

Attachment C

1971 City Code and related documents – 2707 13th St West (aka 1247 Princeton Avenue)

All bids other than by or on behalf of the State Board of Land Commissioners of the State of Montana must be accompanied by a certified check in the sum of \$2,780.00 payable to the Clerk and Recorder of Yellowstone County, Montana, which will be forfeited by the successful bidder, in the event he shall fail or refuse to complete the purchase of said bonds in accordance with the terms of his bid. Checks of unsuccessful bidders shall be returned promptly.

All bids shall be addressed to the Board of County Commissioners of Yellowstone County, Montana, and delivered to the Clerk and Recorder of said County.

Dated this 28th day of July, 1970.

E. F. CARLSON
Chairman of the Board of County Commissioners of Yellowstone County, Montana.

Attest:

MERRILL H. KLUNDT
Clerk and Recorder of Yellowstone County, Montana, and Ex-officio Clerk of the Board of County Commissioners of said County.

Hendrickson & Bishop
320 Hart-Albin Building
Billings, Montana
Attorneys for the District
(July 30; Aug. 6, 13, 20, 1970)

NOTICE OF TIME SET FOR HEARING PETITION FOR CHANGE OF NAME No. 56082

In the District Court of the Thirteenth Judicial District of the State of Montana, in and for the County of Yellowstone.

In the Matter of the Application of Tina Cherriese Brown, a Minor, for Change of Name.

Notice Is Hereby Given, That a Petition for Change of Name of Tina Cherriese Brown to Tina Cherriese White, has been filed in this Court; and that the 21st day of August, 1970, at 10:00 o'clock a.m., in the Courtroom in the Courthouse in Billings, Yellowstone County, Montana, has been set as the time and place of hearing of said Petition, and that at such time an application will be made for the relief sought in the said petition.

Dated this 27th day of July, 1970.
(Seal)

HARDIN E. TODD

Clerk

By: DOROTHY OLSON

Deputy Clerk

(July 30; Aug. 6, 13, 20, 1970)

Notice is hereby given that the Zoning Commission of the City of Billings, Montana, has filed with the City Council of said City its report recommending:

1. That the petition to change the zone classification of Lots 1, 2, and the north 10 feet of 3, Block 15, Central Heights Sub., from Multiple Residential (R-3) to Commercial Limited be held for further study. This property is located on 24th Street West just south of Eldorado Drive.
2. That the petition to change the zone classification of Lot 1 and the east 15 feet of Lot 2, Block 1, Grand Vista Sub., from Commercial Limited Zone (C-L) to Commercial General zone (C-G) be deferred to next regular meeting because of lack of quorum voting. This property is located at 2101 Grand Avenue.
3. That the petition to change the zone classification of Tract 13 C, Lot 13, Flanagan Sub. Amended, from Residential One Family (R-1) to Multiple Residential (R-3) be denied. The Commission further recommends the City Council to initiate a zone change for the whole area to Commercial General. This property is located on both sides of Pricket Lane south of Central Ave.
4. That the request to construct two multiple apartment buildings on lots 21, 22, 23 and 24, Blk. 12, College Sub., be granted to the extent that they will not exceed 6 units total and contingent on the City Council passing of the proposed ordinance establishing a Multiple Family Restrictive (R-3-R) zone. This property is located at 1247 Princeton Ave.
5. That the request for 4 more units making a total of 12 units be denied. However, the Commission did agree that 4 of the 8 units approved July 28, 1969, could be located on the new proposed site. This property is located at 1006 Poly Drive.

The City Council has designated August 24, 1970, at 7:30 p.m., in the City Council Chambers of the City Hall, Billings, Montana, as the time and place for hearing the report of the Zoning Commission. All persons for or against such proposed recommendations may appear and be heard.

Dated this 6th day of August, 1970.

WM. J. FRY, JR.

City Clerk

(Aug. 6, 20, 1970)

The Billings Times 5

Thursday, August 6, 1970

City Council
Minutes from Aug. 24, 1970

4369

(c) That the request to construction 2 multiple apartment buildings on Lots 21, 22, 23 and 24, Block 12, College Sub. be granted to the extent that they will not exceed 6 units total and contingent on the City Council passing of the proposed ordinance establishing a multiple family restrictive "R-3-R" zone. This property is located at 1247 Princeton Ave. Moved by alderman Leuthold, seconded by alderman Yates that the recommendation be approved. Motion carried.

(d) That the request for 4 more units making a total of 12 units be denied. However, the Commission did agree that 4 of the 8 units approved July 28, 1969 could be located on the new proposed site. This property is located at 1006 Poly Drive. Moved by alderman Leuthold, seconded by alderman Baker that the recommendation be approved for the new location. Motion carried.

PETITION to transfer business license for the Lobby Cafe from Isabelle McFarren to Ernest E. Clark. This petition having been approved by the City Treasurer, Police Department, Building Department, Health Department and Fire Department, it was moved by alderman Glenn, seconded by alderman Yates that the petition to transfer the license be approved. Motion carried.

DEPARTMENTAL CHARGES for the month of August were presented for approval. Moved by alderman Glenn, seconded by alderman Baker that the charges be approved. Motion passed on roll call.

PROPOSED AMENDMENT TO JOB CLASSIFICATION ORDINANCE was presented. This was referred by the Mayor to the Budget & Finance Committee.

ANNUAL APPROPRIATION ORDINANCE NO. 3483 for the City of Billings was presented for consideration of the Council. Moved by alderman Smith, seconded by alderman Todd adoption of the Ordinance. Passed on roll call.

RESOLUTION Proposing to extend the boundaries of the city to include Tract 1A, 1B, and the south 10 Ft. of Lot 5, all of Lots 6 and 7, Thomas Subdivision, was presented. This was referred by the Mayor to the Planning & Improvements Committee.

SURETY BONDS having been approved as to form by the City Attorney were presented for approval as follows: United Electric Co., electrical bond, \$5,000, written by the General Insurance Co. of America. Treasure State Plumbing & Heating, Sewer Bond, \$ 3,000, written by the Firemen's Fund Insurance Co. Quality Concrete Co., \$ 2,000, excavation bond, written by the U. S. Fidelity & Guaranty Co. APCOA Division, ITT Consumer Services Corp., \$ 4800.00 Performance Bond, written by the American Insurance Co. Moved by alderman Glenn, seconded by alderman Jovanovich that the bonds be accepted and placed on file. Motion carried.

The Clerk presented items that did not appear on the Agenda. Moved by alderman Smith that these items be considered individually.

REQUEST OF CHIEF OF POLICE to place Francis Maler on the inactive Police Reserve List with a medical retirement, effective September 1, 1970. Moved by alderman Baker, seconded by alderman Leuthold that this item receive unanimous consent for consideration. Motion carried. Moved by alderman Baker, seconded by alderman Riedl that the request be granted. Motion carried.

VARIOUS CLAIMS were presented. Moved by alderman Smith, seconded by alderman Baker that these claims receive unanimous consent for consideration. Motion carried.

COP Construction Co., Estimate # 5 and final, Airport April Improvements, \$ 9,997.29
Montana State Board of Equalization, Airport Construction, Estimate No. 4, \$ 100.98
Barry O'Leary, Inc., Sprinkling Fund, \$ 38,990.44
State Board of Equalization, Sprinkling Fund, \$ 393.84
Long Construction Co., 1971 Curb-Gutter warrants, \$ 6,340.75

Moved by alderman Smith, seconded by alderman Glenn that the claims be allowed and paid. Passed on roll call.

COMMITTEE REPORT, GROUP INSURANCE The Committee requests additional time to study the bids. Moved by alderman Smith, seconded by alderman Glenn approval of the Committee report. Motion carried.

ZONING

City Code 1971

Title 26

ZONING¹

Chapters:

- 26.04 Short Title and Interpretation
- 26.08 Definitions
- 26.12 District Designation and Boundaries
- 26.16 RR Residential-Rural District Regulations
- 26.18 RS Residential-Suburban District Regulations
- 26.20 RST Residential-Suburban-Trailer District Regulations
- 26.22 R1 Residential One-Family District Regulations
- 26.24 R1R Residential One-Family Restricted District Regulations
- 26.26 R2 Residential Two-Family District Regulations
- 26.27 R3R Multiple-Family Restricted-Regulations
- 26.28 R3 Residential Multiple-Family District Regulations
- 26.30 RP Residential-Professional District Regulations
- 26.31 Parking Restrictions in Residential Districts
- 26.32 NCL Neighborhood Commercial Limited District Regulations
- 26.36 CL Commercial-Limited District Regulations
- 26.38 CC Commercial-Central District Regulations
- 26.40 CG Commercial-General District Regulations
- 26.42 CH Commercial Highway District Regulations
- 26.46 M1 Light Industrial District Regulations
- 26.48 M2 Heavy Industrial District Regulations
- 26.52 General Use, Area and Yard Provisions
- 26.56 Exceptions to Height Area, and Yard Provisions
- 26.60 Nonconforming Uses
- 26.64 Conditional Uses
- 26.68 Administration and Enforcement
- 26.72 Amendments and Changes In Districts
- 26.76 Zoning Commission and Board of Adjustment

1. For state law authorizing the enactment of zoning regulations see R.C.M. 1947, §§ 11-2701 – 11-2709.

For state law empowering a city to regulate and restrict the use of land, see R.C.M. 1929, § 11-2701.

RESIDENTIAL MULTIPLE FAMILY RESTRICTED 26.26.050–26.27.010

26.26.050 Side yard. Side yard requirements shall be the same as “R.R.” zoning district. (Ord. 3177 § 6 (part), 1965; Ord. 3000 § 9 (part), 1963; Ord. 2677 Art. 10 (part), 1959).

26.26.060 Rear yard. There shall be a rear yard of not less than twenty feet in depth, except where a house is built at the rear of a corner lot. (Ord. 2713 § 2, 1960; Ord. 2677 Art. 10 (part), 1959).

26.26.070 Lot area. Every lot shall have a minimum average width of sixty feet and a minimum area of seven thousand square feet. The minimum lot area per dwelling unit shall be three thousand five hundred square feet.

Provided, that where a lot has a width of less than sixty feet or an area of less than seven thousand square feet and was held under separate ownership or was of record at the time this title chapter became effective, such lot may be occupied by any use permitted in this chapter. In no case, however, shall a two family dwelling have a lot area of less than three thousand square feet per dwelling unit. (Ord. 2677 Art. 9 (part), 1959).

26.26.080 Percentage of lot coverage. All buildings including accessory buildings shall not cover more than forty percent of the area of the lot. (Ord. 2713 § 2, 1960; Ord. 2677 Art. 10 (part), 1959).

Chapter 26.27

R3R RESIDENTIAL MULTIPLE FAMILY

RESTRICTED – REGULATIONS

Sections:

- 26.27.010 Uses permitted.
- 26.27.020 Height.
- 26.27.030 Area.
- 26.27.040 Front yard.
- 26.27.050 Side yard.
- 26.27.060 Rear yard.
- 26.27.070 Lot area.
- 26.27.080 Percentage of lot coverage.
- 26.27.090 Off-street parking.

26.27.010 Uses permitted. No building, structure or land shall be hereafter used and no building or structure shall be hereafter erected, structurally altered, or enlarged except for the following uses:

- (1) Any uses permitted in “R-2” residential two family district;
- (2) Multiple dwellings not to exceed six units, or two stories in height;
- (3) Signs and nameplates, same as “R-1” zoning district. (Ord. 3478 § 4 (part), 1970).

26.27.020–26.27.090 ZONING

26.27.020 Height. No building or structure nor the enlargement of any building or structure shall be hereafter erected to exceed two stories or twenty-five feet above the average grade. (Ord. 3478 § 4 (part), 1970).

26.27.030 Area. No building or structure nor the enlargement of any building or structure shall be hereafter erected unless the following yards and lot areas are provided and maintained in connection with such building, structure, or enlargement. (Ord. 3478 § 4 (part), 1970).

26.27.040 Front yard. There shall be a front yard of not less than twenty feet. Provided, however, that where lots comprising forty percent or more of the frontage (excluding key and reversed corner lots) between intersecting streets, are developed with buildings having front yards with a variation of not more than six feet in depth, the average of such front yard shall establish the front yard depth; buildings located entirely on the rear one-half of a lot shall not be counted. (Ord. 3478 § 4 (part), 1970).

26.27.050 Side yard. Except as provided in Chapters 26.52 and 26.56 every portion of the basic structure of a main building shall have a side yard of not less than five feet or one-third of the height of such portion, whichever is greater. A side yard abutting upon a side street shall be not less than ten feet. (See Section 26.52.150 for garages.) (Ord. 3478 § 4 (part), 1970).

26.27.060 Rear yard. There shall be a rear yard of not less than twenty feet for interior lots nor fifteen feet for corner lots. (Ord. 3478 § 4 (part), 1970).

26.27.070 Lot area. Every lot shall have a minimum average width of sixty feet and minimum area of seven thousand square feet. Provided, that where a lot has a width of less than sixty feet or an area of less than seven thousand square feet and was held under separate ownership or was of record at the time the ordinance codified in this chapter became effective, such lot may be occupied by any use permitted in this chapter. In no case, however, shall more than two dwelling units be permitted where such lot has an area of less than four thousand four hundred square feet. (Ord. 3478 § 4 (part), 1970).

26.27.080 Percentage of lot coverage. All buildings including accessory buildings shall not cover more than fifty-five percent of the area of the lot. (Ord. 3478 § 4 (part), 1970).

26.27.090 Off-street parking. Off-street parking regulations are as provided in Chapter 26.52.050. (Ord. 3478 § 4 (part), 1970).