

ORDINANCE 25-5907

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THE REGULATIONS IN SECTIONS 27-300, 27-400, 27-500, 27- 600, 27-800, 27-900, 27-1000, and 27-1800, BE AMENDED TO CORRECT ERRORS, CROSS REFERENCES, OMISSIONS AND TO AMEND AND PROVIDE CLARIFICATION OF THE REGULATIONS

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 text of the Zoning regulations from time to time. The City Zoning Commission and staff have reviewed the proposed corrections and clarifications to the zoning regulations that pertain to all the real property within the City of Billings. 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. Section 27-300 - Neighborhood Districts, Section 27-400 – Commercial and Mixed-Use Districts, Section 27-500 – Public Districts, Section 27-600 – Industrial Districts, Section 27-800 – Planned Neighborhood Developments, Section 27-900 – EBURD Districts, Section 27-1000 – Uses and Use Standards, and Section 27-1800 – Definitions and Measurements, have been found to contain errors and concordance issues unrelated to the substance of the zoning regulations. Correction of these errors and concordance issues through an ordinance will make the regulations clearer and provide for accurate administration of the code.

Section 3. ZONE REGULATION CORRECTIONS AND AMENDMENTS

a. Section 27-302.E is amended as follows:

Sec. 27-302. - District descriptions.

Neighborhood districts are primarily intended to allow a mix of residential uses within appropriately scaled buildings to maintain and promote the desired physical character of neighborhoods within the city.

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E. NX2: Mixed residential 2. The NX2 district is intended for small- and mid-scale multiple-family homes with ~~three (3)~~ **two (2)** to eight (8) units, in small neighborhood nodes. The buildings are oriented to the streets in walkable blocks with doors and windows on front facades and parking/garages located behind the buildings.

b. Section 27-303.F is amended as follows:

Sec. 27-303. - Regulations applicable to all neighborhood districts.

All buildings must comply with the general regulations and the specific regulations per each district, unless otherwise expressly stated in this zoning code. See article 27-1500,

Nonconformities, for existing buildings that do not fully conform to the district regulations.

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F. Exceptions and exemptions. The following exceptions and exemptions may apply to the district site and structure regulations. Use specific standards in article 27-1000 are still applicable.

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4. Maximum height exceptions.

(a) The maximum height limit shall not apply to spires, belfries, cupolas, antennas, water towers or tanks, chimneys or smokestacks, power transmission lines, cooling or elevator towers, or similar and necessary appurtenances not used for human occupancy.

(b) Buildings permitted in neighborhood districts may exceed the height limitations of the district through an approved application for Administrative Relief (Sec. 27-1614) or through a Variance (Section 27-1627) for increases greater than allowed by administrative relief.

c. Section 27-403.F is amended as follows:

Sec. 27-403. - Regulations applicable to all commercial and mixed-use districts. All buildings must comply with the general regulations of this section and the specific regulations per each district, unless otherwise expressly stated in this chapter.

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F. Exceptions and exemptions. The following exceptions and exemptions may apply to the district site and structure regulations. Use specific standards in article 27-1000 are still applicable.

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4. Maximum height exceptions.

(a) The maximum height limit shall not apply to spires, belfries, cupolas, antennas, water towers or tanks, chimneys or smokestacks, power transmission lines, cooling or elevator towers, or similar and necessary appurtenances not used for human occupancy.

(b) Buildings permitted in commercial and mixed-use districts may exceed the height limitation of the district through an approved application for Administrative Relief (Sec. 27-1614) or through a Variance (Sec. 27-1627) for increases greater than allowed through administrative relief.

d. Section 27-504.B.2 is amended as follows:

Sec. 27-504. - P2: Public, civic, and institutional; P3: Civic campus, P3: Medical campus; and P3: Educational campus.

The following site and structure regulations apply to any lot in a P2 or P3 district:

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B. Site dimensional standards. Development along exterior lot lines that face, are adjacent to, or within one hundred fifty (150) feet of different zone districts (i.e., not P2 or P3) shall comply with the following exterior dimensional standards, as further described below the table:

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2. Maximum height exceptions. The height limitations in Table 27-500.1 may be exceeded as follows:

(a) The maximum height limit shall not apply to spires, belfries, cupolas, antennas, water

towers or tanks, chimneys or smokestacks, power transmission lines, cooling or elevator towers, or similar and necessary appurtenances not used for human occupancy.

(b) **Structures** Buildings permitted in P2 or P3 districts may exceed the height limitations of the district if the minimum depth of the front, side and rear yard setbacks are increased two (2) feet for every one foot by which the **structure** building exceeds the height limitation of the district. This allowed height shall not exceed two (2) times the allowed height in the zoning district in which it is located except by approved variance.

e. Section 27-602 is amended as follows:

Sec. 27-602. - Regulations applicable to all industrial districts.

All buildings must comply with the general regulations and the specific regulations per each district, unless otherwise expressly stated in this code.

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I. Maximum height exceptions. The height limitations in Table 27-600.1 may be exceeded as follows:

(a) The maximum height limit shall not apply to spires, belfries, cupolas, antennas, water towers or tanks, chimneys or smokestacks, power transmission lines, cooling or elevator towers, or similar and necessary appurtenances not used for human occupancy.

(b) Buildings permitted in I1 or I2 districts may exceed the height limitations of the district through an approved application for Administrative Relief (Sec. 27-1614) or through a Variance (Sec. 27-1627) for increases greater than allowed through administrative relief.

f. Section 27-804 is amended as follows:

Sec. 27-804. - Blocks.

Each development shall contribute to an interconnected system of streets and blocks as required by the city subdivision regulations. ~~in addition to the following requirements.~~

~~Streets shall be located to result in the following block regulations:~~

~~A. Maximum block face length.~~

~~1. For CMU districts, the maximum block face length between street intersections shall be no more than six hundred sixty (660) feet in length.~~

~~2. For all districts other than CMU, maximum block face length shall be no more than eight hundred (800) feet.~~

~~B. Maximum block perimeter. The maximum perimeter of any block shall be two thousand two hundred (2,200) feet.~~

~~C. Connectivity.~~

~~1. Streets shall connect and continue existing or planned streets from adjoining areas.~~

~~2. Block faces at the maximum length above require pedestrian access at mid-block points to ensure walkability. Pedestrian access or walkways may be incorporated as a dedicated alley or as an easement between lots.~~

g. Section 27-905 – Table 27-900-13 is amended as follows:

F. Side and rear buffer requirements (Refer to Figure 27-905(3)).

Table 27-900-13. Side and Rear Buffer.

A. Intent & Applicability		
Intent	To minimize the impact that one building may have on a neighboring district and to provide a transition between districts	
General	Applies to all directly adjoining properties as outlined in Table 905.B.¹ 27-900-14¹	
B. Required Landscape Screen		
Size	5' landscape screen in addition to any other buffer landscaping	①
Location	Directly adjacent to the Rear or Side Lot line per Table 27-905.A Fig. 27-905.3	
Hedge	Continuous double row of shrubs required between shade trees	②
Hedge Composition	Double row of individual shrubs with a minimum width of 24", spaced no more than 36" on center; Mature height in one year of 24"	
Hedge Frequency	Minimum of 15 shrubs per 100' of Lot line is required	
Shade Trees	At least 1 medium or large shade tree per every 40' within the buffer	③
Uses and Materials	Uses and materials other than those indicated are prohibited within the buffer	
Existing Vegetation	May be credited toward buffer area	
C. Required Fence		
Permitted Materials	Steel or painted, matte finish PVC for semi-opaque; Wood or masonry for opaque. Chain link not permitted.	④
Minimum Height	6'	
Maximum Height	8'	
Colors	If steel: black, gray, or dark green	
Opacity	Option 1: Semi-Opaque 20%—60% opacity, hedge required; Option 2: Opaque fence, no hedge required	
Notes:		
¹ Zoning coordinator may reduce width of buffer, width of landscape screen, or location of landscape screen based on existing landscaping and similarity between uses.		

h. Section 27-1000 is amended as follows:

Sec. 27-1002. - Uses by district.

A. Use table. Table 27-1000.1, Permitted Primary Uses, identifies the permitted primary uses in each zoning district. Each use is given one of the following designations for each zoning district in which that use is permitted:

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Section 27-1002.C – Uses by District – Table 27-1000.1 is amended as follows:

Table 27-1000.1: Permitted Primary Uses Use Table	Residential										Mixed-Use and Commercial										EBURD										Public					Additional Standards
	Key: P = Permitted, PL = Location Limits in Zone District, PR = Applicable Use Restrictions, SR = Special Review																																			
	N3	N2	N1	NX1	NX2	NX3	RMH	NO	NMU	CMU1	CMU2	DX	CBD	CX	I1	I2	RSV	MS	RSV	CW	I3	IS	P1	P2	P3Civ	P3 Ed	P3									
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Eating and Drinking Establishment																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
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i. Section 27-1005.C Amusement and recreation is amended as follows: Sec. 27-1005.C.2. P1 District.

(a) Amusement and recreation facilities located in P1 districts may be in either public or private ownership and may charge appropriate fees.

(b) P1 district uses are limited to any combination of the following:

- (1) Golf courses and driving ranges.
- (2) Sports fields or courts (indoor or outdoor)
- (3) Aquatic facilities (indoor or outdoor)
- (4) Ice Arenas (indoor or outdoor)
- (5) Playgrounds and trails
- (6) Picnic shelters and gazebos
- (7) Community centers
- (8) Gardens and orchards
- (9) Nature preserves and conservation land

j. Section 27-1007.C is amended as follows:

Sec. 27-1007.C.2. (c) Pre-existing WCFs.

(1) Any WCF for which a permit has been properly issued prior to the adoption of this zoning code (February 25, 2021) and for which no changes will be made shall not be required to meet the requirements of this section.

(2) Changes and additions to pre-existing WCFs (including trading out of antennas for an equal number of antennas) shall meet applicable requirements of subsection 27-1007.C. 54, General requirements.

k. Section 27-1802.C is amended as follows:

Sec. 27-1802. - Measurements and associated terms.

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C. Building height measurements and terms.

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2. Overall building height. Refer to Figure 27-1800-5, Measuring Building Height in Stories and Stories with Floor-to-Floor Height.

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(c) Roof types. Roof heights are measured per subsection 27-~~1803.E~~ 1802.E and are additional to the allowable stories and floor-to-floor heights.

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

PASSED, ADOPTED and APPROVED on second reading this 14th day of April, 2025.



CITY OF BILLINGS

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

Attest:

BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk

Zone Change 1060 – Amending Sec. 27-300, 27-400, 27-500, 27-600, 27-800, 27-900, 27-1000, and 27-1800.