconsistency in zoning where the northern portion of the property is residential, and the southern portion is commercial. We are proposing for the entire property to be commercial to align with an existing adjacent commercial use to the south. The change applies consistently to the whole parcel rather than creating a small isolated "island" district. The request is tied to an identified site-planning need (bank support parking) and includes measures (landscaping buffer) to remain compatible with nearby residential uses.

Correct an Inconsistency in the Zoning

Yes. The purpose is to correct an inconsistency in zoning where the northern portion of the property is residential, and the southern portion is commercial. We are proposing for the entire property to be commercial to align with an existing adjacent commercial use to the south.

Address Changing Conditions

Yes. The rezoning supports continued commercial viability and economic activity by enabling adequate off-street parking to serve an existing bank use. It also supports compatibility by incorporating landscaping and buffering consistent with Miles City's stated landscaping objectives, including improved land use compatibility and visual appeal.

For these reasons, I respectfully request approval of the zoning map amendment for 10 N Earling St to General Commercial.

ENCLOSURES

The following are attached for your review per application requirements:

- Google Earth Street View Photos of subject and surrounding properties.
- One (1) copy of the Lot Layout

Please let me know if you would like any additional exhibits or supporting materials to accompany this request. If you have any questions or need anything further for your review, please let me know.

Sincerely,

IMEG Consultants Corp.



Olivia J. Prewitt, EI
Civil Project Designer 1
Olivia.j.prewitt@imegcorp.com

Enclosures: As listed above in letter

CC: Valley Credit Union (w/ one copy of enclosures, via email)

OJP/hsc

\\files\Active\Projects\2024\24004825\Design\Civil\ENG DESIGN\7_Site Plan (Res. or Comm.)\Working Documents\20260327 Miles City Zoning Amendment Letter.docx



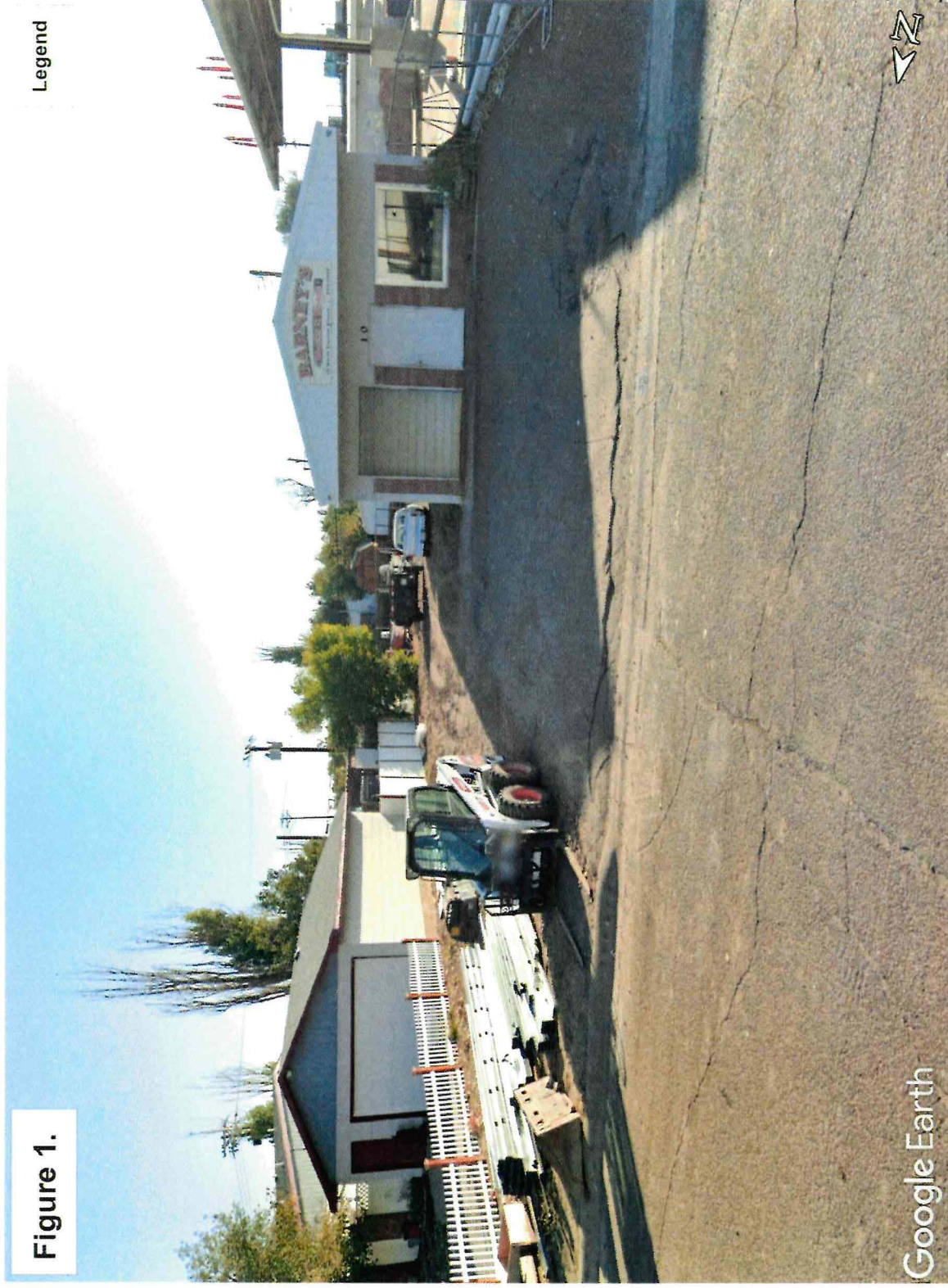




Figure 2: Looking Southeast on Earling Street at Valley Credit Union



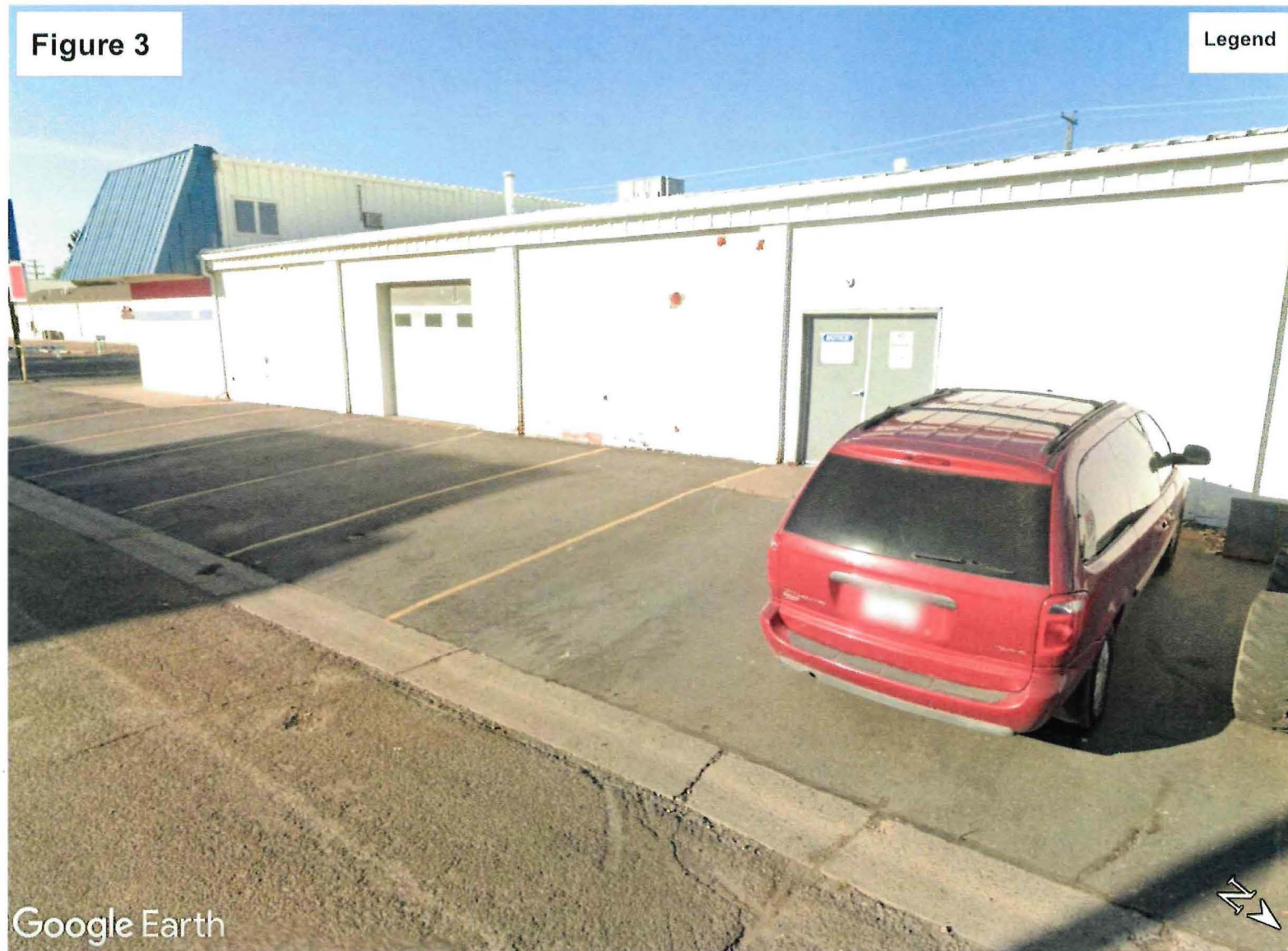


Figure 3: Looking Southwest on Earling Street at Neighboring Commercial Property





Figure 4: Looking Northwest on Earling Street at Transition Between Residential and Commercial Properties



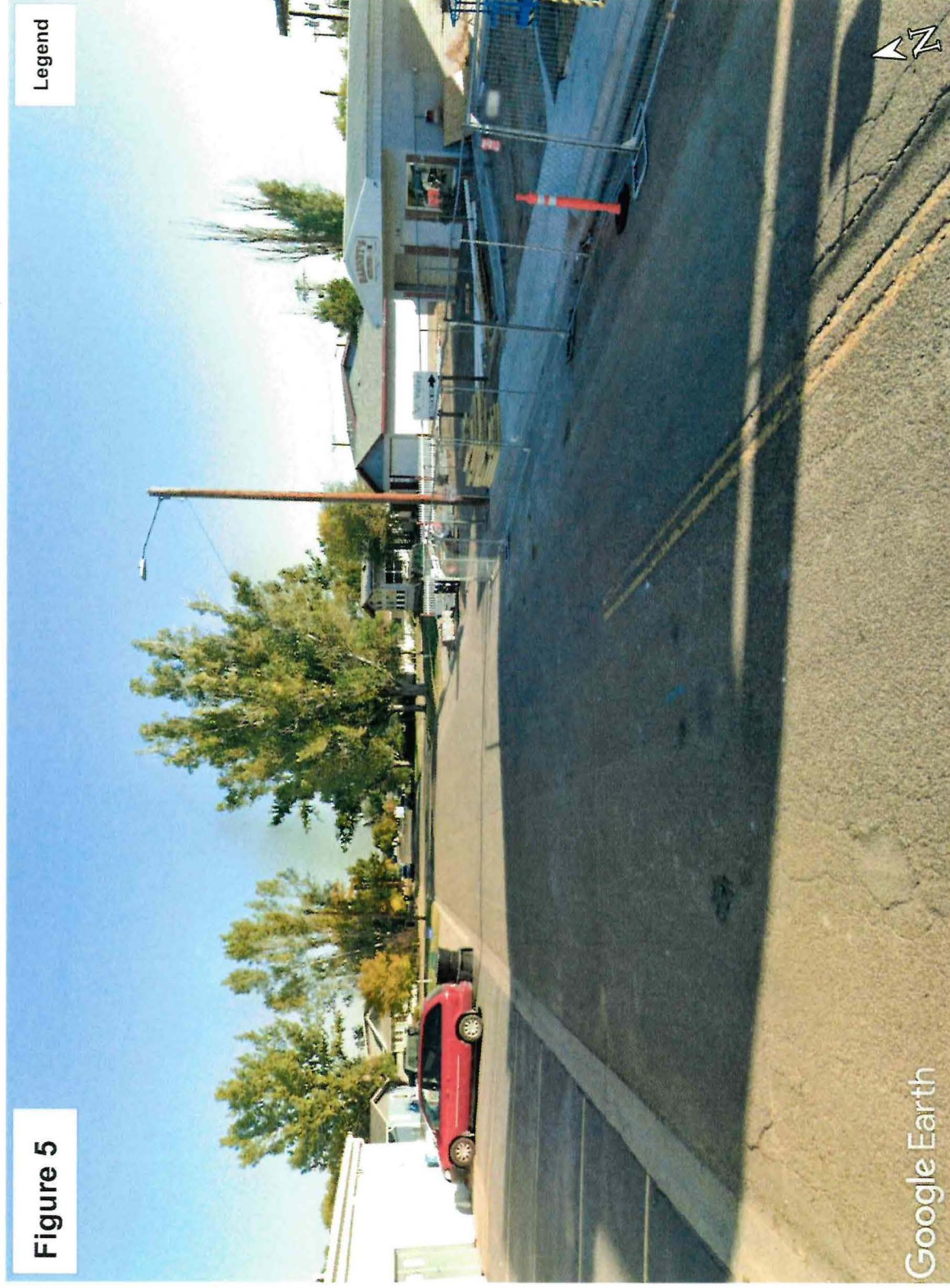


Figure 5: Looking North on Earling Street. Taken Further South than Other Figures.



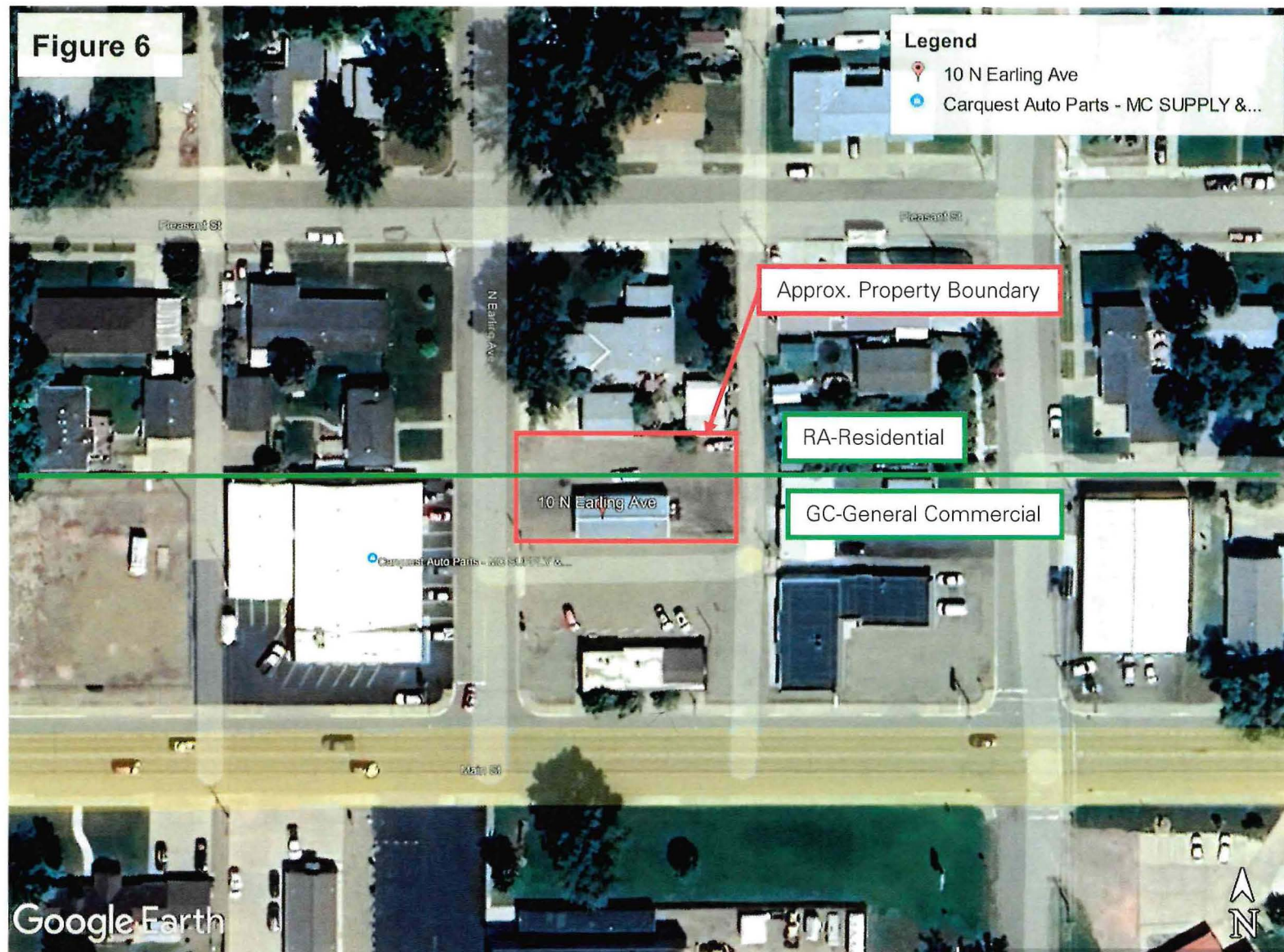
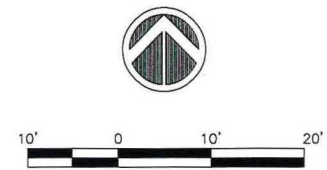


Figure 6: Aerial View of Subject Property. Includes Approx. Subject Property Boundaries and Approx. Zoning Lines.





 550 NORTH 31ST S RILEY SUITE 111 BILLINGS, MT 59101 PH: 406.248.9000 www.imegcorp.com		REVISIONS		
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VALLEY CREDIT UNION MILES CITY BRANCH PARKING EXTENSION SITE PLAN		IMEG Project No: 24004825		
File Name: 24004825_CIVIL_PARKING.dwg		Drawing Number:		
Field Book No:		Drawn By: GW		
Check'd By: MS		Approved By: MS		
Date: 4/03/2026				
C4.0				
Sheet 1 of 1				

Attachment 2

ORDINANCE NO. 1407

AN ORDINANCE CHANGING THE ZONING OF LOT 5 OF BLOCK 13 OF EAST SIDE ADDITION FROM THE RESIDENTIAL A DISTRICT TO THE GENERAL COMMERCIAL DISTRICT, AND PROVIDING FOR A HEARING THEREON.

WHEREAS, Olivia Prewitt of IMEG Consultants Corp has made application for the property described as Lots 5 & 6 and the north 10' of Lot 7, Block 13 of East Side Addition, such that the request is for Lot 5 to be rezoned from the Residential A (RA) District to the General Commercial (GC) District so that the entirety of the property is to be zoned as GC District;

AND WHEREAS, such property is situated within the city limits of the City of Miles City, Montana, and subject to the zoning jurisdiction of the City of Miles City;

AND WHEREAS, Section 24-96 of the Code of Ordinances of Miles City, Montana requires that such application be referred to the City Zoning Commission for public hearing and recommendation to the City Council prior to any action by the City Council upon such application;

AND WHEREAS, the Miles City Zoning Commission, on June 10, 2026, upon public hearing and deliberation, recommended to the City Council that such zone change be approved.

BE IT ORDAINED, by the City Council of the City of Miles City, Montana, as follows:

Section 1. Zoning for the following described real property located within the City of Miles City, Custer County, Montana, is hereby rezoned from the Residential A (RA) District to the General Commercial (GC) District, to wit:

Lot 5 of Block 13 of East Side Addition, located in Section 34, Township 8 North, Range 47 East, City of Miles City, Custer County, Montana. Said zone change shall provide for the entirety of Lots 5 & 6 and the north 10' of Lot 7, Block 13 of East Side Addition to be zoned General Commercial (GC) District.

Section 2. The Final Report of the Zoning Commission of the City of Miles City, prepared as part of the review of this application, and attached hereto as Exhibit "A," is hereby adopted as Findings of Fact to support the Council's decision.

Section 3. Prior to final passage, a public hearing shall be held upon this proposed zone change before the City Council at 6:00 P.M. on the 14th day of July, 2026, in the Council Chambers at City Hall, 17 S. Eighth Street, Miles City, Montana.

Section 4. The City Clerk and/or zoning Administrator shall give notice of the date, time and place of such hearing in accordance with Sections 76-2-303 and 7-1-4127(7)(b), MCA, as well as Section 24-97 of the Code of Ordinances of Miles City, Montana. Said notice shall include publication twice in the Miles City Star, with the first notice published at least 15 business days prior to the date of such hearing, as well as notice by first class mail seven calendar days before the hearing to the applicant, landowners, all adjoining property owners, and owners of land within 150 feet of the subject property.

Section 5. This ordinance shall be in full force and effect thirty (30) days after its final passage and approval.

Said Ordinance first read and put on its passage this 23rd day of June, 2026.

C. A. Grenz, Mayor

ATTEST:

Mary Rowe, City Clerk

FINALLY PASSED AND ADOPTED this ____ day of _____, 2026.

C. A. Grenz, Mayor

ATTEST:

Mary Rowe, City Clerk