

ORDINANCE NO. 12 - _____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SECTION 27-615 (c); SECTION 27-615 (d) – VISIBILITY AT INTERSECTIONS AND 27-618 – FIGURE 1a. AND FIGURE 1b. TO DELETE LANGUAGE AND ADD LANGUAGE TO CLARIFY THE REGULATION AND ADOPT THE REVISION AS AN AMENDMENT TO THE ZONING REGULATIONS AND SET A TIME PERIOD FOR THE REGULATION TO BE EFFECTIVE.

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 land within the City of Billings.

Section 3. AMENDMENT. That the Billings, Montana City Code be amended by revising Section 27-615 (c) – Table 2 as follows:

Table 2—Clear Vision Area at Driveways and Alley Approaches

<i>Approach Type</i> <u>Clear Vision Area for:</u>	Clear Vision Area Required
<p>--Commercial drives and all alleys (commercial includes 3-plex and larger)</p> <p><u>Vehicular Traffic</u></p>	<p>15' from back curb or 10' from back walk, whichever is greater, measured into the property along the edge of the driveway, then continuing to a point 5' behind walk and 30' from the edge of the driveway, then continuing along a line 5' from and parallel to the back of walk to a point located</p> <p>--- 70' from centerline drive along local streets</p> <p>--- 90' from centerline drive along collector streets</p> <p>--- 110' from centerline drive along arterial streets</p> <p><u>Entering local street—Triangle measured along centerline of the driveway or alley 14 feet from back of curb by 175 feet along the curb line or the extension of the curb line on the cross street</u></p> <p><u>Entering collector street— Triangle measured along centerline of the driveway or alley 14 feet from back of curb by 250 feet along the curb line or the extension of the curb line on the cross street</u></p> <p><u>Entering arterial street— Triangle measured along centerline of the driveway or alley 14 feet from back of curb by 315 feet along the curb line or the extension of the curb line on the cross street</u></p> <p>(See Note 1)</p>
<p>--Residential (Single Family or duplex)</p> <p><u>Pedestrian Traffic</u></p>	<p><u>Triangle 42' 10 feet from back of walk into property measured along the edge of the drive, to a point 5' behind sidewalk & and 20 feet along the back of sidewalk measured from the edge of the driveway, thence continuing along a line 5' behind and parallel to the back of walk to a point</u></p> <p>--- 70' from centerline drive on local streets</p> <p>--- 90' from centerline drive on collector streets</p> <p>--- 110' from centerline drive on arterial streets</p>

Notes for Table 2:

- 1) For commercial driveways the point of reference for “centerline” shall be the actual marked centerline separating inbound and outbound traffic when there are two (2) or more exit lanes.

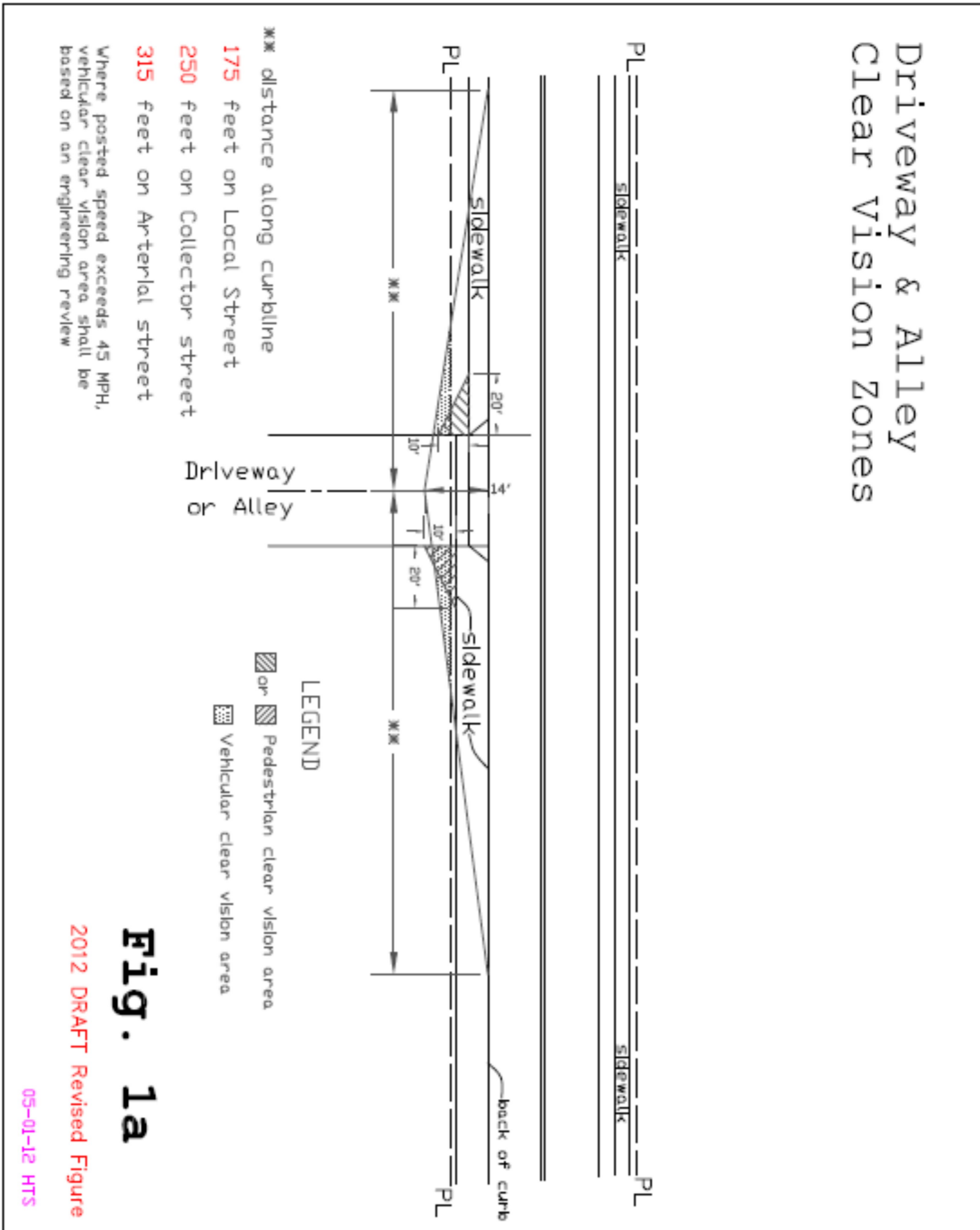
- 2) For driveways entering a street with a posted speed limit greater than 45 MPH, the required clear vision area will be based on an engineering review subject to approval by the City Traffic Engineer.

Section 4. AMENDMENT. That the Billings, Montana City Code be amended by revising Section 27-615(d) - Table 4 as follows:

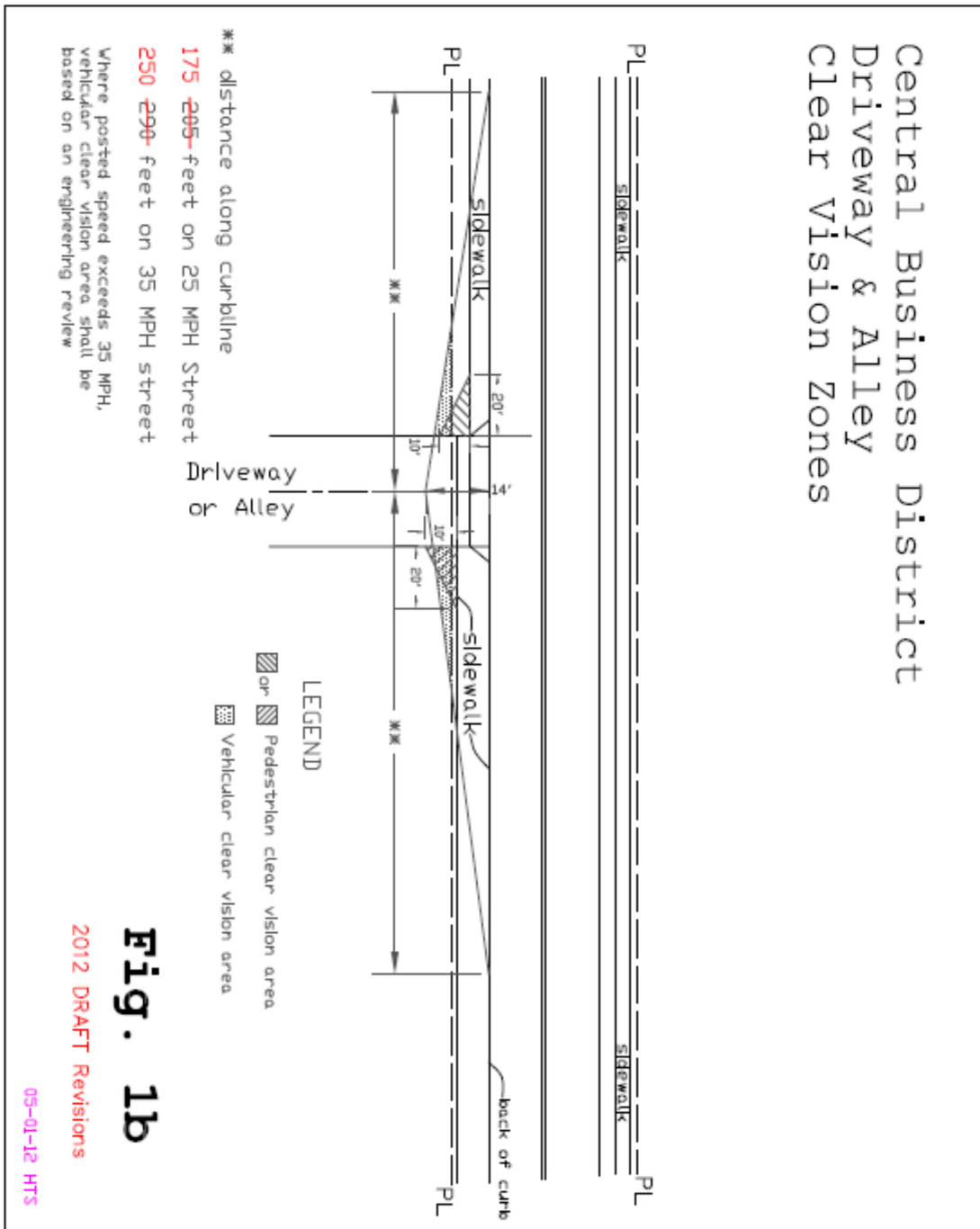
TABLE 4 - CBD Clear Vision Areas at alleys and driveways

Clear Vision area for:	Clear Vision Area Required: <i>The clear vision area for alleys and driveways shall not apply to buildings or pertinent parts thereof within the Central Business District.</i>	Reference Figure in Sec. 27- 618
Vehicular traffic	<p>Entering 25 MPH Street—Triangle measured along centerline of the driveway or alley 14 feet from back of curb by 205 <u>175</u> feet along the curb line or the extension of the curb line on the cross street</p> <p>Entering 35 MPH Street— Triangle measured along centerline of the driveway or alley 14 feet from back of curb by 290 <u>250</u> feet along the curb line or the extension of the curb line on the cross street</p> <p><i>Entering street with speed limit above 35 mph— the required clear vision area will be based on an engineering review subject to approval by the City Traffic Engineer</i></p>	Fig. 1b
Pedestrian Traffic	The clear vision area is defined by a triangle 10 feet along edge of alley or driveway and 20 feet along back of sidewalk	Fig 1b

Section 5. AMENDMENT. That the Billings, Montana City Code be amended by revising Section 27-618 – Figure 1a. as follows:



Section 6. AMENDMENT. That the Billings, Montana City Code be amended by revising Section 27-618 – Figure 1b. as follows:



Section 7. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8. 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 9. 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 May 29, 2012.

PASSED, ADOPTED AND APPROVED on second reading June 11, 2012.

CITY OF BILLINGS:

BY: _____

Thomas W. Hanel

ATTEST:

BY: _____

Cari Martin, City Clerk

Zone Change #895 – Text Amendment – Clear Vision Areas