



**CITY ZONING COMMISSION**  
**AGENDA-Tuesday, May 1, 2018, 4:30 p.m.**  
**Miller Building, 1<sup>st</sup> Floor Conference Room**  
**2825 3<sup>rd</sup> Avenue North, Billings, Montana**

NOTICE TO THE PUBLIC

Public Comment:

There will be a Public Comment Section as noted on the agenda. This is the time members of the public may comment on any item not appearing on the agenda. Under State law, matters presented under this section cannot be discussed or acted upon by the Zoning Commission during this time. For items appearing on the agenda, the public will be invited to make comments at the appropriate time. It is very important to speak clearly, and state your name and address for the record. Please limit your comments to three (3) minutes or less.

**Call the meeting to order.**

**Introduction of City Zoning Commission Members and Planning Department Staff.**

**Public Comment**

**Approval of Minutes:**

The minutes of the Board meeting of April 3, 2018

**Disclosure of any Conflict of Interest-Members of the Commission and Staff**

**Disclosure of an Outside (Ex Parte Communication)-Members of the Commission and Staff**  
**a. The Exparté Communication Binder is available at the Sign-In and Agenda Station.**

**Regular Business:**

- A. Opening of public hearings.
- B. Reading of rules for the procedure by which the public hearings will be conducted.
- C. Reading of notices of the public hearings on the following items:

**Public Hearings:**

- a. **City Zone Change 964 – Council Initiated Text Amendment** – Gymnastics Instruction in RP zones – A zone change to Section 27-306 – Commercial and Industrial Uses – to allow Gymnastics Instruction in all Residential Professional (RP) zones. The City Council initiated the amendment on February 26, 2018.

## **Other Business/Announcements**

### **Adjournment**

**The City Council has designated Tuesday, May 29, 2018, at 6:30 p.m. in the City Council Chambers as the time and place to hear testimony for or against the zone change.**

Before taking any action on an application for a **zone change**, the City Council shall first consider the findings and recommendations of the City Zoning Commission. In no case shall the City Council approve a zone change other than the one advertised. The City Council shall take one of the following actions on the zone change requests: 1) approve the application; 2) deny the application; 3) allow withdrawal of the application; or 4) delay the application for a period not to exceed thirty (30) days.

As provided in Montana Code Annotated, Section 76-2-305(2), in the event of a protest petition against such **zone change** signed by the owners of twenty-five (25) percent or more of: (1) the area of the lots included in any proposed change; or (2) those lots or units, as defined in MCA 70-23-102, **one hundred fifty (150) feet from a lot included in a proposed change**, such proposed amendment shall not become effective except by the favorable vote of two-thirds ( 2/3) of the present and voting members of the city council. For purposes of this protest provision interest in the common elements of the condominium, as expressed in the declaration, included in the calculation of the protest. If the property, as defined in 70-23-102, spans more than one lot, the percentage of the unit owner's undivided interest in the common elements must be multiplied by the total number of lots upon which the property is located. The percentage of the unit owner's undivided interest must be certified as correct by the unit owner seeking to protest a change or by the presiding officer of the association of unit owners. The protest petition must be received in the Planning Division office by 5:00 p.m. on the Friday preceding (May 25, 2018) the first reading of the amendment by the City Council.

The Zoning Commission and City Council will hear all persons wishing to speak relative to the proposed **zone change**. Testimony regarding the above mentioned item may also be submitted in writing to the Planning Division, 2825 3<sup>rd</sup> Avenue North, 4<sup>th</sup> Floor, Miller Building, Billings, MT 59101 (247-8676) or to the Mayor and City Council, P.O. Box 1178, Billings, MT 59103.

Additional information on any of these items is available in the Planning and Community Services Office. Public hearings are accessible to individuals with physical disabilities. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify Robbin Bartley, Administrative Assistant, at 247-8676 or e-mail to [bartleyr@ci.billings.mt.us](mailto:bartleyr@ci.billings.mt.us)

**City Zoning Commission**

**Meeting Date:** 05/01/2018

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**Information**

**Subject**

The minutes of the Board meeting of April 3, 2018

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**Attachments**

BZC\_20180403\_draft

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## City of Billings Zoning Commission Meeting Minutes April 3, 2018

The City of Billings Zoning Commission met on Tuesday, April 3, 2018 in the Miller Building 1<sup>st</sup> Floor Conference Room, 2825 3<sup>rd</sup> Avenue North, Billings, Montana. Vice Chairman Boyett called the meeting to order at 4:30 p.m. The City Council has designated Monday, April 23, 2018, at 6:30 p.m. in the City Council Chambers as the time and place to hear testimony for or against the special review and zone changes.

Commission and Staff		01/03/2018	02/06/2018	03/06/2018	04/03/2018	05/01/2018	06/05/2018	07/03/2018	08/07/2018	09/04/2018	10/02/2018	11/06/2018	12/04/2018
Dan Wagner	Chairman	1	1	1	1								
Dennis Ulvestad	Commissioner	1	1	E	1								
Mike Boyett	Vice Chairman	1	1	1	1								
Michael Larson	Commissioner	1	1	1	E								
James Mariska	Commissioner	1	1	1	1								
Wyeth Friday	Director, Planning & Community Services	-	-	-	-								
Monica Plecker	Division Planning Manager	-	-	-	1								
Nicole Cromwell	Planner Zoning Coordinator	1	1	1	1								
Tammy Deines	Planning Clerk	-	-	1	1								
Dave Green	Planner II	-	-	-	-								
Karen Husman	Planner I	-	1	1	1								
Robbin Bartley	Administrative Support	1	1	-	-								

Total Number of 2016 Applications	01/03/2018	02/06/2018	03/06/2018	04/03/2018	05/01/2018	06/05/2018	07/03/2018	08/07/2018	09/04/2018	10/02/2018	11/06/2018	12/04/2018	TOTAL
Zone Change	2		1	2									53
Special Review	1	1	1	1									4

Vice Chairman Boyett introduced the Planning Division Staff and Commission: Attending Staff were Nicole Cromwell, Zoning Coordinator; Monica Plecker, Planning Division Manager, Karen Husman, Planner I and Tammy Deines, Planning Clerk.

**In Attendance:** See the attached sign-in sheets.

**Public Comment**

Vice Chairman Boyett called for public comments. There were none.  
 Vice Chairman Boyett closed the public comment portion of the meeting.

**Approval of Minutes: March 6, 2018**

Vice Chairman Boyett called for approval of the March 6, 2018 meeting minutes.

**Motion**

Commissioner Mariska made a motion and Commissioner Boyett seconded the motion to approve the March 6, 2018 meeting minutes.

<b>COMMISSIONER</b>	<b>Yes</b>	<b>No</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Dan Wagner				<b>x</b>
Mike Boyett	<b>x</b>			
Dennis Ulvestad	<b>x</b>			
Mike Larson				<b>x</b>
James Mariska	<b>x</b>			

**The motion for approval then carried with a unanimous voice vote 3-0.**

Vice Chairman Boyett called for disclosures of conflict of interest. There were none.

**Disclosure of Conflict of Interest**

<b>COMMISSIONER</b>	<b>Yes</b>	<b>No</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Dan Wagner				<b>x</b>
Mike Boyett		<b>x</b>		
Dennis Ulvestad		<b>x</b>		
Mike Larson				<b>x</b>
James Mariska		<b>x</b>		

**Disclosure of Outside Communication**

<b>COMMISSIONER</b>	<b>Yes</b>	<b>No</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Dan Wagner				<b>x</b>
Mike Boyett		<b>x</b>		
Dennis Ulvestad		<b>x</b>		
Mike Larson				<b>x</b>
James Mariska		<b>x</b>		

**Public Hearings:**

At 4:30 p.m., Vice Chairman Boyett reviewed the rules and the procedures by which the City Zoning Commission public hearings are conducted and advised the audience that this would be heard by the City Council on April 23, 2018. He then asked Ms. Husman to review the first agenda item.

Karen Husman presented:

**Item#1: City Zone Change #965 – 109 S 35<sup>th</sup> St – CI to R-60** – A zone change request from Controlled Industrial (CI) to Residential 6,000 (R-60 on Lots 16 & 17, Block 7 of Yegen Second Addition, a 7,000 square foot parcel of land. A pre-application neighborhood meeting was held on February 13, 2018, at the offices of High Plains Architects at 2720 Minnesota Avenue. Tax ID: A18805. **The City Council** has designated **Monday, April 23, 2018**, at 6:30 p.m. in the City Council

Ms. Husman gave the staff presentation and stated The current zoning of CI is intended to allow a variety of commercial and industrial uses. Under the CI zone, the property can be used for residential purposes with a Special Review approval. This requirement limits the ability to expand or rebuild into a larger residence. The property has two residential dwelling units on it that were constructed in 1920. The applicant intends to continue the residential use, improving the property and updating the existing structures. The proposed R-60 zoning would allow the existing residential use to be conforming to zoning.

**RECOMMENDATION**

Planning staff recommends approval and adoption of the findings of the 10 criteria for Zone Change #965. The proposed zoning and use of the property is compatible with the adjacent and surrounding land uses. The 2016 Growth Policy supports the proposed zoning and use in this area of mixed uses and zoning.

**Discussion:**

Vice Chairman Boyett called for questions and discussion regarding Zone Change #964 from the Commissioners.

**Public Hearing**

Vice Chairman Boyett opened the public hearing asked if there is anyone wishing to speak in favor or against City Zone Change #965.

**Emarie Skelton, High Plains Architects, 2720 Minnesota Ave. Billings, Montana**

(Favor) Ms. Skelton represents property owner Dave Healow. They are proposing that the site be zoned R-6000 which is consistent with the other lots on the block to the south.

Vice Chairman Boyett closed the public hearing at 4:39 p.m. and asked for a motion.



**Motion**

Commissioner Ulvestad made a motion and Commissioner Mariska seconded the motion to approve **City Zone Change #965** as presented by staff.

<b>Commissioner</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Dan Wagner				x
Mike Boyett	1			
Dennis Ulvestad	1			
Mike Larson				x
James Mariska	1			

**The motion carried with a unanimous verbal vote of 3-0.**

**Item #2: City Zone Change #964 – Council Initiated text amendment – Gymnastics**

**Instruction in RP zones** – A zone change to Section 27-306 – Commercial and Industrial Uses – to allow Gymnastics Instruction in all Residential Professional (RP) zones. The City Council initiated the amendment on February 26, 2018.

Ms. Plecker gave the zoning history for this text amendment and continued with maps of each City Ward and the areas wherein this amendment would apply

**APPLICABLE ZONING HISTORY**

Section 27-306 of the Zoning Regulations have been amended from time-to-time since 1972. The Residential Professional zone was created from the previously existing Residential Multi Family - A (RMF-A) zoning district. RMF-A encouraged multi-family housing and professional office type uses. At the time of its inception, RP excluded uses classified in Major Group 79 of the Standard Industrial Classification Manual (SIC). Uses included in this group include all types of recreational services and some entertainment uses such as theaters. In January 2000, the Planning Board initiated an amendment to the zoning regulations to allow Dance Studios and Martial Arts Instruction (2 Group 79 uses) in the RP zone. On February 28, 2000, the City Council considered this amendment following a positive recommendation from the City Zoning Commission. Information in the City Council minutes from 2000 states the amendment was brought forward as a "housekeeping item" and as a result of a number of requests for these uses. Both uses are non-retail and are mainly service-oriented uses. These are generally the type of uses found in the RP and Neighborhood Commercial (NC) zones. The City Council asked for the proposed ordinance change to be sent back to the Zoning Commission to consider size limitations or whether the use should be allowable by special review. The Zoning Commission determined a size requirement and making these uses allowable by special review was unnecessary. The City Council held a public hearing and first reading of Ordinance 00-5120 on April 24, 2000, to make martial arts instruction and dance studios allowable uses in Residential Professional (RP) and Neighborhood Commercial (NC) zones. The second reading and approval occurred May 8, 2000. There have been no changes since 2000 for uses classified in section 79 of the SIC.

**RECOMMENDATION:** Staff is recommending approval of the text amendment.

**Discussion:**

Vice Chairman Boyett called for questions and discussion regarding Zone Change #964 from the Commissioners. Commissioner Ulvestad asked when the last text amendment occurred.

Ms. Plecker clarified and said this text amendment will apply to all Residential Professional zoned properties within the City of Billings. In response to Commissioner Boyett, she said these properties are generally in close proximity to collectors and arterials. Planning staff is representing the City of Billings as the agent.

Copies of the following correspondence were received: In Opposition: March 7, 2018; March 9, 2018; and March 12, 2018, Beth Connaghan, 4114 Julaura Ln, Billings, MT;

**Public Hearing**

Vice Chairman Boyett opened the public hearing asked if there is anyone wishing to speak in favor or against City Zone Change #964.

**Darcy Frewin, 3530 Timberline Drive, Billings, MT**

(Favor) Ms. Frewin said this text amendment came about due a previous request for a gymnastic facility which was denied. She asked why discriminate against a gymnastic facility as long as the building fits the design criterion? She said the sport of gymnastics in Billings is underserved, and there are few properties suitable to fit this need. The traffic study stated a doctor's office of like size would cause more traffic than a gymnastics facility. She contended a dance studio could house more students than the gymnastic studio which has more equipment, and she stated the traffic issue is not an appropriate argument. She pointed out that Bozeman and Kalispell allow gymnastics in the same areas as dentist and law offices. Ms. Frewin stated gymnastics is the fastest growing sport in the country and the model is to bring this sport to the community. Commissioner Ulvestad asked for further clarification of her recommendation to bring more gymnastics to Billings. Ms. Frewin stated this sport is a trending nationwide in population. It is an expensive endeavor by nature of the sport and there are very few properties that allow this use. She noted that this text amendment will address the use of casinos.

**Steve Repac, 1533 Clark Avenue, Billings, Montana**

(Favor) Mr. Repac said he appreciates City Council's effort in bringing this text amendment forward to address something that is nonsensical in the zoning code. He said there is less density of use with a gymnastics studio than martial arts or dance studio. Mr. Repac stated the public concern was what would happen if the gymnastics studio would fail, and this will be addressed with this amendment.

**Mike Buhman, 6033 Hazelwood Drive, Billings, Montana**

(Favor) Mr. Buhman said he feels this initiative makes sense. The Cities of Bozeman and Kalispell include health clubs, mental and health clinics, and daycare facilities. He said this amendment is similar and a wise choice.

**Rebecca Power, 4417 Pine Cove Road, Billings, Montana**

(Favor). Ms. Power owns a business that is located in the area of the previous request. She commented traffic in general is busy with the new construction and development in the area. She said she understands

the concern but any development will add to existing traffic flows. Ms. Power feels this is a wise amendment.

**Kim Buhman, 6033 Hazelwood Drive, Billings, Montana**

(Favor) Mr. Buhman expressed her excitement about the possibility and to have a gymnastics facility more assessable.

**Jeff Muri, 2492 Aspen Way, Billings, Montana**

(Favor) Mr. Muri said he would like to reinforce the fact this amendment is about the entire city and there is no difference between this use and martial arts or dance studios.

**Phil Bratton, 4131 Julaura, Billings, Montana**

(Opposition). Mr. Bratton commented on a recent Billings Gazette article discussing rezoning proposals for the entire city and the expectation this will be a 2-year process. He thinks the zoning codes should be reviewed but it is inappropriate to make one-off changes at this time.

**Paula Ketenberg, 4143 Avenue D, Billings, Montana**

(Opposition) Ms. Ketenberg said dance studios are similar are a similar use and should come out of this zoning classification. She spoke of her experience with the studio's high traffic and enrollment creating congestion in the afternoons and evenings. She voiced concern with safety and said it is typical for teenage drivers to drop off of young students on residential streets. Mr. Ketenburg feels there should be a buffer between professional and residential zones.

**Phil Cox, 4127 Julaura Lane, Billings, Montana**

(Opposition) Mr. Cox lives in the neighborhood adjacent to the parcel previously proposed for a gymnastic facility. He distributed to the Commissioners a comparison of statistical information on pre-existing facilities and said they are aware of the RP zoning and medical facilities. He asked for consideration of the parking spaces needed for medical facilities which have less impact. He pointed out for the previous request, there was only one council person interested in having a facility in that neighborhood. Concerns at the time included the narrow street widths and student drop-offs. Mr. Cox said he contacted a gymnastics facility who told him the most dangerous place in their facility is their parking lot due to the student drop offs.

**Mary Lou Marchello, 4246 Avenue D, Billings, Montana**

(Opposition) Ms. Marchello commented on the text addition of gymnastics to the code and suggested the true word is "gymnasium", as that is what will be constructed on the vacant lot—a large building with a training center for a minimum of 400 students. She said the facility could potentially be a preschool while older students are in school. She voiced concern with the narrow street widths compared to the major arterials and asked if the potential for traffic congestion has been studied by the Planning Department? Ms. Marchello asked the Commissioner to consider the potential impact changing a single word will have on their neighborhood.

**Mike Shaffer, 1048 Alderson Ave., Billings, Montana**

(Opposition) Mr. Shaffer said the use for a dance studio is similar to a gymnastics school. He said he would not like to have either facility in his neighborhood as it could be a safety concern

resulting in a safety incident, and he does not like the proposal to have this use for all RP properties.

**Kathy Shaffer, 1048 Alderson Ave, Billings Montana**

(Opposition) Ms. Shaffer commented the traffic is difficult due to a nearby dance studio located on Alderson Avenue. She stated the dance studio should be taken out of RP zoning and she strongly opposes this text amendment. She asked the audience to respond with a raise of hands indicating their quality of life will change if this text amendment passes. She stated, “Not in my neighborhood”.

At 5:20 p.m., Vice Chairman Boyett closed the public hearing and called for a motion.

**Discussion**

Commissioner Mariska asked about the average size of businesses in Residential Professional, (RP), zones. Staff said this ranges from the professional center located at 17th and Rimrock to the larger RP zone located on 62nd street West east of Falcon Ridge Subdivision. Commissioner Mariska commented it is obvious there are concerns with the potential size of what could go in RP zones. He said he would like to defer the Commission’s decision for 30-days. Commissioner Ulvestad said he understands both sides. He said Mary Marchello’s testimony provided information crucial to this zone change.

**Motion**

**Commissioner Ulvestad made a motion and it was seconded by Commissioner Boyett to recommend denial of City Zone Change #964 Council Initiated text amendment Gymnastics Instruction in RP zones.**

**Discussion**

Vice Chairman Boyett called for discussion on the motion. Commissioner Mariska stated he doesn't feel the Commission has adequate information and he would staff to provide what types of businesses are in the RP zones. He feels the problem is he doesn't know how many other businesses are categorized in same classification that would be affected. He said he doesn't want to allow something too large for neighborhoods. He cautioned the Commission of making too quick of a decision. He suggested a delay for 30 days to get more information. Commissioner Ulvestad concurred and voiced concern with the allowable building size and setting a precedence.

Vice Chairman called for a vote.

<b>Commissioner</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Dan Wagner				x
Mike Boyett		1		
Dennis Ulvestad	1			

Mike Larson				X
James Mariska		1		

**The motion is denied.**

Vice Chairman Boyett closed the public hearing and asked for a motion.

**Motion**

**Commissioner Mariska made a motion and Commissioner Boyett seconded the motion to delay a decision on City Zone Change #964 to allow staff to bring forward more information on the types of entities, businesses, and buildings allowed in Residential Professional, (RP), zones.**

Commissioner	YES	NO	ABSTAINED	ABSENT
Dan Wagner				X
Mike Boyett	1			
Dennis Ulvestad		1		X
Mike Larson				X
James Mariska	1			

**The motion carried with a unanimous verbal vote of 2-1.**

\*\*City Council will not hold hearing until a Zoning Commission recommendation received. The City Zoning Commission decision will be continued until May 1, 2018 and the City Council public hearing will be held on May 29, 2018.

Planning Division Manager Monica Plecker presented:

**Item #3: City Special Review#963- Lenhardt Square PD – Georgina Drive – Multi-family** – A special review request to allow the construction of more than 4 attached dwelling units in the PD-MF-4 zone on C/S 2063, Parcel 2A in the Lenhardt Square Planned Development, a 19.13 acre parcel of land. The special review is required by Article IV.G of the PD zoning district. The proposed development will contain five (5) 5-unit buildings and two (2) 86-unit buildings. The total proposed number of dwelling units is 237 on the 19.13 acres. Tax ID: D00514A

**RECOMMENDATION**

Planning staff recommends conditional approval of five (5) 5-unit buildings and two (2) 86-unit buildings and adoption of the 3 criteria for Special Review 963.

**PROPOSED CONDITIONS**

1. The special review approval is limited to Parcel 2-A of COS 2063.
2. The special review is for the construction of two apartment buildings and five, 5-plexes with associated open space and parking for the building residents. No other use is intended or implied.

3. The developer will meet the minimum required landscaping and parking requirements as outlined in the Planned Development Agreement.
4. The proposed development shall comply with all other limitations of Section 27-613 of the Unified Zoning Regulations concerning special review uses, and all other City of Billings, regulations and ordinances that apply. Regulations concerning special review uses, and all other City of Billings, regulations and ordinances that apply.

The Planned Development requires additional factors.

1. The special review approval is limited to Parcel 2-A of COS 2063.
2. The special review is for the construction of two apartment buildings and five, 5-plexes with associated open space and parking for the building residents. No other use is intended or implied.
3. The developer will meet the minimum required landscaping and parking requirements as outlined in the Planned Development Agreement.
4. The proposed development shall comply with all other limitations of Section 27-613 of the Unified Zoning Regulations concerning special review uses, and all other City of Billings, regulations and ordinances that apply.

### **Discussion:**

Vice Chairman Boyett called for questions and discussion from the Commissioners. He asked staff regarding the potential construction of a roundabout at the intersection of 48<sup>th</sup> Street West and King Avenue West. Staff responded there have been conversations focusing on the intersection movements but they are unaware of plans for a roundabout. Commissioner Mariska voiced concern with a lack of long term planning for traffic flows from the center of Billings to the west end for future development as there are very few north and south connections in this area. Commissioner Mariska commented on the heavy concentrations of multi-family housing in the west end. Staff posted the Lenhardt Square Planned Development map for the Commissioner's consideration and explained under the first consideration, this development was it was identified for single family and patio homes, and said a Special Review is required when 4 attached units are proposed. Commissioner Boyett asked about connectivity with Monad Road. Concerns were voiced with the additional traffic with each development. Zoning Coordinator Nicole Cromwell explained the Engineering Division will require a traffic study, but that process does not precede the special review request. This development will contribute to offsite improvements in the future.

### **Public Hearing**

Vice Chairman Boyett opened the public hearing and asked for anyone wanting to speak in favor or against Special Review #963-Lenhardt Square PD-Georgina Drive.

### **Gary Owen, Sanderson Stewart, 1300 N Trantech Way, Billings, Montana**

Mr. Owen represents the applicants, Lenhardt Farm, LLC, Lenhardt Enterprises, LLC; Lenhardt Property LP. He stated this is a request for a change in use. They have gotten the support of the founders. The overall density for the entire subdivision will remain according to the Planned Development. Zoning Coordinator Nicole Cromwell explained the number of units is based on the gross acreage, and the planned development is set at 10 units per acre. He stated the request would

allow for 237 units in total. He mentioned the density with 237 units is higher than identified in the Planned Development Agreement for this parcel, but the overall development would not exceed the density limit. He believes this development is in accordance with the City of Billings Growth Policy and is a cost effective use of infrastructure. Sanderson Stewart is currently working on the traffic study and the developer will be required to mitigate findings. In response to question by Commissioner Mariska, Mr. Owen gave the building footprint sizes. The developer will construct a portion of Monad Road which transitions to Georgina.

\*6:00 p.m.

**Bill Hanser, 2916 Thousand Oaks, Billings, Montana**

(Favor) Mr. Hanser, who is associated with the project, stood to speak regarding density. He stated the shift in density for this parcel allows parks, open space and trail connectivity. The total density for the Planned Development will not change. The impact study on King Avenue will probably trigger improvements. He feels the roundabout at Monad Road will alleviate some of the flows. He said the zoning allowed 4-plexes but the additional density is needed to construct the roadway and create more open space

**Darcy Frewin, 3530 Timberline Drive, Billings, MT**

(Favor) Ms. Frewin spoke to the need for planning and consideration of the greater plan and how to alleviate traffic in other ways. She believes by adding more services on the west end traffic congestion will be alleviated since residents will not have to travel downtown for services. She believes this proposal is a good idea.

**Brad Hart, 4620 Central, Billings, Montana**

Brad Hart spoke neither in favor nor opposition of the development. He had questions regarding the alignment of Monad Road. Staff clarified the alignment of Monad Road was determined with the originally approved Planned Development. Mr. Hart added he believes its critical for roads to be built.

Vice Chairman Boyett asked for a motion.

**Motion**

**Commissioner Mariska made a motion and Commissioner Ulvestad seconded the motion to recommend conditional approval of five (5) 5-unit buildings and two (2) 86-unit buildings and adoption of the 3 criteria for Special Review #963.**

**Discussion**

Vice Chairman Boyett called for discussion on the motion. Commissioner Mariska said he works with the Crime Prevention Center and is aware of the issues presented when developments are created without forward thinking and planning. He is hoping development around this property is well planned. Commissioner Ulvestad concurred and commented on the need for traffic flows east and west and north and south. He will vote in favor of the motion.

<b>Commissioner</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Dan Wagner				x
Mike Boyett	x			

Dennis Ulvestad	x			
Mike Larson				x
James Mariska	x			

**The motion carried with a unanimous verbal vote of 3-0.**

**Other Business:**

- **The next City Zoning Commission meeting will be Tuesday, May 1, 2018.**

**ADJOURNMENT:** The meeting adjourned at **6:45 p.m.**

**DRAFT:** To be approved by a motion: **May 1, 2018.**

**ATTEST:**

**Tammy Deines, Planning Clerk**



**City-County Planning Division  
 Tuesday, April 3, 2018  
 City Zoning Commission**

<i>Printed Name</i>	<i>Address/email</i>
Brad Hardt	bhardtbr@gmail.com
Bruce Lachman	lachmanb@yahoo.com
Bill Hanser	bill@HanserConstruction.com
Carey Owen	gowen@sundersonstewart.com
Mike Ferguson	M Ferguson@billingsreale.com
Bruce Mary Lou Marchello	bmarchello@bresnan.net
Paula Kitenberg	phuberkitz@yahoo.com
Kathy <del>Shaffer</del> Shaffer	mkshaf@hotmail.com
Mike Shaffer	rentingbillings@gmail.com
Steve Repac	rlredskin@outlook.com
JEFF Muri	ymuri1958@gmail.com
Mike Buhman	buhmike@gmail.com
Phil Cox	PHILCOXHOMES@GMAIL.COM
Phil Bratton	pbratton45@gmail.com



**City-County Planning Division**  
**Tuesday, April 3, 2018**  
**City Zoning Commission**

<b>Printed Name</b>	<b>Address</b>
MIKE BEATTY	MBEATTY1960@GMAIL.COM
Emarie Skelton	eskelton@highplainsarchitects.com
Rebecca Power	ellieblack2@icloud.com
Darcey Frewin	darce+frewin@gmail.com
Kim Buhman	Kmbuhman@gmail.com
Denise Joy	joyd@ci.billings.mt.us
Ernie & Nancy Jennings	ernie1@yaho.com
Joanne Cook	mjdodd34@gmail.com
Dorothy Flickinger	1605 41 <sup>st</sup> Street West
Rene Freitag	5936 Ironwood Dr.
Sonma Riley	1607 41 <sup>st</sup> W. Bldg 59106



## City Zoning Commission

**Meeting Date:** 05/01/2018

**SUBJECT:** Zone Change 964 - Text Amendment - Allowing Gymnastics Instruction in Residential Professional Zoning

**THROUGH:** Monica Plecker

**PRESENTED BY:** Monica Plecker

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### Information

#### REQUEST

**City Zone Change 964 – Council Initiated Text Amendment** – Gymnastics Instruction in RP zones – A zone change to Section 27-306 – Commercial and Industrial Uses – to allow Gymnastics Instruction in all Residential Professional (RP) zones. The City Council initiated the amendment on February 26, 2018.

#### RECOMMENDATION

Planning Staff Recommends approval of the text amendment.

#### APPLICATION DATA

OWNER: N/A

AGENT: N/A

LEGAL DESCRIPTION: N/A

ADDRESS: N/A

CURRENT ZONING: N/A

EXISTING LAND USE: N/A

PROPOSED USE: N/A

SIZE OF PARCEL: N/A

#### CONCURRENT APPLICATIONS

None

#### APPLICABLE ZONING HISTORY

Section 27-306 of the Zoning Regulations have been amended from time-to-time since 1972. The Residential Professional zone was created from the previously existing Residential Multi Family - A (RMF-A) zoning district. RMF-A encouraged multi-family housing and professional office type uses. At the time of its inception, RP excluded uses classified in Major Group 79 of the Standard Industrial Classification Manual (SIC). Uses included in this group include all types of recreational services and some entertainment uses such as theaters.

In January 2000, the Planning Board initiated an amendment to the zoning regulations to allow Dance Studios and Martial Arts Instruction (2 Group 79 uses) in the RP zone. On February 28, 2000, the City Council considered this amendment following a positive recommendation from the City Zoning Commission. Information in the City Council minutes from 2000 states the amendment was brought forward as a "housekeeping item" and as a result of a number of requests for these uses. Both uses are non-retail and are mainly service-oriented uses. These are generally the type of uses found in the RP and Neighborhood Commercial (NC) zones. The City Council asked for the proposed ordinance change to be sent back to the Zoning Commission to consider size limitations or whether the use should be allowable by special review.

The Zoning Commission determined a size requirement and making these uses allowable by special review was

unnecessary. The City Council held a public hearing and first reading of Ordinance 00-5120 on April 24, 2000, to make martial arts instruction and dance studios allowable uses in Residential Professional (RP) and Neighborhood Commercial (NC) zones. The second reading and approval occurred May 8, 2000. There have been no changes since 2000 for uses classified in section 79 of the SIC.

## **SURROUNDING LAND USE & ZONING**

NORTH:	Zoning: Land Use:
SOUTH:	Zoning: Land Use:
EAST:	Zoning: Land Use:
WEST:	Zoning: Land Use:

## **BACKGROUND**

On February 26, 2018, Council Member Ewalt brought forward a Council Initiative and made a motion to have gymnastics instruction added as an allowable use to Residential Professional (RP) zones. The motion was seconded by Council Member Brewster. The vote carried unanimously.

The initiative was a result of a contentious zone change hearing for property located at 41st St West and Avenue C. The zone change from RP to Community Commercial (CC) was needed to allow a gymnastics academy to purchase and locate on the property. The zone change was denied by the City Council on January 8, 2018, although some Council members voiced support for the use at this location. The other potential uses in the CC zone were not as compatible with the surrounding neighborhood, including the potential to allow a bar or casino by special review approval.

The Zoning Commission held a public hearing on April 3, 2018. Chairman Wagner opened the public hearing and the Zoning Commission received testimony both in favor and in opposition of the proposed amendment. Six individuals spoke in favor of the proposed amendment while six individuals spoke in opposition. The Commissioners were also provided with written communications both in favor and opposition as part of the ex-parte notebook. The public hearing testimony has been summarized below:

### Darcy Frewin, 3530 Timberline Drive, Billings, MT

(Favor) Ms. Frewin said this text amendment came because of a previous request for a gymnastic facility which was denied. She asked why discriminate against a gymnastic facility as long as the building fits the design criterion? She said the sport of gymnastics in Billings is under served, and there are few properties suitable to fit this need. A traffic study prepared for the previous request stated a doctor's office of like size would cause more traffic than a gymnastics facility. She contended a dance studio could house more students than the gymnastic studio has more equipment, and the traffic issue is not an appropriate argument. Bozeman and Kalispell allow gymnastics in the same areas as dentist and law offices. Ms. Frewin stated gymnastics is the fastest growing sport in the country and the model is to bring this sport to the community. Commissioner Ulvestad asked for further clarification of her recommendation to bring more gymnastics to Billings. Ms. Frewin stated this sport is a trending nationwide in population. It is an expensive endeavor by nature of the sport and there are very few properties that allow this use. She noted that this text amendment will address the use of casinos.

### Steve Repac, 1533 Clark Avenue, Billings, Montana

(Favor) Mr. Repac said he appreciates City Council's effort in bringing this text amendment forward to address something that is nonsensical in the zoning code. He said there is less density of use with a gymnastics studio than martial arts or dance studio. Mr. Repac stated the public concern was what would happen if the gymnastics studio would fail, and this will be addressed with this amendment.

### Mike Buhman, 6033 Hazelwood Drive, Billings, Montana

(Favor) Mr. Buhman said he feels this initiative makes sense. The Cities of Bozeman and Kalispell include health clubs, mental and health clinics, and daycare facilities. He said this amendment is similar and a wise choice.

Rebecca Power, 4417 Pine Cove Road, Billings, Montana

(Favor). Ms. Power's owns a business that is located in the area of the previous request. She commented traffic in general is busy with the new construction and development in the area. She said she understands the concern but any development will add to existing traffic flows. Ms. Power feels this is a wise amendment.

Kim Buhman, 6033 Hazelwood Drive, Billings, Montana

(Favor) Mr. Buhman expressed her excitement about the possibility and to have a gymnastics facility more accessible.

Jeff Muri, 2492 Aspen Way, Billings, Montana

(Favor) Mr. Muri said he would like to reinforce the fact this amendment is about the entire city and there is no difference between this and martial arts or dance studios.

Phil Bratton, 4131 Julara, Billings, Montana

(Opposition). Mr. Bratton commented on a recent Billings Gazette article discussing zoning code revisions for the entire city and the expectation this will be a 2 year process. He thinks the zoning codes should be reviewed but it is inappropriate to make one-off changes at this time.

Paula Ketenberg, 4143 Avenue D, Billings, Montana

(Opposition) Ms. Ketenberg said dance studios are a similar use and should come out of this zoning classification. She spoke of her experience with the studio's high traffic and enrollment creating congestion in the afternoons and evenings. She voiced concern with safety and said it is typical for teenage drivers to drop off young students on residential streets. Mr. Ketenburg feels there should be a buffer between professional and residential zones.

Phil Cox, 4127 Julaura Lane, Billings, Montana

(Opposition) Mr. Cox lives in the neighborhood adjacent to the parcel previously proposed for a gymnastic facility. He distributed to the Commissioners a comparison of statistical information on preexisting facilities. He asked for consideration of the parking spaces needed for medical facilities which have less impact. He pointed out for the previous request, there was only one council person interested in having a facility in this neighborhood. Concerns at the time included the narrow street widths and student drop-offs. Mr. Cox said he contacted a gymnastics facility who told him the most dangerous place in their facility is their parking lot due to the student drop offs.

Mary Lou Marchello, 4246 Avenue D, Billings, Montana

(Opposition) Ms. Marchello commented on the text addition of gymnastics to the code and suggested the true word is "gymnasium", as that is what will be constructed on the vacant lot—a large building with a training center for a minimum of 400 students. She said the facility could potentially be a preschool while older students are in school. She voiced concern with the narrow street widths compared to the major arterials and asked if the potential for traffic congestion has been studied by the Planning Department? Ms. Marchello asked the Commissioner to consider the potential impact changing a single word will have on their neighborhood.

Mike Shaffer, 1048 Alderson Ave., Billings, Montana

(Opposition) Mr. Shaffer said the use for a dance studios is similar to gymnastics. He said he would not like to have either facility in his neighborhood as it could be a safety concern resulting in a safety incident, and he does not like the proposal to have this use for all RP properties.

Kathy Shaffer, 1048 Alderson Ave, Billings Montana

(Opposition) Ms. Shaffer commented the traffic is difficult due to a nearby dance studio located on Alderson Avenue. She stated the dance studio should be taken out of RP zoning and she strongly opposes this text amendment. She asked the audience to respond with a raise of hands indicating their quality of life will change if this text amendment passes.

The public hearing was closed at approximately 5:20. Commissioner Mariska asked about the average size of

businesses in Residential Professional, (RP), zones. Staff said this ranges from the professional center located at 17th and Rimrock to the larger RP zone located on 62nd street West east of Falcon Ridge Subdivision. Commissioner Mariska commented it is obvious there are concerns with the potential size of what could go in RP zones. He said he would like to defer the Commission’s decision for 30-days.

Commissioner Ulvestad made a motion and it was seconded by Commissioner Boyett to recommend denial of City Zone Change #964 – Council Initiated text amendment – Gymnastics Instruction in RP zones. Commissioner Mariska stated he doesn't feel the Commission has adequate information and he would like staff to provide what types of businesses are in the RP zones and he stated he does not want to allow something too large for neighborhoods. He cautioned the Commission of making too quick of a decision. He suggested a delay for 30 days to get more information. Commissioner Ulvestad concurred and voiced concern with the allowable building size and setting a precedent. The motion failed 2-1. As a result Commissioner Mariska made a motion and Commissioner Boyett seconded the motion to delay a decision on City Zone Change #964 to allow staff to bring forward more information on the types of entities, businesses, and buildings allowed in Residential Professional, (RP), zones. The motion was approved by a 2-1 vote and the hearing was continued to May 1, 2018.

To provide more information to the Zoning Commission, a variety of information pertaining to estimated trip generation, existing businesses, and other RP characteristics has been provided below.

**Affected Areas:** Five Ward Maps have been included as attachments. These maps identify all properties zoned RP by City Council Ward and include road type as identified by the Functional Classification Map. Square footages have been included for groups of RP properties that are contiguous. Individual parcel size has not been included.

**Traffic Generation:** Since there are few resources for trip generation information related to gymnastics facilities, the City of Billings Engineering Division compiled traffic counts at the Billings Gymnastics School located at 2449 Enterprise Avenue. According to the facilities website there is 14,000 sq. ft. of facility space. Staff has not verified this number, but given resources available to the City, including Google Earth measurements, It is assumed the 14,000 SF does not include any office space or viewing area. For calculation purposes, staff assumes it likely accounts only for the gym floor area used for practices. Staff tabulated the below data assuming floor space of 14,000 sq. ft.

	Daily Traffic		PM Peak Hour (515-615 PM)	
	Per 1,000 SF	Total	Per 1,000 SF	Total
Enter	23.6	330	4.6	64
Exit	21.6	303	4.9	69
Total	45.2	633	9.5	133

- Billings Gymnastics School: 45.2 trips/1,000 sq.ft. \*\* (Provided by City Engineering Division)\*\*(Provided by City Engineering Division)

Traffic Counts per ITE Trip Generation Manual of other allowable uses in Residential Professional:

- Day Care Center 5 trips/child; 80 trips/1,000 sq. ft.
- Medical Office: 50 trips/1,000 sq. ft.; 500 trips/acre
- Post Office Community (with mail drop lane) 300 trips/1,000 sq. ft.; 2,000 trips/acre
- Government Office (Civic Center): 30 trips/1,000 sq. ft.
- Elementary School 2.9 trips/student; 39 trips/1,000 sq. ft.; 136 trips/acre

**Existing Business/Property Data:** The attached document labeled "Sample RP Property Data" provides general characteristics related to 12 properties that are zoned Residential Professional to property size, lot coverage, access type as defined by the Functional Classification Map and business type. Additionally, aerial photography and street view photos have been included to provide context. The 12 properties were selected at random and are intended to be representative of a variety of businesses and building types that can be found in Residential Professional zones throughout the City. Business type ranges from day cares, law firms, to office suites, and insurance professionals. Of the sample properties, about half are accessed from local streets while the other half are accessed from principal arterials as identified by City's Functional Classification Map. The sample properties also suggest that building size is directly related to lot size. One of the largest buildings evaluated is the VA facility which is around 14,000 sq. ft. located on a nearly one acre parcel. Given RP zones allow 50% lot coverage, a gymnastics

facility located on a parcel that is one half acre in size would only result in a total allowable building footprint of 10,890 sq. ft. Please see the attached document for information on all 12 sites.

**Other Residential Professional Characteristics:**

- 299 parcels located within the City Limits are zoned Residential Professional
- The smallest lot size is 564 sq.ft.
- 232 of the 299 properties zoned RP are less than 1/2 acre in size.
- 29 of the 299 properties zoned RP are greater than 1/2 acre in size.
- 34' is the maximum allowable height.
- 50% lot coverage is allowable (Ex. A half acre parcel could have a total lot coverage amount of 10,890 sq. ft.
- Minimum lot area required is 10,000 sq. ft.

**RECOMMENDATION**

Staff recommends approval of the text amendment based on the 10 criteria as identified in Section 27-1052(d) of the BMCC.

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**Attachments**

- Sample RP Property Data
  - Review Criteria
  - Zoning Ordinance
  - RP Property Ward 1
  - RP Property Ward 2
  - RP Property Ward 3
  - RP Property Ward 4
  - RP Property Ward 5
-



<i>Business</i>	<i>Address</i>	<i>Parcel Size Sq. Ft.</i>	<i>Business Type</i>	<i>Building/lot Coverage</i>	<i>Building Size Sq. Ft.</i>	<i>Road type</i>
Lake Elmo Professional Center	1540 Lake Elmo Dr	47045	Dentist/Counsler/Hair Salon/Optometrists	18%	8468	Collector



<i>Business</i>	<i>Address</i>	<i>Parcel Size Sq. Ft.</i>	<i>Business Type</i>	<i>Building/lot Coverage</i>	<i>Building Size Sq. Ft.</i>	<i>Road type</i>
Farmers Insurance	503 Wicks Ln	15638	Insurance/Accountants	14%	2189	Principal Arterial



<i>Business</i>	<i>Address</i>	<i>Parcel Size Sq. Ft.</i>	<i>Business Type</i>	<i>Building/lot Coverage</i>	<i>Building Size Sq. Ft.</i>	<i>Road type</i>
Towe, Ball, Mackey, Sommerfeld & Turner Law Firm	2525 6th Ave N	10500	Legal	32%	3360	Principal Arterial



<i>Business</i>	<i>Address</i>	<i>Parcel Size Sq. Ft.</i>	<i>Business Type</i>	<i>Building/lot Coverage</i>	<i>Building Size Sq. Ft.</i>	<i>Road type</i>
VA	2345 King Ave	91994	Medical	15%	13799	Principal Arterial



<i>Business</i>	<i>Address</i>	<i>Parcel Size Sq. Ft.</i>	<i>Business Type</i>	<i>Building/lot Coverage</i>	<i>Building Size Sq. Ft.</i>	<i>Road type</i>
Solar Plaza	2108 - 2116 Broadwater	31905	Mixed office use	24%	7657	Principal Arterial



<i>Business</i>	<i>Address</i>	<i>Parcel Size Sq. Ft.</i>	<i>Business Type</i>	<i>Building/lot Coverage</i>	<i>Building Size Sq. Ft.</i>	<i>Road type</i>
ARC 3 Corporation	11 E Airport Rd	66428	Home Security	8%	5314	Principal Arterial



<i>Business</i>	<i>Address</i>	<i>Parcel Size Sq. Ft.</i>	<i>Business Type</i>	<i>Building/lot Coverage</i>	<i>Building Size Sq. Ft.</i>	<i>Road type</i>
Britannia Plaza	3307 Grand Ave	41028	Medical	12%	4923	Principal Arterial



<i>Business</i>	<i>Address</i>	<i>Parcel Size Sq. Ft.</i>	<i>Business Type</i>	<i>Building/lot Coverage</i>	<i>Building Size Sq. Ft.</i>	<i>Road type</i>
Eye Physicans & Surgeons	1221 N 26th St	24500	Medical	29%	7105	Local



<i>Business</i>	<i>Address</i>	<i>Parcel Size Sq. Ft.</i>	<i>Business Type</i>	<i>Building/lot Coverage</i>	<i>Building Size Sq. Ft.</i>	<i>Road type</i>
kid kountry	125 25th St W	43937	Child Care Development	12%	5272	Local



<i>Business</i>	<i>Address</i>	<i>Parcel Size Sq. Ft.</i>	<i>Business Type</i>	<i>Building/lot Coverage</i>	<i>Building Size Sq. Ft.</i>	<i>Road type</i>
1127 Alderson LLC	1127 Alderson Ave	39793	Communications/Medical	41%	16315	Local



<i>Business</i>	<i>Address</i>	<i>Parcel Size Sq. Ft.</i>	<i>Business Type</i>	<i>Building/lot Coverage</i>	<i>Building Size Sq. Ft.</i>	<i>Road type</i>
Studio 38	1 Swords Lane	15594	Dance Studio	25%	3899	Local



<i>Business</i>	<i>Address</i>	<i>Parcel Size Sq. Ft.</i>	<i>Business Type</i>	<i>Building/lot Coverage</i>	<i>Building Size Sq. Ft.</i>	<i>Road type</i>
Silver Leaf Center	2125 8th Ave N	6800	Mental Health	42%	2856	Local

Zone Change #964  
Council Initiated Text Amendment

Prior to making a recommendation to the City Council, the Zoning Commission shall consider the following:

1. *Is the new zoning designed in accordance with the Growth Policy?*

*The proposed amendment is consistent with 2016 Growth Policy.*

**Essential Investments, Strong Neighborhoods and Community Fabric:** *Neighborhoods that are safe and attractive and provide essential services are much desired.*

- *The proposed zoning would allow neighborhood services in areas of the city that have a mix of uses to better serve neighborhoods. The proposed zoning amendment would create recreation opportunities in areas of town where other similar uses are currently allowable.*

2. *Is the new zoning designed to secure from fire and other dangers?*

Not Applicable

3. *Whether the new zoning will promote public health, public safety and general welfare?*

Public health and safety will be promoted through the text amendment.

4. *Will the new zoning facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?*

**Transportation:** The proposed zoning may have some measurable effect on transportation. Residential professional zones are located on a variety of street types. Properties served by local streets will likely have the biggest impact. In some locations, additional traffic analysis may be required at the time of site development.

**Water and Sewer:** This text amendment affects properties within the City of Billings which are served by city water and sewer.

**Schools and Parks:** Schools should not be affected by the proposed zoning.

**Fire and Police:** RP zones within the City of Billings will be served by City Fire and Police Departments.

5. *Will the new zoning provide adequate light and air?*

Not Applicable

6. *Will the new zoning effect motorized and non-motorized transportation?*

A gymnastics facility may have some effect on the motorized and non-motorized transportation network. However, the addition of these types of facilities to Residential Professional zones should not impact the transportation network differently than other similar intensity uses such as elementary and secondary schools, daycare facilities, government administration buildings, and health services.

7. *Will the new zoning will promote compatible urban growth?*

The zoning amendment promotes compatible urban growth in the areas of the City that are zoned Residential Professional. The intended use is not an intrusion to the areas zoned Residential Professional as similar uses are currently allowable.

8. *Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?*

The zoning amendment considers the character of the Residential Professional district and the suitability of the property for the proposed use. RP zones currently allow similar and even more intense uses than a gymnastics facility. Property size, access and other elements particular to a site may affect whether the use is able to be developed on some RP zoned property and the design of the property for such a use.

9. *Will the new zoning conserve the value of buildings?*

Not applicable

10. *Will the new zoning encourage the most appropriate use of land throughout the City of Billings?*

The proposed zoning may encourage the most appropriate use of some RP zoned land in Billings.

Attachment A - Draft Ordinance  
**Add Gymnastics Instruction as an allowed use in RP zoning districts – City ZC 964**  
**ORDINANCE NO. 18 - \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SECTION 27-306 – COMMERCIAL AND INDUSTRIAL USES - TO ADD LANGUAGE TO ALLOW GYMNASTICS INSTRUCTION IN RESIDENTIAL PROFESSIONAL ZONING DISTRICTS 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 27-306 as follows:

**Sec. 27-306. District Regulations: Commercial and Industrial Uses.**

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
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<b>79</b> AMUSEMENT AND RECREATION SERVICES*: – 791, Dance studios, schools, and halls – 792 theatrical producers, bands, orchestras, and entertainers – 793, 799 Bowling centers; miscellaneous amusement and recreation services, and gambling operations* (except below): – Public swimming pools – Riding stables – Martial arts instruction – 7992 Public golf courses – 794 Commercial sports – <b>7999 Gymnastics instruction</b>	A	A	A	A	A	A	A		A
		A	A	A	A	A	A		A
			A	A	A	A	A	A	A
	A	A	A	A	A	A	A	A	A
	<b>A</b>		<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	A	<b>A</b>

\* See BMCC Section 27-612.

**Section 5. REPEALER.** All ordinances or parts of ordinances in conflict 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, the provisions of this ordinance are declared to be severable.

**Section 7. 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, 2018

PASSED, ADOPTED AND APPROVED on second reading June 11, 2018.

CITY OF BILLINGS:

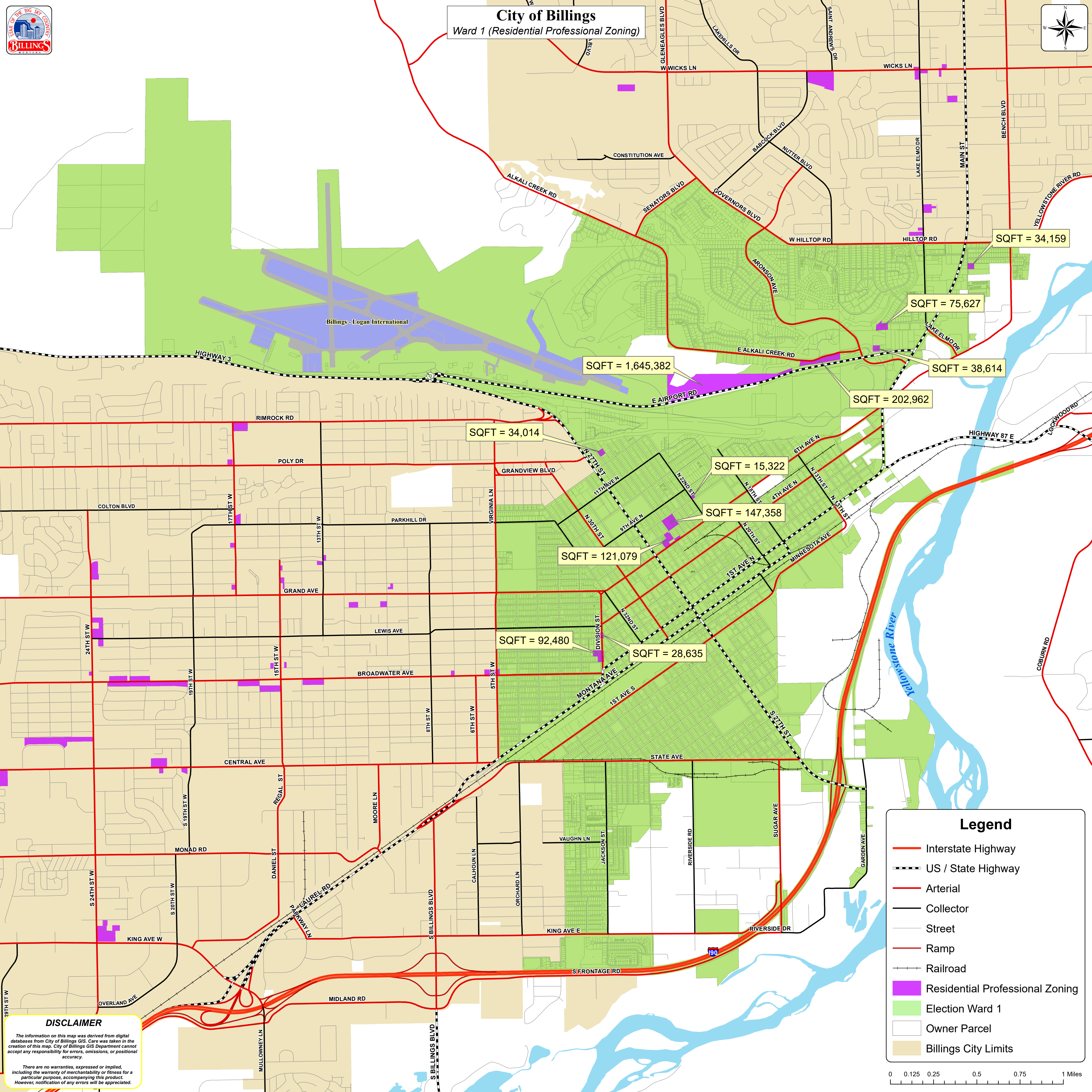
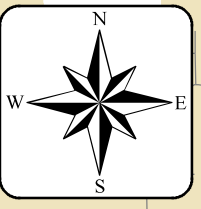
BY: \_\_\_\_\_  
William A. Cole, Mayor

ATTEST:

BY: \_\_\_\_\_  
Denise Bohlman, City Clerk  
Zone Change 964 – Text Amendment – Gymnastics Instruction in RP



**City of Billings**  
Ward 1 (Residential Professional Zoning)



SQFT = 34,159

SQFT = 75,627

SQFT = 1,645,382

SQFT = 38,614

SQFT = 202,962

SQFT = 34,014

SQFT = 15,322

SQFT = 147,358

SQFT = 121,079

SQFT = 92,480

SQFT = 28,635

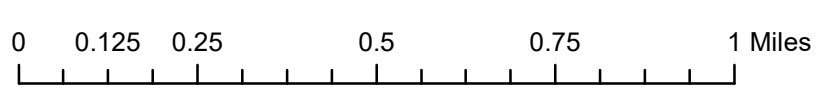
**Legend**

- Interstate Highway
- US / State Highway
- Arterial
- Collector
- Street
- Ramp
- Railroad
- Residential Professional Zoning
- Election Ward 1
- Owner Parcel
- Billings City Limits

**DISCLAIMER**

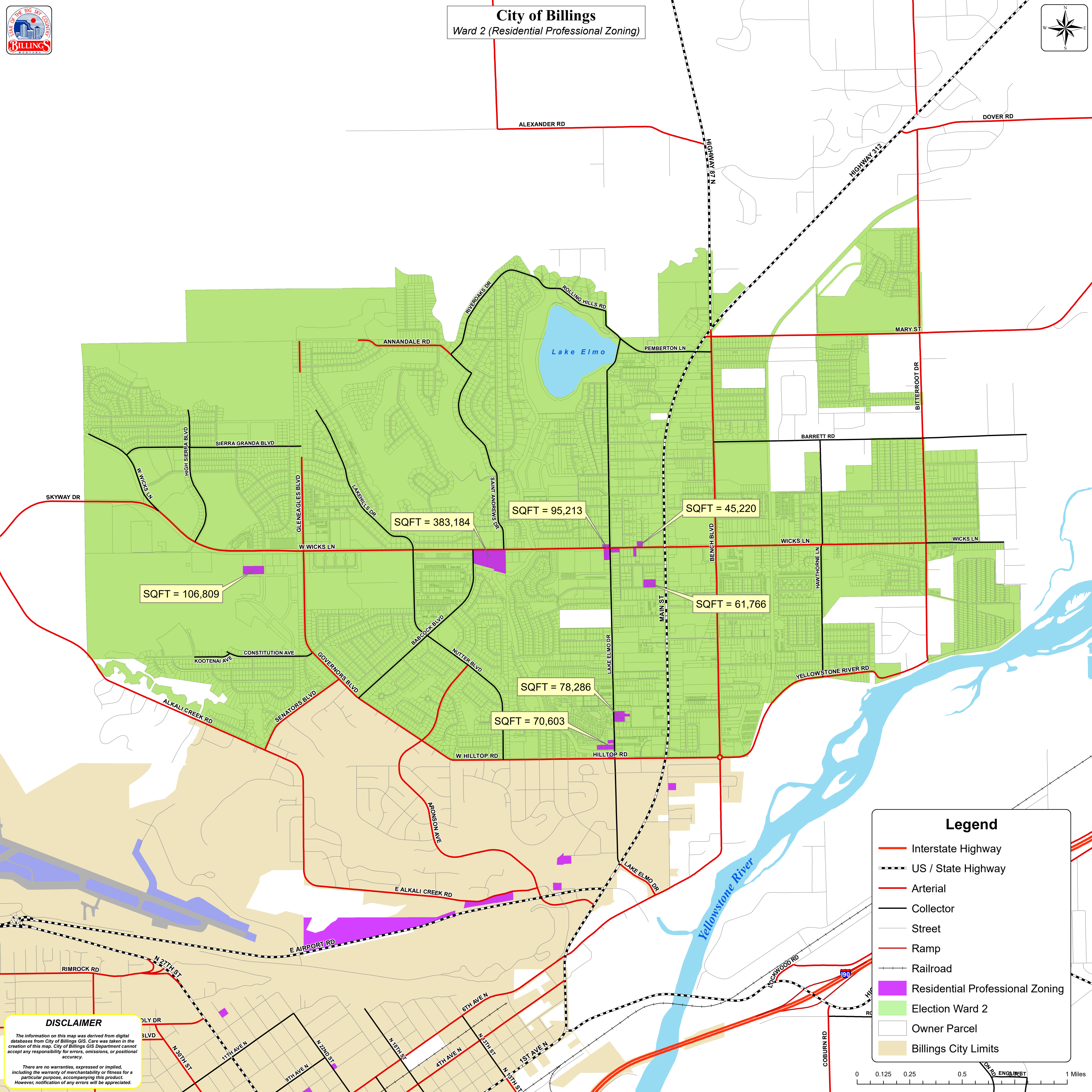
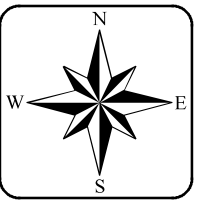
The information on this map was derived from digital databases from City of Billings GIS. Care was taken in the creation of this map. City of Billings GIS Department cannot accept any responsibility for errors, omissions, or positional accuracy.

There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.





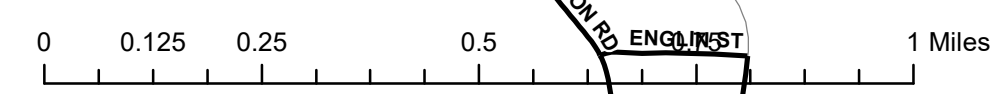
**City of Billings**  
Ward 2 (Residential Professional Zoning)



**DISCLAIMER**  
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**Legend**

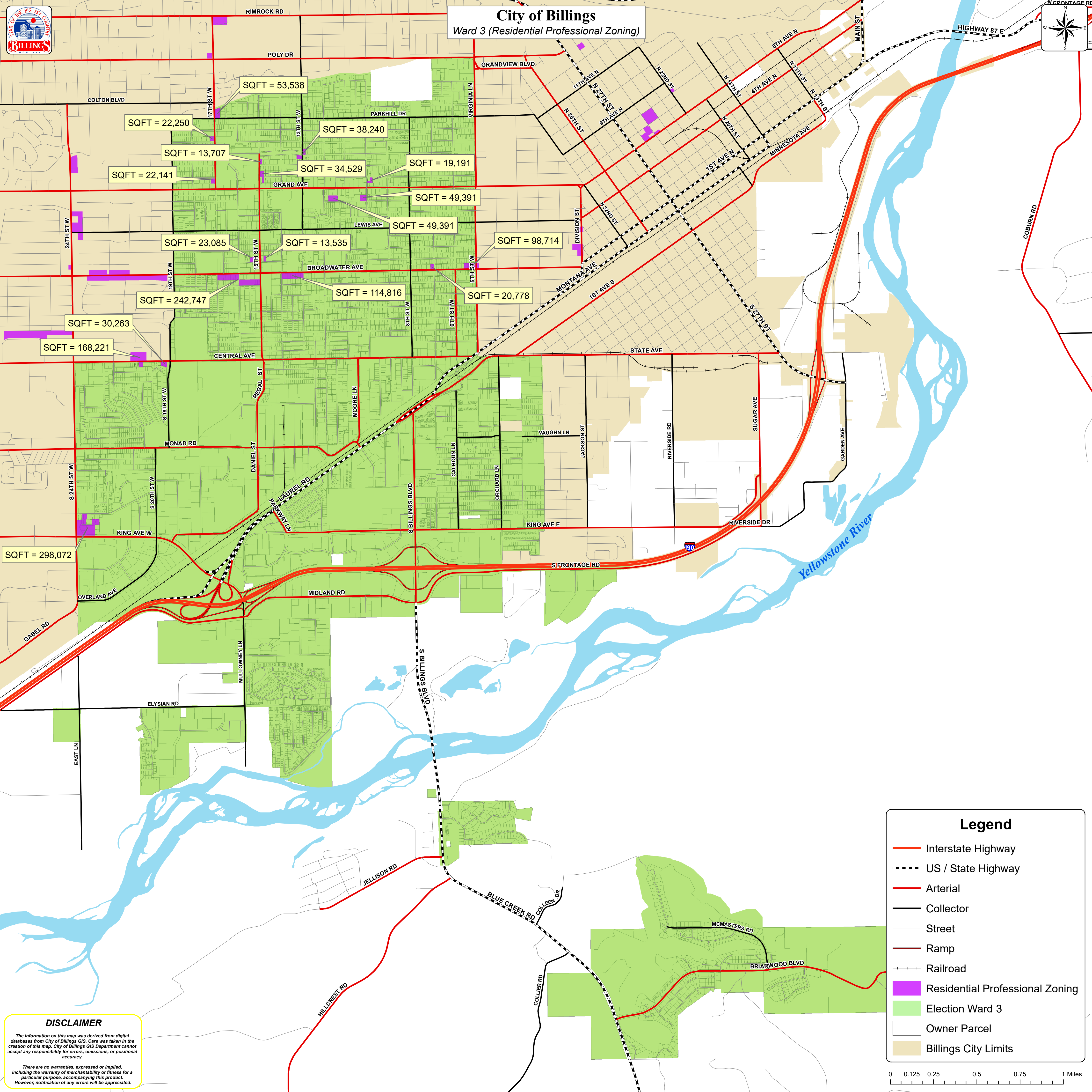
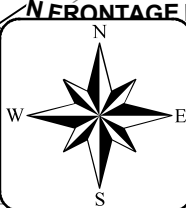
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- US / State Highway
- Arterial
- Collector
- Street
- Ramp
- Railroad
- Residential Professional Zoning
- Election Ward 2
- Owner Parcel
- Billings City Limits





# City of Billings

## Ward 3 (Residential Professional Zoning)



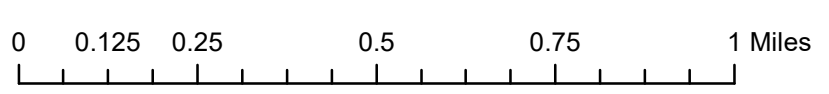
### Legend

- Interstate Highway
- US / State Highway
- Arterial
- Collector
- Street
- Ramp
- Railroad
- Residential Professional Zoning
- Election Ward 3
- Owner Parcel
- Billings City Limits

**DISCLAIMER**

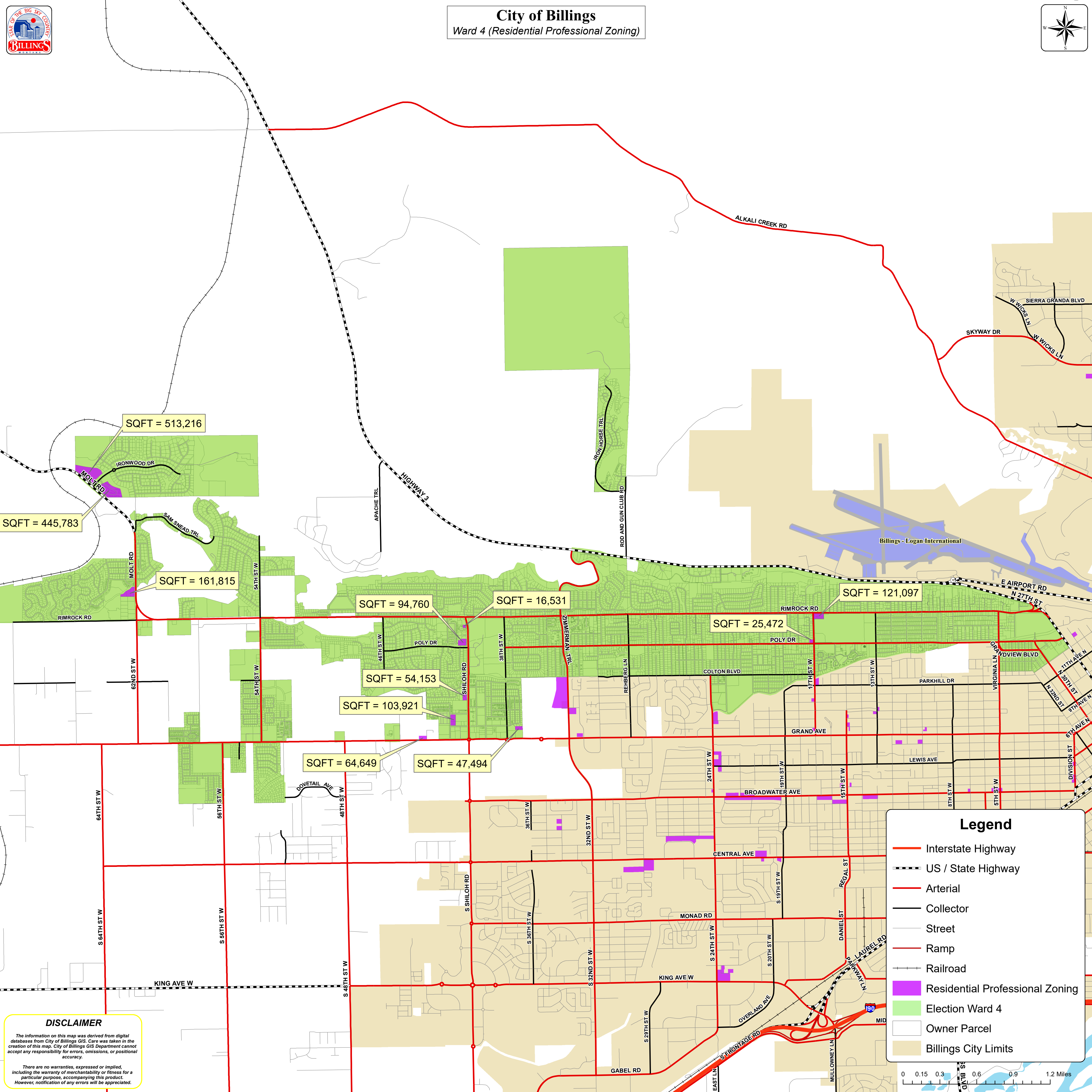
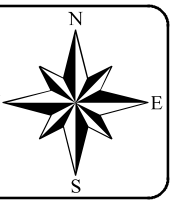
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**City of Billings**  
Ward 4 (Residential Professional Zoning)



SQFT = 513,216  
IRONWOOD DR  
MOLT RD  
SQFT = 445,783  
SAM SNEAD TRL  
SQFT = 161,815

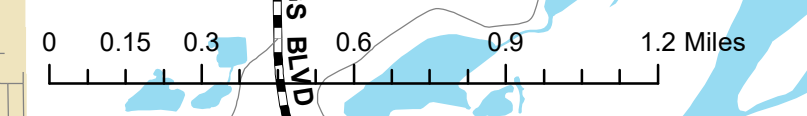
SQFT = 94,760  
POLY DR  
SQFT = 16,531  
SHILOH RD  
SQFT = 54,153  
SQFT = 103,921  
SQFT = 64,649  
SQFT = 47,494

SQFT = 25,472  
POLY DR  
SQFT = 121,097

**Legend**

- Interstate Highway
- US / State Highway
- Arterial
- Collector
- Street
- Ramp
- Railroad
- Residential Professional Zoning
- Election Ward 4
- Owner Parcel
- Billings City Limits

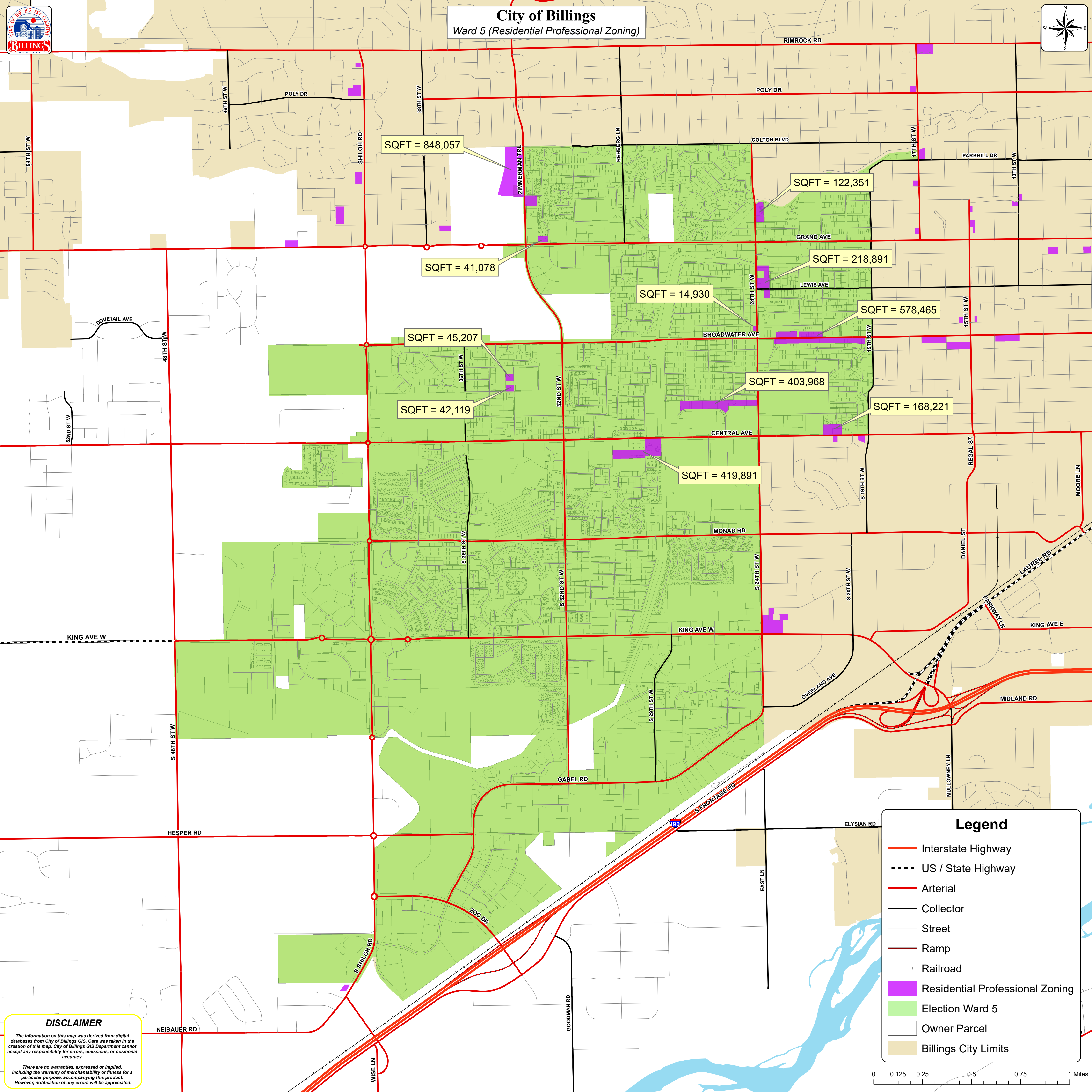
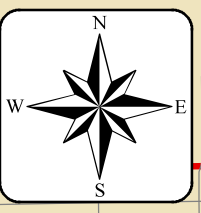
**DISCLAIMER**  
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There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.





# City of Billings

## Ward 5 (Residential Professional Zoning)



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**Legend**

- Interstate Highway
- US / State Highway
- Arterial
- Collector
- Street
- Ramp
- Railroad
- Residential Professional Zoning
- Election Ward 5
- Owner Parcel
- Billings City Limits

