

ORDINANCE 05-5330

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SECTION 27-305 AND SECTION 27-306; SETTING STANDARDS FOR ALL UTILITY AND PIPELINE TRANSMISSION AND DISTRIBUTION SYSTEMS, ADOPT THE REVISIONS AS AN INTERIM ZONING REGULATION AND SET A TIME PERIOD FOR THE REGULATION TO BE EFFECTIVE.

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

1. **RECITALS.** *Title 76, Chapter 2, Part 3, MCA*, provides for the enactment as a matter of urgency an interim zoning regulation. The City Zoning Commission and staff have reviewed the proposed interim zoning regulation and determined there is a matter of urgency to be addressed by the interim zoning regulation. 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 interim zoning regulation.

2. **DESCRIPTION.** The interim zoning regulation shall apply to all land within the City Of Billings.

3. **INTERIM ZONING REGULATION.** That Section 27-305 of the BMCC be amended to read as follows:

4.

TITLES AND DESCRIPTION OF INDUSTRIES SR - SPECIAL REVIEW A - ALLOWED	Agricultural - Open Space	Agricultural - Suburban	Residential - 15,000	Residential - 9,600	Residential - 8,000	Residential - 7,000 Restricted	Residential - 7,000	Residential - 6,000 Restricted	Residential - 6,000	Residential - 5,000	Residential Multi- Family	Residential Multi- Family - Restricted	Residential Manufactured Home
KENNELS: – Commercial – Noncommercial	A A	SR A	A	A	A	A	A	A	A	A	A	A	A
LANDFILLS: RECLAMATION, SANITARY DUMP SITES AND SANITARY INCINERATORS	SR												
LIBRARIES, MUSEUMS AND ART GALLERIES	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR

LIVESTOCK: COMMERCIAL FEEDING YARDS AND AUCTION HOUSES	SR												
LIVESTOCK AND FOWL * (County Only) * See BMCC Section 27-607 for Minimum Area Requirements	A*	A*	A*	A*			A*						A*
LUMBER, PLYWOOD AND SHINGLE MILLS	SR												
MANUFACTURED HOME PARKS	SR	SR	SR										A
PARKING, PUBLIC	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
PIPELINES AND DISTRIBUTION LINES (OIL AND GAS) AND ACCESSORY STRUCTURES	<u>A</u> SR	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
PUBLICLY-OWNED OR GOVERNMENT OPERATED BUILDINGS AND USES	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
RECREATION: – Commercial – Noncommercial	SR A	SR A	SR A	SR A	SR A	SR A	SR A	SR A	SR A	SR A	SR A	SR A	SR A
REHABILITATIVE CENTERS	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR

TITLES AND DESCRIPTION OF INDUSTRIES SR - SPECIAL REVIEW A - ALLOWED	Agricultural - Open Space	Agricultural - Suburban	Residential - 15,000	Residential - 9,600	Residential - 8,000	Residential - 7,000 Restricted	Residential - 7,000	Residential - 6,000 Restricted	Residential - 6,000	Residential - 5,000	Residential Multi-Family	Residential Multi-Family - Restricted	Residential Manufactured Home
RODEOS AND INDOOR AND/OR OUTDOOR ROPING ARENAS	SR												
SCHOOLS (PUBLIC OR PRIVATE): – Preschool, elementary, junior or senior high – Colleges and universities – Trade or vocational-technical	SR SR SR	SR SR SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
STABLES: – Commercial – Private * * See BMCC Section 27-607 for minimum Area Requirements	A A*	SR A*	A*	A*			A*						A*
TRANSMISSION AND DISTRIBUTION LINES (ELECTRIC) AND ACCESSORY STRUCTURES	A SR	A	A	A	A	A	A	A	A	A	A	A	A
TRAVEL TRAILER PARKS	SR	SR											
UTILITIES (PUBLIC SERVICE INSTALLATIONS): – Station only – Storage yard	A SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
VETERINARY CLINICS: – Boarding – Outpatient only	A A	SR SR											

and that Section 27-306 of the BMCC be amended to read as follows:

TITLES AND DESCRIPTION OF INDUSTRIES SR - SPECIAL REVIEW A - ALLOWED	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Central Business District	Controlled Industrial	Heavy Industrial	Public	South 27th Street Corridor
49 ELECTRIC, GAS, AND SANITARY SERVICES: – Offices only – Municipal water supply (4941) or sewerage (4952) treatment facilities – 4953 Refuse systems* – Sanitary landfills – Transmission and distribution, electric and gas – Production, manufacture and generation, electric or gas – All others this group * See BMCC Sec. 27-605 Hazardous Waste Facilities	A	A	A	A	A	A	A	A	A
	A SR	A SR	A SR	A SR	A SR	A SR	A SR	A SR	A SR
						SR SR	SR SR		

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

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.

6. EFFECTIVE DATE. This ordinance shall be effective from and up to six (6) months after final passage and as provided by law.

APPROVED by the City Council on first reading June 13, 2005.

APPROVED AND ADOPTED on second reading June 27, 2005.

CITY OF BILLINGS:

BY: _____
Charles F. Tooley, Mayor

ATTEST:

BY: _____
Marita Herold, CMC/AAE, City Clerk

ZC#759 – Interim Zoning Regulations