

Sec. 27-622. New condominiums, townhome, townhouse and multi-unit developments.

New condominiums, townhouse, townhome and multi-unit developments are allowed in all zoning districts if they meet all applicable zoning district requirements, and supplementary general provisions, site development, building and fire safety regulations as per sections 6-1200, 14-300, 27-622 and 27-623 of the Billings Municipal Code. Projects subject to these regulations include condominium, townhome, townhouse or commercial development projects that include common, private facilities shared by buildings or lots, and residential developments that have more than two (2) dwelling units and include common, private facilities shared by buildings or lots.

Prior to filing a condominium, townhome or townhouse declaration of unit ownership with the county clerk and recorder, or applying for building permits for the multi-unit development, the owner(s) shall submit to the planning division:

- (1) A city approved master site plan showing the dimensions of the lot(s) containing the condominium, townhouse, townhome units or multiple commercial units and the location and dimensions of all buildings containing the units.
- (2) A copy of the declaration of unit ownership if creating a condominium, townhouse or townhome.

Only after determining that the condominium, townhome, townhouse or multi-unit development project has a city approved master site plan, as required in subsection (1) above, that complies with the applicable zoning district requirements, and supplementary general provisions, site development, building and fire safety regulations as per sections 6-1200, 14-300, 27-622, and 27-623 of the Billings Municipal Code will the planning division issue a condominium, townhome or townhouse certificate of compliance or approve a building permit.

For condominiums, townhomes or townhouses, the certificate of compliance will be filed with the county clerk and recorder prior to recording the declaration of unit ownership. The certificate shall state:

- (1) The legal description of the property.
- (2) The condominium, townhomes or townhouse units are exempt from MCA 76-3-203, because they comply with zoning, or in the case of new development, comply with zoning based on the city approved master site plan.
- (3) Any changes to the city approved master site plan must be reviewed by the city through the planning division.

(Ord. No. 08-5482, § 3, 11-10-08; Ord. No. 12-5565, § 4, 5-14-12)

Editor's note—

Ord. No. 08-5482, § 3, adopted November 10, 2008, amended § 27-622 in its entirety to read as herein set out. Formerly, § 27-622 pertained to condominiums, and derived from Ord. No. 02-5214, § 1, adopted July 8, 2002.

Ord. No. 12-5565, § 4, adopted May 14, 2012, changed the title of section 27-622 from "New condominiums and multi-unit developments" to "New condominiums, townhome, townhouse and multi-unit developments." The historical notation has been preserved for reference purposes.