

ARTICLE 27-300. ZONING DISTRICTS AND OFFICIAL MAP

SEC. 27-301. ZONING DISTRICTS.

It is the intent of this Section to establish zones wherein compatible uses of land may be located to create, protect and maintain a desirable living environment, to stabilize and protect residential harmony and to conduct profitable businesses. It is also the intent of this Chapter to make it possible to efficiently and economically design and install public facilities in terms of size and capacity to adequately meet the needs resulting from a defined intensity of land use.

To carry out the provisions of this Resolution/Ordinance, the City and County 4½ Mile Jurisdictional Area is hereby divided into the following zoning districts in which the erection, construction, alteration, reconstruction, repair or use of buildings, structures and land shall be regulated and restricted. The regulations in each district shall be uniform throughout each district but may differ from those in other districts.

A-1	Agricultural-Open Space (County Only)
A-S	Agricultural-Suburban (County Only)
R-150	Residential 15,000 (County Only)
R-96	Residential 9,600
R-80	Residential 8,000
R-70R	Residential 7,000 Restricted
R-70	Residential 7,000
R-60R	Residential 6,000 Restricted
R-60	Residential 6,000
R-50	Residential 5,000
RMF	Residential Multi-Family
RMF-R	Residential Multi-Family - Restricted
RMH	Residential Manufactured Home
RP	Residential Professional
NC	Neighborhood Commercial
CC	Community Commercial
HC	Highway Commercial
CBD	Central Business District
CI	Controlled Industrial
HI	Heavy Industrial
P	Public
ELC	Entryway Light Commercial
EGC	Entryway General Commercial

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- EMU Entryway Mixed Use
- ELI Entryway Light Industrial
- South 27th Street Corridor Zoning District
- Medical Corridor Permit Zoning District
- Shiloh Corridor Overlay District
- A-1 AGRICULTURAL-OPEN SPACE (COUNTY ONLY):* A district to protect and preserve agricultural lands for the performance of a wide range of agricultural functions. The intent is to limit the scattered intrusion of uses not compatible with an agricultural environment; to encourage agricultural pursuits and protect environmental concerns.
- A-S AGRICULTURAL-SUBURBAN (COUNTY ONLY):* A district to protect and preserve agricultural lands for the performance of limited agricultural functions and to provide a buffer between urban and unlimited agricultural uses and to encourage concentration of such uses in areas so that potential conflict between uses will be minimized.
- R-150 RESIDENTIAL 15,000 (COUNTY ONLY):* A zone intended to provide for low density, single-family residential developments in areas which may or may not be serviced by a public water and/or sewer system.
- R-96 RESIDENTIAL 9,600:* A zone intended to promote primarily a single-family residential environment on lots that are served by public water and sewer service.
- R-80 RESIDENTIAL 8,000:* A residential zone intended to primarily provide a single-family residential environment with provisions for duplexes that are served by public water and sewer service.
- R-70R RESIDENTIAL 7,000 RESTRICTED:* A residential zone intended to primarily provide a single family residential environment on smaller lots at a medium density that are served by a public water and sewer service.
- R-70 RESIDENTIAL 7,000:* Primarily a single-family residence district, with provisions for duplexes on lots that are served by public water and sewer services.
- R-60R RESIDENTIAL 6,000 RESTRICTED:* A residential zone intended to primarily provide a single family residential environment on smaller lots at a medium density that are served by a public water and sewer service.
- R-60 RESIDENTIAL 6,000:* A zone intended to provide for medium density residential dwellings on lots served by public water and sewer services, with provisions for multi-family dwellings with a maximum of ten (10) dwelling units per structure.
- R-50 RESIDENTIAL 5,000:* A primarily single-family district provides for higher density development on lots served by public water and sewer services, with provisions for duplexes.
- RMF RESIDENTIAL MULTI-FAMILY:* A residential classification intended to provide adequate sites for multi-family developments including high-rise apartment complexes. Dwelling unit density is increased in this classification to encourage development in areas where it will complement existing developments. Land within the classification

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should be located with access to major arterial transportation routes plus financial, cultural and retail stores and be served by public water and sewer services.

- RMF-R RESIDENTIAL MULTI-FAMILY - RESTRICTED:* A residential classification intended to provide adequate sites for multi-family developments. The classification is intended to provide higher density apartment development, which may establish a buffer between single-family residence areas and other zoning classifications. Lots are to be served by public water and sewer services.
- RMH RESIDENTIAL MANUFACTURED HOME:* A zone intended to provide stable environments for individual manufactured homes, manufactured home parks and compatible accessory uses.
- RP RESIDENTIAL PROFESSIONAL:* A zone intended to accommodate limited commercial and professional offices as would be compatible with adjoining residential districts and consistent with the objectives of the comprehensive plan.
- NC NEIGHBORHOOD COMMERCIAL:* A zone for commercial centers and limited retail activities conducted in a unified development designed to serve the surrounding neighborhood with shopping facilities consisting of convenience retail and personal service establishments which secure their principal trade by supplying the daily needs of the neighboring population. Only uses serving the above purpose without undue detriment to surrounding residences should be permitted.
- CC COMMUNITY COMMERCIAL:* The Community Commercial zone is intended primarily to accommodate community retail, service and office facilities offering a greater variety than would normally be found in a neighborhood or convenience retail development. Facilities within the classification will generally serve the community, and is commensurate with the purchasing power and needs of the present and potential population within the trade area. It is intended that these business facilities be provided in business corridors or in islands (thirty (30) acres) centrally located in the trade area rather than a strip development along arterials.
- HC HIGHWAY COMMERCIAL:* The Highway Commercial zone is intended to provide areas for commercial and service enterprises which are intended primarily to serve the needs of the tourist, traveler, recreationist or the general traveling public. Areas designated as Highway Commercial should be located in the vicinity of, and accessible from interstate interchanges, intersections on limited access highways, or adjacent to primary or secondary highways. The manner in which the services and commercial activities are offered should be carefully planned in order to minimize the hazard to the safety of the surrounding community and those who use such facilities.
- CBD CENTRAL BUSINESS DISTRICT:* The Central Business District classification is intended to primarily accommodate stores, hotels, governmental and cultural centers and service establishments at the central focal point of the city's arterial and transportation system, where the C.B.D. can conveniently serve the population of the entire urban area with a varied and specialized selection of goods and services. In order to protect the public interest and welfare and facilitate an attractive, efficient and prosperous C.B.D., the emphasis is on larger scale building and specialty shops.

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- CI CONTROLLED INDUSTRIAL:* The Controlled Industrial zone is intended to accommodate a variety of business, warehouse and light industrial uses related to wholesale plus other business and light industries not compatible with other commercial zones, but which need not be restricted in industrial or general commercial zones, and to provide locations directly accessible to arterial and other transportation systems where they can conveniently serve the business and industrial centers of the city and county.
- HI HEAVY INDUSTRIAL:* A zone intended to accommodate manufacturing, processing, fabrication, and assembly of materials and products. Areas designated as Heavy Industrial should have access to two (2) or more major transportation routes, and such sites should have adjacent space for parking and loading facilities.
- P PUBLIC:* The Public zone is intended to reserve land exclusively for public or semi-public uses in order to preserve and provide adequate land for a variety of community facilities which serve the public health, safety and general welfare.
- ELC Entryway Light Commercial:* See BMCC Section 27-1004.
- EGC Entryway General Commercial:* See BMCC Section 27-1004.
- EMU Entryway Mixed Use:* See BMCC Section 27-1004.
- SOUTH 27th STREET CORRIDOR ZONING DISTRICT:* See BMCC Sections 27-801, et seq.
- MEDICAL CORRIDOR PERMIT ZONING DISTRICT:* See BMCC Sections 27-901, et seq.

SEC. 27-302. OFFICIAL ZONING MAP.

- (a) The City and County are hereby divided into zoning districts as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Resolution/Ordinance.
- (b) The Official Zoning Map shall be identified by the signature of the Mayor attested by the City Clerk and also by the County Commissioners attested by the County Clerk and Recorder and shall bear the words "The Official Zoning Map of the City of Billings and Yellowstone County, Montana 4 ½ Mile Jurisdictional Area". Regardless of the existence of purported copies of the Official Zoning Map which from time to time may be made or published, a copy of the Official Map shall be located in the offices of both the Yellowstone County Board of Planning and the Yellowstone County Clerk and Recorder.
- (c) Changes made in district boundaries shall be promptly entered on the Official Zoning Map after amendment by either Governing Body. Amendments to the Official Zoning Map shall not become effective until entered on the map.
- (d) No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the provisions set forth in this chapter. In the event the Official Zoning Map is damaged or destroyed, the City Council and County Commissioners may, by Resolution/Ordinance, adopt a new Official Zoning Map.

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No such map shall have the effect of amending the Official Zoning Map or any subsequent amendment thereof.

SEC. 27-303. RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES.

- (a) Boundaries indicated as appearing to follow the centerline of streets, highways or alleys shall be construed to follow such centerlines;
- (b) Boundaries indicated as appearing to follow platted lot lines shall be construed as following such lot lines;
- (c) Boundaries indicated as appearing to follow City Limits shall be construed as following City Limits;
- (d) Boundaries indicated as appearing to follow 4 ½ Mile Jurisdictional Limits shall be construed as following 4 ½ Mile Jurisdictional Limits;
- (e) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
- (f) Boundaries indicated as following shore lines shall be construed to follow such shore lines. In the event of change in the shore line, they shall be construed as moving with the actual shore line. Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such centerlines. In the event of change in the location of streams, rivers, canals, lakes or other bodies of water, the boundaries shall be construed as moving with the actual body of water and following the centerlines; and
- (g) Boundaries indicated as parallel to or extensions of features indicated in above Subsections A. through F. above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map or by specific distances enumerated in a Resolution/Ordinance amending the Official Zoning Map.

SEC. 27-304. APPLICATION AND GENERAL RULES.

Within the various zoning districts as hereinbefore defined and as indicated on the Official Zoning Map and subject to the requirements of BMCC Sections 27-301 through 27-1511, no building or structure shall be erected, reconstructed or structurally altered, nor shall any land, building or structure be used for any purpose except as they are allowed in the district in which such building, land or use is located. The regulations set forth by this chapter within each zone shall be minimum regulations and shall apply uniformly to each class or type of structure or land except as hereinafter provided:

- (a) No building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered after the effective date of this chapter unless in conformity with

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all of the regulations herein specified for the zone in which it is located except nonconforming uses and structures as provided in BMCC Sections 27-401, et seq.;

- (b) No building or other structure shall hereafter be erected or altered:
1. To exceed the height limitation;
 2. To accommodate or house a greater number of families;
 3. To occupy a greater percentage of lot area; or
 4. To have a narrower or smaller rear yard, front yard, side yard or other open space than herein required, or in any manner contrary to the provisions of this chapter.
- (c) *Temporary Suspension of Various Zoning and other regulations.* Upon approval by resolution, the City Council may temporarily suspend the requirements and restrictions imposed by Sections 7-603, 15-602, 27-304, 27-305, 27-601 and 27-606 of the City Code in order to accommodate the temporary increase in visitor population created by large special events held within the City of Billings when the City's public lodging capability is actually or predicted to be at or near maximum capacity. The City Council may suspend ordinances related to the following general areas of regulation in any combination deemed appropriate under the circumstances created by a special event. The resolution of suspension shall become effective forty-eight (48) hours prior to the official start of the scheduled event and shall terminate forty-eight (48) hours after official conclusion of the event.¹
1. Parking
 2. Camping
 3. Business licensing and/or health department inspections.

(Ord. No. 97-5048, § 3, 12-12-97; Ord. No. 98-5058, § 1, 6-8-98; Ord. No. 98-5064, § 1, 7-27-98; Ord. No. 01-5165, § 1, 8-13-01; Ord. No. 04-5292, § 1, 7-26-04)