

ORDINANCE NO. 07- 5431

AN ORDINANCE OF THE CITY OF BILLINGS, EXTENDING THE SOUTH SHILOH CORRIDOR OVERLAY DISTRICT FROM THE CENTERLINE OF KING AVENUE WEST, EXTENDING 500 FEET TO THE SOUTH, BETWEEN THE INTERSECTION OF SHILOH ROAD AND KING AVENUE WEST AND THE INTERSECTION OF KING AVENUE WEST AND 32ND STREET WEST. AMENDING SECTION 27-1429 AND THE MAP IN SECTION 27-1430 OF THE BILLINGS, MONTANA CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1. RECITALS. *Title 76, Chapter 2, Part 3, MCA, and Section 27-1502, BMCC, provide for amendment to the City Zoning Regulations from time to time. The City Council initiated the amendment to the City Zoning Regulations and the City Zoning Commission and staff have reviewed the proposed zoning regulations hereinafter described. 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 proposed amendments to the City Zoning Regulations.*

Section 2. DESCRIPTION. The zoning regulation shall apply to all property from the centerline of King Avenue West for 500 feet to the south from the intersection of Shiloh Road and King Avenue West to the intersection of King Avenue West and 32ND Street West in the City of Billings.

Section 3. That the Billings, Montana City Code be amended by revising Section 27-1429 to add new language to read as follows and modify the map in Section 27-1430:

SEC. 27-1429. DISTRICT BOUNDARIES.

The boundaries of the South Shiloh corridor overlay district shall be that displayed on the map at the end of section 27-1430. In no case shall the boundaries of the district exceed a depth of five hundred (500) feet from the centerline of the right-of-way of Shiloh Road from King Avenue south to Interstate 90 and Zoo Drive from Interstate 90 to the intersection of Shiloh Road; and from the centerline of King Avenue West, extending five hundred (500) feet to the south, between the intersection of Shiloh Road and King Avenue West and the intersection of King Avenue West and 32ND Street West. If only a portion of the property falls within the boundaries of the district, the entire property will be subject to the regulations in section 27-1500.

SEC. 27-1430. REVIEW CRITERIA.

(a) *Generally.* The South Shiloh corridor overlay district review process is a review of development proposals against a set of absolute and relative criteria. Site and development plans are evaluated to determine whether the proposed development meets the identified criteria. If the criteria are met, the development may proceed.

New developments and existing development in which the gross floor area (GFA) or the number of parking stalls is increased by twenty-five (25) percent must comply with these regulations.

(b) *Absolute criteria.* A developer must meet all absolute criteria to obtain planning and community services department approval. The absolute criteria are defined in sections 27-1506 through 27-1508. Absolute criteria also include all other applicable codes, ordinances, and statutes, including, but not necessarily limited to, minimum engineering and building standards, public service and utility requirements, and environmental regulations.

(c) *Relative criteria.* Relative criteria are the "points" of the review process. Each development must obtain a specified minimum number of points based on the relative criteria identified in section 27-1509. The development plans are evaluated against the relative criteria and scored on a point chart.



SOUTH SHILOH CORRIDOR OVERLAY DISTRICT

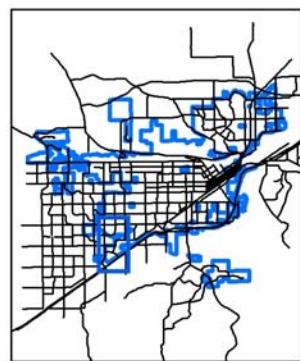
Official Map

- South Shiloh O. D.
- ▨ Proposed Expansion
- City Limits
- Parcels

0.05 0.1 0.2 0.3
Miles



District Location



Section 4. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. 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.

Section 6. EFFECTIVE DATE. This ordinance shall be effective from and after final passage and as provided by law.

PASSED by the City Council on first reading August 27, 2007.

PASSED, ADOPTED AND APPROVED on second reading September 10, 2007.

CITY OF BILLINGS:

BY: _____
Ron Tussing, Mayor

ATTEST:

BY: _____
Cari Martin, City Clerk

ZC#819