****ATTENTION****

Due to the COVID-19 health concerns, the format of the City Council meeting will be held in a virtual videoconferencing environment. Councilmembers will attend the meeting via a remote location, using a virtual meeting method. City Hall and the Council Chambers will be closed during the meeting. In order to honor the Right of Participation and the Right to Know in Article II, sections 8 and 9, of the Montana Constitution, the City of Billings and City Council are making every effort to meet the requirements of the open meeting laws.

Citizens are invited to:

- Review the Agenda Packet on the City's website at: https://ci.billings.mt.us/117/Agendas-Minutes
- View the meeting:
  - On Community 7 TV - Channel 7 or Channel 507 – Spectrum Cable
  - On evenings when there is a conflict with School District No. 2 Board meetings, the City Council meeting will be broadcast on Channel 8 - Spectrum Cable.
  - Online at www.comm7tv.com and click on the "Watch Live" icon. Community 7 also has links to their Facebook page and YouTube channel in which to view the meeting.
  - On the City's website at https://ci.billings.mt.us and click on "Watch Meetings Online".

Citizens may submit public comment via the following methods:

- Mail: City Clerk, P. O. Box 1178, Billings, MT 59103
- Email: https://ci.billings.mt.us/1538/City-Council-E-mail-Messages.
  - Emails received after 3:00 PM on Monday, December 14, 2020, will be posted on the Council's webpage the following day for public viewing.
- Call in during the Public Comment periods as indicated on the agenda:
  - Citizens may call in during specific Public Comment periods at **406.237.6196**. All callers will be placed in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be limited to 3 minutes of testimony as is customary.

Future delivery methods may be explored as best practice is learned.

Please contact Denise Bohlman, City Clerk, bohlmand@billingsmt.gov, with any questions.

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

"THE MAGIC CITY: A DIVERSE, WELCOMING COMMUNITY WHERE PEOPLE PROSPER AND BUSINESS SUCCEEDS."

AGENDA

Council Chambers are Closed. The meeting will be held remotely via virtual meeting room. Please see coversheet for details and instructions for viewing and participation.

December 14, 2020 **5:30 P.M.**

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Yakawich

ROLL CALL: Councilmembers present on roll call were: ☐ Shaw, ☐ Yakawich, ☐ Neese, ☐ Ewalt, ☐ Joy, ☐ Choriki, ☐ Purinton, ☐ Ronning, ☐ Boyett, ☐ Brown

MINUTES: November 23, 2020

COURTESIES:

PROCLAMATIONS:

COUNCIL REPORTS:

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1, 2a, 2b, 5, 6, and 7 ONLY. Speaker sign-in required. (Comments are limited to three (3) minutes or as set by the Mayor. During COVID-19, the method to take and hear public comment has changed. Individuals wishing to give public comment will call a dedicated phone line (237.6196) and held in queue until it is their turn to comment. Comments on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item. For items not on this agenda, public comment will be taken at the end of the agenda.)

1. **CONSENT AGENDA** -- Separations:

A. **Mayor Cole recommends that Council confirm the following appointments:**

1.

	Name	Board/Commission	Term	
			Begins	Ends
1	Chuck Tooley	Aviation &Transit	01/01/21	12/31/24
2	David Hummel	Aviation & Transit	01/01/21	12/31/24
3	Steven Tostenrud	Aviation & Transit	01/01/21	12/31/24
4	John Scheuering	Animal Control Board	01/01/21	12/31/24
5	Ronda Smith	Animal Control Board	01/01/21	12/31/24
6	George Maragos	Billings BID	01/01/21	12/31/24
7	No Applications	Billings BID	01/01/21	12/31/24
8	Deborah Davis	Board of Health	01/01/21	12/31/23
9	Rebecca Noell	Community Development	01/01/21	12/31/24
10	Cynthia Finch	County Water District of Billings Heights	01/01/21	12/31/24
11	No Applications	Exchange City Golf Cooperation Board	01/01/21	12/31/24
12	No Applications	Housing Authority - Resident Comm.	01/01/21	12/31/22
13	Kari Boiter	Housing Authority*	01/01/21	12/31/21
14	No Applications	Housing Authority	01/01/21	12/31/25
15	No Applications	Human Relations Commission	01/01/21	12/31/24
16	Chuck Platt	Parks, Recreation & Cemetery Board	01/01/21	12/31/24
17	Lew Morris	Parks, Recreation & Cemetery Board	01/01/21	12/31/24
18	Jami Clark	Parks, Recreation & Cemetery Board	01/01/21	12/31/24
19	Maia Dickerson	Parks, Recreation & Cemetery Board	01/01/21	12/31/24
20	Terry Corey	Police Board	01/01/21	12/31/23
21	Teresa Larsen	Planning Board - Ward I	01/01/21	12/31/22
22	Dennie Stephenson	Planning Board - Ward III	01/01/21	12/31/22
23	Darell Tunnicliff	Planning Board - Ward IV	01/01/21	12/31/22
24	Jon Thompson	Planning Board - Ward V	01/01/21	12/31/22
25	Bill Enright	Public Works Board	01/01/21	12/31/24

*13 Unexpired term of Gloria Boyd

B. **Bid Awards:**

1. **Dozer for the Landfill.** (Opened 12/01/20) Recommend RDO Equipment; $510,000.

2. **Shredder for the Landfill.** (Opened 12/01/20) Recommend Ecoverse Industries; $790,400.

3. **Wheel Loader for the Landfill.** (Opened 12/01/20) Recommend Tractor & Equipment Co.; $261,739.

C. **Professional Services Contract** for W.O. 21-01: Pioneer Park Area Water Main Replacement; Morrison-Maierle, Inc.; $585,854.

D. **Breathing Air Compressor** emergency replacement for Fire Department; $127,683.29.

E. **Second/Final Reading Ordinance expanding Ward III (Annexation 20-03)** for an approximate 4.350 acre parcel of land described as Certificate of Survey 1121, Tract 2-A-1, located south of the South Frontage Road and north of the Grey Eagle Ditch. Chuck Hogan and Rick Dorn, on behalf of Hogan Properties, LLC, petitioner.

F. **Resolution of Intent** to create SILMD 329 and amend SILMD 263 on Hallowell Lane and set a public hearing date of January 11, 2021.

G. **FY22 Equipment Replacement Plan (ERP).**

H. **FY22 Technology Replacement Plan (TRP).**

I. **Bills for the Weeks of:**

1. November 2, 2020

2. November 9, 2020

3. November 16, 2020

Recommended Motion: I move to approve the items of the Consent Agenda as submitted, with the exception of items moved for separation.

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION for Annexation 20-04:** a 37.381 gross and 34.917 net acre parcel of land generally located both north and south of Elysian Road and east of East Lane. Quarnburg Farming Corporation and McCall Development, petitioners. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

Presented by: Monica Plecker, Planning Division Manager

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the Resolution approving Annexation 20-04, as recommended by staff.

a. **Development Agreement** with Quarnburg Farming Corporation for Lot 1, QFC Subdivision, 1st Filing.

- *Presented by: Debi Meling, Public Works Director*

Recommended Motion: I move to approve the Development Agreement, as recommended by staff.

b. **Development Agreement** with McCall Development for Lot 2A, Block 1, Adam and Mollie Walter Subdivision.

- *Presented by: Debi Meling, Public Works Director*

Recommended Motion: I move to approve the Development Agreement, as recommended by staff.

3. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward III to include recently annexed property in Annexation 20-04: a 37.381 gross and 34.917 net acre parcel of land located both north and south of Elysian Road and east of East Lane; Quarnburg Farming Corporation and McCall Development, petitioners. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

- *Presented by: Monica Plecker, Planning Division Manager*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve First Reading Ordinance expanding the boundaries of Ward III, as recommended by staff.

4. **PUBLIC HEARING AND FIRST READING ORDINANCE** approving Project ReCode. *(Continued from 11/23/2020 Regular Business Meeting)* - Zoning Code amendment and Zoning Map update. Zoning Commission recommends approval. (Action: approval or disapproval of Zoning Commission recommendation.)

- *Presented by: Nicole Cromwell, Zoning Coordinator*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, and review of the Zoning Commission's

recommendation for approval and adoption of the findings of the 10 criteria, I move to approve Project ReCode - Zoning Code amendment and Zoning Map update, as recommended by the Zoning Commission.

5. **TAX INCREMENT FINANCE ASSISTANCE** from Downtown Billings Partnership (DBP) to Downtown Properties, LLC located at 2624 Montana Avenue; up to $665,765. Downtown Billings Partnership Board recommends approval. (Action: approval or disapproval of DBP Board recommendation.)

   - *Presented by: Mehmet Casey, DBP Board Member*

   Recommended Motion: I move to approve Tax Increment Finance Assistance from Downtown Billings Partnership to Downtown Properties, LLC located at 2624 Montana Avenue, as recommended by DBP Board.

6. **TAX INCREMENT FINANCE ASSISTANCE** from Downtown Billings Partnership (DBP) to Kibler & Kirch located at 2807 1st Avenue North; up to $79,940. Downtown Billings Partnership Board recommends approval. (Action: approval or disapproval of DBP Board recommendation.)

   - *Presented by: Mehmet Casey, DBP Board Member*

   Recommended Motion: I move to approve Tax Increment Finance Assistance from Downtown Billings Partnership to Kibler & Kirch located at 2807 1st Avenue North, as recommended by DBP Board.

7. **TAX INCREMENT FINANCE ASSISTANCE** from Downtown Billings Partnership (DBP) to Halsten Holdings, LLC (Burger Dive) located at 2712 Minnesota Avenue; up to $466,373. Downtown Billings Partnership Board recommends approval. (Action: approval or disapproval of DBP Board recommendation.)

   - *Presented by: Mehmet Casey, DBP Board Member*

   Recommended Motion: I move to approve Tax Increment Finance Assistance from Downtown Billings Partnership to Halsten Holdings, LLC located at 2712 Minnesota Avenue, as recommended by DBP Board.

PUBLIC COMMENT on "NON-AGENDA ITEMS". Speaker Sign-in required. (Comments are limited to three (3) minutes or as set by the Mayor. During COVID-19, the method to take and hear public comment has changed. Individuals wishing to give public comment will call a dedicated phone line (237.6196) and held in queue until it is their turn to comment.)

COUNCIL INITIATIVES:

ADJOURN:

Council meetings may be viewed at any time by accessing Community 7 Television online at www.comm7tv.com and clicking on archived programs.

Consent **1. A. 1.**

Regular City Council Meeting

Meeting Date: 12/14/2020
TITLE: Boards & Commissions Appointments
PRESENTED BY: Chris Kukulski, City Administrator
Department: City Hall Administration
Presentation: No

PROBLEM/ISSUE STATEMENT

The Mayor is requesting that the City Council confirm appointments for Board and Commission positions that are vacant due to term limits, resignations and unfilled vacancies.

ALTERNATIVES ANALYZED

Council may:

- Confirm the proposed appointments; or
- Not confirm the appointments.

FISCAL EFFECTS

The proposed action has no financial impact.

RECOMMENDATION

Mayor Cole recommends that the City Council confirm the appointments to the following boards and commissions.

	Name	Board/Commission	Term	
			Begins	Ends
1	Chuck Tooley	Aviation &Transit	01/01/21	12/31/24
2	David Hummel	Aviation & Transit	01/01/21	12/31/24
3	Steven Tostenrud	Aviation & Transit	01/01/21	12/31/24
4	John Scheuering	Animal Control Board	01/01/21	12/31/24
5	Ronda Smith	Animal Control Board	01/01/21	12/31/24
6	George Maragos	Billings BID	01/01/21	12/31/24
7	No Applications	Billings BID	01/01/21	12/31/24
8	Deborah Davis	Board of Health	01/01/21	12/31/23
9	Rebecca Noell	Community Development	01/01/21	12/31/24
10	Cynthia Finch	County Water District of Billings Heights	01/01/21	12/31/24
11	No Applications	Exchange City Golf Cooperation Board	01/01/21	12/31/24
12	No Applications	Housing Authority - Resident Comm.	01/01/21	12/31/22
13	Kari Boiter	Housing Authority*	01/01/21	12/31/21
14	No Applications	Housing Authority	01/01/21	12/31/25
15	No Applications	Human Relations Commission	01/01/21	12/31/24
16	Chuck Platt	Parks, Recreation & Cemetery Board	01/01/21	12/31/24
17	Lew Morris	Parks, Recreation & Cemetery Board	01/01/21	12/31/24

18	Jami Clark	Parks, Recreation & Cemetery Board	01/01/21	12/31/24
19	Maia Dickerson	Parks, Recreation & Cemetery Board	01/01/21	12/31/24
20	Terry Corey	Police Board	01/01/21	12/31/23
21	Teresa Larsen	Planning Board - Ward I	01/01/21	12/31/22
22	Dennie Stephenson	Planning Board - Ward III	01/01/21	12/31/22
23	Darell Tunnicliff	Planning Board - Ward IV	01/01/21	12/31/22
24	Jon Thompson	Planning Board - Ward V	01/01/21	12/31/22
25	Bill Enright	Public Works Board	01/01/21	12/31/24

*13 Unexpired term of Gloria Boyd

Consent **1. B. 1.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: Dozer for the Landfill

PRESENTED BY: Jennifer Duray

Department: Public Works **Division:** Solid Waste

RECOMMENDATION

Staff recommends the City Council award the purchase of a new dozer to RDO Equipment, in the amount of $510,000.00.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

This dozer is used at the landfill in the Class IV area. The Class IV area is the Construction and Demolition (C&D) area. The dozer pushes the materials to an area where it can be handled and crushed. This dozer also rips the ground for the next area for garbage to be placed. The dozer covers the garbage with dirt at regular intervals to meet EPA regulations for landfill operations. The older dozer will be traded in when the new dozer arrives. The purchase will replace an existing vehicle that is included in the approved Equipment Replacement Plan for FY21 and in the FY21 budget. The bid was advertised on November 13th and November 20th in the *Yellowstone County News* and on the City's website. Bids were opened on December 1st and 2 bids were received. RDO Equipment submitted the lowest, responsible bid.

ALTERNATIVES

City Council may:

- Approve the award to purchase of a new dozer to RDO Equipment, in the amount of $510,000.00 or;
- Disapprove the award of the purchase and reject all bids. If the new dozer is not approved, operations will continue, but at a greater cost. After 6,000 hours of use in a landfill, the breakdowns and replacement parts far outweigh the cost of new equipment.

FISCAL EFFECTS

The following bids were received:

	RDO Equipment	Tractor & Equipment
Base Bid	$659,110.00	$823,152.00
Trade Allowance #2059	($185,000.00)	($177,250.00)
3 Year Service	$35,890.00	$28,524.00
Total	$510,000.00	$674,426.00

The budgeted amount for a new dozer is $471,862. The additional budget needed will come from budget savings on other equipment within the solid waste fund.

Consent **1. B. 2.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: Shredder for the Landfill

PRESENTED BY: Jennifer Duray

Department: Public Works **Division:** Solid Waste

RECOMMENDATION

Staff recommends the City Council award the purchase of a new shredder to Ecoverse Industries, in the amount of $790,400.00.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

This piece of equipment is used to shred tires, mattresses, wood-waste, green-waste, pallets, etc. at the landfill. Steel is removed from tires and mattresses that get recycled and the wood materials are used for compost. The shredder also helps with compaction at the landfill and keeps materials from working their way back up to the surface. The existing shredder caught on fire last summer. The trade-in value is minimal; thus, Public Works will rebuild the existing grinder to use as a back-up grinder. The purchase will replace an existing piece of equipment that is included in the approved Equipment Replacement Plan for FY21 and in the FY21 budget. The bid was advertised on November 13th and November 20th in the *Yellowstone County News* and on the City's website. Bids were opened on December 1st and 3 bids were received. Ecoverse Industries submitted the lowest, responsible bid.

ALTERNATIVES

City Council may:

- Approve the award of the purchase of a new shredder to Ecoverse Industries, in the amount of $790,400.00 or;
- Disapprove the award of the purchase and reject all bids. If the shredder is not approved,operations will continue, but at reduced expectations. Public Works will not be able to compost the planned amount and tires and mattresses will have to be treated separately at the landfill and be buried with bridging. This takes extra time and man-power. It will also fill up the landfill at a much greater rate.

FISCAL EFFECTS

The following bids were received:

	Ecoverse Industries	Rotochopper	Humdinger
Base bid	$790,400.00	$943,416.00	$757,382.00 (did not meet specifications in 25 areas)

The budgeted amount for a new shredder is $865,000.00. The excess budget will be utilized for other equipment budget overages within the solid waste fund.

Consent **1. B. 3.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: Wheel Loader for the Landfill

PRESENTED BY: Jennifer Duray

Department: Public Works **Division:** Solid Waste

RECOMMENDATION

Staff recommends the City Council award the purchase of a new wheel loader to Tractor & Equipment Co., in the amount of $261,739.00.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The wheel loader is needed for the new landfill drop-off facility. This piece of equipment will move the materials around at the drop off area outside the new building. This loader will load all of the construction and demolition (C&D) materials, brush, refrigerators, etc. into the appropriate place for its end use. The loader was in last year's budget but the purchase was postponed to coincide with the drop-off facility completion date. The bid was advertised on November 13th and November 20th in the *Yellowstone County News* and on the City's website. Bids were opened on December 1st and two bids were received. Tractor & Equipment Co. submitted the lowest, responsible bid.

ALTERNATIVES

City Council may:

- Approve the award of the purchase of a new wheel loader to Tractor & Equipment Co., in the amount of $261,739.00 or;
- Disapprove the award of the purchase and reject all bids. If the wheel loader is not approved, staff will not be able to operate the new drop-off facility as intended.

FISCAL EFFECTS

The following bids were received:

	RDO Equipment	Tractor & Equipment Co.
Base Bid	$249,000.00	$268,739.00
Trade Allowance #244	($21,000.00)	($7,000.00)
Total	$228,000.00 (did not meet specifications in 26 places)	$261,739.00

The budgeted amount in last year's budget is for a new wheel loader is $277,170.00. A budget amendment will be required to add the FY 20 budget amount to the FY 21 budget.

Consent **1. C.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: W.O. 21-01 Pioneer Park Area Water Main Replacement Contract

PRESENTED BY: Debi Meling

Department: Public Works **Division:** Engineering

RECOMMENDATION

Staff recommends the City Council award a professional services contract for W.O. 21-01, Pioneer Park Area Water Main Replacement, to Morrison-Maierle, Inc. in the amount of $585,854.00

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

W.O. 21-01, Pioneer Park Area Water Main Replacement, is intended to replace approximately 8,600 feet of water main. The existing water mains are undersized, prone to water main breaks, and are approximately 100 years old. In addition, an estimated 130 lead water services will be replaced. The City replaces and upgrades its water utilities as part of an annual maintenance program.

This project will replace water mains in three distinct project areas. Area 1 will replace approximately 4,985 feet of water main replacement in Avenues B through E from 3rd Street West to North 32nd Street and in 1st Street West from Grand Avenue to Avenue C. Area 2 will replace approximately 1,945 feet of water main in 2nd Street West from Grand Avenue to Burlington Avenue, and Burlington Avenue from 2nd Street West to division Street. Area 3 will replace approximately 1,550 feet of water main in 12th Avenue North from North 26th Street to North 22nd Street.

Morrison-Maierle, Inc. was selected based on City staff review of project proposals submitted by prequalified firms. Other firms considered for the work were DOWL, Sanderson Stewart, Performance Engineering, and KLJ Engineering. The selection was based on Project Team and Availability; Project Approach; and Firm Qualifications and Experience as related to project needs.

ALTERNATIVES

City Council may:

- Award W.O. 21-01:Pioneer Park Area Water Main Replacement, to Morrison-Maierle, Inc. in the amount of $585,854.00; or;
- Do not award a contract. If the contract is not awarded, the City's water distribution system in these areas will continue to experience ongoing maintenance problems and expenses.

FISCAL EFFECTS

The project was budgeted in FY21 using water funds. The amount budgeted was $3,400,000.00. The remaining budget will be used for the construction of the project.

Attachments

Contract

Contract for Professional Architectural and Engineering Services

City of Billings W.O. 21-01 Pioneer Park Area Water Main Replacement

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In consideration of the mutual promises herein, City of Billings and Morrison-Maierle, Inc. agree as follows. This Contract consists of:

Part I, consisting of 15 Sections of Special Provisions;

Part II, consisting of 11 Sections of General Provisions;

Appendix A consisting of 8 pages (Basic Services of Contractor);

Appendix B consisting of 2 pages (Methods and Times of Payment);

Appendix C consisting of 1 page (Additional Services of Contractor);

Appendix D consisting of 1 page (Schedule of Professional Fees);

Appendix E consisting of 1 page (Project Schedule);

Appendix F consisting of __ pages (Certificate(s) of Insurance)

PART I
SPECIAL PROVISIONS

Section 1. Definitions.

In this Contract:

A. "Administrator" means the City Engineer of the Engineering Division of the Public Works Department or his designee.
B. “Billings” means the City of Billings.
C. "Engineer” and/or “Contractor” means Morrison-Maierle, Inc.
D. In Appendix A, Contractor is referring to the construction contractor.

Section 2. Scope of Services.

A. The Contractor shall perform professional services in accordance with Appendix A, which is attached hereto and incorporated in this Section by reference.
B. Billings shall pay the Contractor in accordance with the Schedule of Professional Fees attached as Appendix D and incorporated herein by reference for services actually performed under this Contract.

C. Billings shall not allow any claim for services other than those described in this Section. However, the Contractor may provide, at its own expense, any other services that are consistent with this Contract.
D. The Engineer shall provide as-built drawings as approved by the City of Billings, to the Administrator within 30 days after the project completion date. Final payment will be withheld until the as-built drawings are received by the City of Billings. Requirements for submitting as constructed documents of completed Private Contracts, Work Orders, Special Improvement Districts and Site plans involving any City of Billings infrastructure: a point file; 1 (*.asc, *.txt, comma delimited; point number, northing, easting, elevation and description) / 2 (*.csv, with headings for; point number, northing, easting, elevation and description), with northings and eastings to the nearest tenth of a foot, elevations to the nearest hundredth of a foot, representing new, updated or relocated City of Billings infrastructure features such as, but not limited to Sanitary Sewer Manholes, Storm Drain Manholes, Water Valves, Water Bends, Signals, Street Light, etc., in the coordinates of Montana State Plane, Zone 2500 using NAD83(2011), Horizontal and NAVD88 Vertical, Horizontal units and Vertical units will be International feet, one half size paper copy to scale, one full size paper copy to scale, two CD's or DVD's with PDF files being half size to scale and full size to scale and AutoCAD DWG files as-constructed / as-built, Version 2016, or equivalent.

Section 3. Time for Performance.

A. This Contract becomes effective when signed on behalf of Billings.
B. The Contractor shall commence performance of the Work described in Section 2 on receipt of written Notice to Proceed and complete that performance in accordance with the schedule set forth in Appendix E.
C. This Contract shall terminate at midnight on March 1, 2022.

Section 4. Compensation; Method of Payment.

A. Each month, or at the conclusion of each phase of the Work for which payment is due, as negotiated on a per-task basis, the Contractor shall present a bill to the Administrator describing the Work for which it seeks payment and documenting expenses and fees to the satisfaction of the Administrator. If any payment is withheld because the Contractor's performance is unsatisfactory, the Administrator must, within ten (10) days of the payment denial, notify the Contractor of the payment denial and set forth, with reasonable specificity, what was unsatisfactory and why. Billings will pay Contractor within 30 days of receiving an acceptable invoice.
B. The Contractor is not entitled to any compensation under this Contract, other than is expressly provided for in this Section.
C. As a condition of payment, the Contractor shall have paid all City taxes currently due and owing by the Contractor.

Section 5. Termination of the Contractor's Services.

The Contractor's services under Section 2 of this Part may be terminated:

A. By mutual consent of the parties.
B. For the convenience of Billings, provided that Billings notifies the Contractor in writing of its intent to terminate under this paragraph at least 10 days prior to the effective date of the termination.
C. For cause, by either party where the other party fails in any material way to perform its obligations under this Contract. Termination under this Subsection is subject to the condition that the terminating party notifies the other party of its intent to terminate, stating with reasonable specificity the grounds therefor, and the other party fails to cure the default within 30 days after receiving the notice.

Section 6. Duties Upon Termination

A. If Billings terminates the Contractor's services for convenience or Contractor terminates services for cause, Billings shall pay the Contractor for its actual costs reasonably incurred in performing before termination and Billings shall pay for services rendered prior to termination. Payment under this Subsection shall never exceed the total compensation allowable under Section 4 of this Part. All finished and unfinished documents and materials prepared by the Contractor shall become the property of Billings.
B. If the Contractor's services are terminated for cause, Billings shall pay the Contractor the reasonable value of the services satisfactorily rendered prior to termination, less any damages suffered by Billings because of the Contractor's failure to perform satisfactorily. The reasonable value of the services rendered shall never exceed ninety percent (90%) of the total compensation allowable under Section 4 of this Part. Any finished or unfinished documents or materials prepared by the Contractor under this Contract shall become the property of Billings at its option.
C. If the Contractor receives payments exceeding the amount to which it is entitled under Subsections A or B of this Section, he shall remit the excess to the Administrator within 30 days of receiving notice to do so.
D. The Contractor shall not be entitled to any compensation under this Section until the Contractor has delivered to the Administrator all documents, records, Work product, materials and equipment owned by Billings and requested by the Administrator.
E. If the Contractor's services are terminated for whatever reason the Contractor shall not claim any compensation under this Contract, other than that allowed under this Section.
F. If a final audit has not been performed before the Contractor's services are terminated, Billings may recover any payments for costs disallowed as a result of the final audit.
G. Except as provided in this Section, termination of the Contractor's services under Section 5 of this Part does not affect any other right or obligation of a party under this Contract.

Section 7. Insurance.

A. The Contractor shall maintain in good standing the insurance described in Subsection B of this Section. Before rendering any services under this Contract,

the Contractor shall furnish the Administrator with proof of insurance in accordance with Subsection B of this Section.

B. The Contractor shall provide the following insurance:

1. Workers' compensation and employer's liability coverage as required by Montana law.
2. Commercial general liability, including contractual and personal injury coverage's -- $1,500,000 per occurrence.
3. Commercial automobile liability -- $1,500,000 per accident.
4. Professional liability in the amount of $1,500,000 per claim.

C. Each policy of insurance required by this Section shall provide for no less than 30 days' advance notice to Billings prior to cancellation.

D. Billings SHALL be listed as an additional insured on all policies except Professional Liability and Worker's Compensation Policies. In addition, all policies except Professional Liability and Worker's Compensation shall contain a waiver of subrogation against Billings.

Section 8. Assignments.

Unless otherwise allowed by this Contract or in writing by the Administrator, any assignment by the Contractor of its interest in any part of this Contract or any delegation of duties under this Contract shall be void, and an attempt by the Contractor to assign any part of its interest or delegate duties under this Contract shall give Billings the right immediately to terminate this Contract without any liability for Work performed.

Section 9. Ownership; Publication, Reproduction and Use of Material.

A. Except as otherwise provided herein, all data, documents and materials produced by the Contractor under this Contract shall be the property of Billings, which shall retain the exclusive right to publish, disclose, distribute and otherwise use, in whole or in part, any such data, documents, or other materials. Exclusive rights shall not be attributed to portions of such materials presently in the public domain or which are not subject to copyright. Contractor shall retain rights to pre-existing proprietary property including but not limited to interactive models. The Contractor shall have the right to include photographic or artistic representations of the design and construction of the Project among the Contractor's promotional and professional materials. The Contractor's materials shall not include Billings' confidential or proprietary information regardless of whether Billings has previously advised the Contractor in writing of the specific information considered by Billings to be confidential and proprietary.

B. Equipment purchased by the Contractor with Contract funds: See Appendix A, Section 3. Scope of Work.

C. Should Billings elect to reuse Work products provided under this Contract for other than the original project and/or purpose, Billings will indemnify and hold harmless the Contractor from any and all claims, demands and causes of action of any kind or character arising as a result of reusing the documents developed under this contract. Additionally, any reuse of design drawings or specifications provided under this Contract must be limited to conceptual or preliminary use for adaptation,

and the original Contractor's or subcontractor's signature, professional seals and dates removed. Such reuse of drawings and specifications, which require professional seals and dates removed, will be signed, sealed, and dated by the professional who is in direct supervisory control and responsible for adaptation.

Section 10. Notices.

Any notice required pertaining to the subject matter of this Contract shall be either sent via facsimile (FAX) or mailed by prepaid first class registered or certified mail, return receipt requested to the following addresses:

Billings: City Engineer (Debi Meling, PE)
City of Billings
Public Works Department
2224 Montana Avenue
Billings, Montana 59101 FAX: (406) 237-6291 / PHONE: (406) 657-3097

Contractor: Morrison-Maierle, Inc.
Jill Cook, PE
315 North 25th Street, Suite 102
Billings, Montana 59101 PHONE: (406) 656-6000

Notices are effective upon the earlier of receipt, proof of good transmission (facsimiles only), or 5 days after proof of proper posting.

Section 11. Contract Budget.

In connection with its performance under this Contract, the Contractor shall not make expenditures other than as provided in line items in the Contract budget.

Section 12. Force Majeure.

A. Any failure to perform by either party due to force majeure shall not be deemed a violation or breach hereof.
B. As used in this Contract, force majeure is an act or event of substantial magnitude, beyond the control of the delayed party, which delays the completion of this Contract, including without limitation:

1. Any interruption, suspension or interference resulting solely from the act of Billings or neglect of Billings not otherwise governed by the terms of this Contract.
2. Strikes or Work stoppages.
3. Any interruption, suspension or interference with the project caused by acts of God, or acts of a public enemy, wars, blockades, insurrections, riots, arrests or restraints of governments and people, civil disturbances or similar occurrences.
4. Order of court, administrative agencies or governmental officers other than Billings.

Section 13. Financial Management System.

The Contractor shall establish and maintain a financial management system that:

A. Provides accurate, current, and complete disclosure of all financial transactions relating to the Contract;
B. Maintains separate accounts by source of funds for all revenues and expenditures and identifies the source and application of funds for the Contractor's performance under this Contract, including information pertaining to subcontracts, obligations, unobligated balances, assets, liabilities, outlays and income;
C. Effectively controls and accounts for all municipal funds and Contract property;
D. Compares actual expenditures with budgeted amounts and relates financial information to performance or productivity data including unit cost information where applicable;
E. Allocates administrative costs to direct service delivery units;
F. Minimizes the time between receipt of funds from Billings and their disbursement by the Contractor;
G. Provides accounting records supported by source documentation; and
H. Provides a systematic method assuring the timely and appropriate resolution of audit findings and recommendations.

Section 14. Funding Requirements.

In the event that any funding source for this Contract should impose additional requirements upon Billings for the use of those funds, the Contractor agrees to abide by those additional requirements immediately upon receipt of written notice thereof from Billings.

Section 15. Subcontracts.

The Contractor may enter into subcontracts for the purchase of goods and services necessary for the performance of this Contract, provided:

A. Every subcontract shall be reduced to writing and contain a precise description of the services or goods to be provided and the nature of the consideration paid therefor.
B. Every subcontract under which the Contractor delegates the provision of services shall be subject to review and approval by the Administrator before it is executed by the Contractor.
C. Every subcontract in an amount exceeding $1,000 shall require reasonable access to business records of the subcontractor relating to the purchase of goods or services pursuant to the subcontract.

PART II
GENERAL CONTRACT PROVISIONS

Section 1. Relationship of Parties.

The Contractor shall perform its obligations hereunder as an independent Contractor of Billings. Billings may administer the Contract and monitor the Contractor's compliance with its obligations hereunder. Billings shall not supervise or direct the Contractor other than a provided in this Section.

Section 2. Nondiscrimination.

A. The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, national origin, ancestry, age, sex, or marital status or who is a "qualified individual with a disability" (as that phrase is defined in the Americans With Disabilities Act of 1990). The Contractor will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, or mental or physical impairment/disability. Such action shall include, without limitation, employment, upgrading, demotion or transfer, recruitment or recruiting advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training including apprenticeship. The Contractor agrees to post, in conspicuous places available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.
B. The Contractor shall state, in all solicitations or advertisements for employees to Work on Contract jobs, that all qualified applicants will receive equal consideration for employment without regard to race, color, religion, national origin, ancestry, age, sex or marital status, or mental or physical impairment/disability.
C. The Contractor shall comply with any and all reporting requirements that may apply to it which the City of Billings may establish by regulation.
D. The Contractor shall include the provisions of Subsections A through C of this Section in every subcontract or purchase order under this Contract, so as to be binding upon every such subcontractor or vendor of the Contractor under this Contract.
E. The Contractor shall comply with all applicable federal, state, and city laws concerning the prohibition of discrimination.
F. The Contractor and subcontractor shall abide by the requirements of 41 CFR 60-300.5(a) and 41 CFR 60-741.5(a), which prohibit discrimination against qualified protected veterans and/or qualified individuals on the basis of disability, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans and individuals with disabilities.
G. The Contractor and subcontractor shall abide by the requirements of 41 CRF 60-1.4, which states employees or applicates may not be discharged or in any other manner discriminated against because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees

or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information.

Section 3. Permits, Laws, and Taxes.

The Contractor shall acquire and maintain in good standing all permits, licenses and other entitlements necessary to its performance under this Contract. All actions taken by the Contractor under this Contract shall comply with all applicable statutes, ordinances, rules and regulations. The Contractor shall pay all taxes pertaining to its performance under this Contract.

Section 4. Nonwaiver.

The failure of either party at any time to enforce a provision of this Contract shall in no way constitute a waiver of the provision, nor in any way affect the validity of this Contract or any part hereof, or the right of such party thereafter to enforce each and every provision hereof.

Section 5. Amendment.

A. This Contract shall only be amended, modified or changed by a writing, executed by authorized representatives of the parties, with the same formality as this Contract was executed.
B. For the purposes of any amendment modification or change to the terms and conditions of this Contract, the only authorized representatives of the parties are:

Contractor: President or Vice President
(title of position)

Billings: City Council or Authorized Designee

C. Any attempt to amend, modify, or change this Contract by either an unauthorized representative or unauthorized means shall be void.

Section 6. Jurisdiction; Choice of Law.

Any civil action rising from this Contract shall be brought in the District Court for the Thirteenth Judicial District of the State of Montana, Billings. The law of the State of Montana shall govern the rights and obligations of the parties under this Contract.

Section 7. Severability.

Any provision of this Contract decreed invalid by a court of competent jurisdiction shall not invalidate the remaining provisions of the Contract.

Section 8. Integration.

This instrument and all appendices and amendments hereto embody the entire agreement of the parties. There are no promises, terms, conditions or obligations other than those contained herein; and this Contract shall supersede all previous communications, representations or agreements, either oral or written, between the parties hereto.

Section 9. Liability.

A. The Contractor shall indemnify, defend, save, and hold Billings harmless from any and all claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses including reasonable attorneys' fees and costs, arising from any wrongful or negligent act, error or omission of the Contractor or any agent, employee or subcontractor as a result of the Contractor's or any subcontractor's performance pursuant to this Contract.
B. The Contractor shall not indemnify, defend, save and hold Billings harmless from claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses or attorneys' fees and costs arising from wrongful or negligent acts, error or omission solely of Billings occurring during the course of or as a result of the performance of the Contract.
C. Billings shall indemnify, defend, save, and hold the Contractor harmless from any and all claims, causes of action, lawsuits, damages, judgements, liabilities, and litigation costs and expenses including reasonable attorneys' fees and costs, arising from any wrongful or negligent act, error or omission of Billings or any agent, employee or subcontractor as a result of Billings' or any subcontractor's performance pursuant to this Contract.
D. Billings shall not indemnify, defend, save and hold the Contractor harmless from claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses or attorneys' fees and costs arising from wrongful or negligent acts, error or omission solely of the Contractor occurring during the course of or as a result of the performance of the Contract.
E. Where claims, lawsuits or liability, including attorneys' fees and costs arise from wrongful or negligent act of both Billings and the Contractor, the Contractor shall indemnify, defend, save, and hold Billings harmless from only that portion of claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses including attorneys' fees and costs, which result from the Contractor's or any subcontractor's wrongful or negligent acts occurring as a result from the Contractor's performance pursuant to this Contract.

Section 10. Inspection and Retention of Records.

The Contractor shall, at any time during normal business hours and as often as Billings may deem necessary, make available to Billings, for examination, all of its records with respect to all matters covered by this Contract for a period ending three years after the date the Contractor is to complete performance in accordance with Section 2 of the Special Provisions. Upon request, and within a reasonable time, the Contractor shall submit such other information and reports relating to its activities under this Contract, to Billings, in such

form and at such times as Billings may reasonably require. The Contractor shall permit Billings to audit, examine and make copies of such records, and to make audits of all invoices, materials, payrolls, records of personnel, and other data relating to all matters covered by this Contract. Billings may, at its option, permit the Contractor to submit its records to Billings in lieu of the retention requirements of this Section.

Section 11. Availability of Funds.

Payments under this Contract may require funds from future appropriations. If sufficient funds are not appropriated for payments required under this Contract, this Contract shall terminate without penalty to Billings; and Billings shall not be obligated to make payments under this Contract beyond those which have previously been appropriated.

IN WITNESS WHEREOF, the parties have executed this Contract on the date and at the place shown below.

City of Billings

William A. Cole, Mayor

Date:

ATTEST:

City Clerk

Date:

Contractor

Name: Jill Cook, PE

Title: Vice President

Date:

IRS Tax ID # 81-0217149

APPROVED AS TO FORM:

By

BRENT BROOKS, City Attorney

Appendix A

Basic Services of Engineer
City of Billings W.O. 21-01 Pioneer Park Area Water Main Replacement

Section 1. Engineer's Rights and Duties.

A. To furnish all labor, materials, equipment, supplies, and incidentals necessary to conduct and complete the Engineer's portion of the project as defined in the scope of work and to prepare and deliver to Billings all plans, specifications, bid documents, and other material as designated herein.

B. Ascertain such information as may have a bearing on the work from local units of government, utility companies, and private organizations and shall be authorized to procure information from other authorities besides Billings but shall keep Billings advised as to the extent of these contacts and the results thereof.

C. Prepare and present such information as may be pertinent and necessary in order for Billings to pass critical judgment on the features of the work. The Engineer shall make changes, amendments or revisions in the detail of the work as may be required by Billings. When alternates are being considered, Billings shall have the right of selection.

D. Engineer's work shall be in accordance with the standards of sound engineering and present City, State, and National standards and policies currently in use.

E. Conform to the requirements of the Montana Code Annotated Title 18 "Public Contracts" and more particularly Sections 18-2-121 and 18-2-122, and all other codes of the State of Montana applicable to providing professional services including codes and standards nationally recognized.

F. The Engineer shall certify with the submission of final plans that the plans are in conformance with applicable sections of Title 69, Chapter 4, Part 5, of the Montana Code Annotated as pertaining to existing utilities.

G. To perform professional services in connection with the project and will serve as Billings' representative in those phases of the project to which this agreement applies.

H. Where Federal funds are involved, the necessary provisions to meet all requirements will be complied with and documents secured and placed in the bidding documents.

I. Submit an estimated progress schedule as to time and costs at the beginning of the work, and monthly progress reports thereafter until complete. The reports will include any problems, potential problems, and delays as foreseen by the Engineer. Reports will be submitted in a timely manner to permit prompt resolution of problems.

J. Name a Task Director who shall be the liaison between Billings and the Engineer. For this project the Task Director designated for the Engineer is Kurtis DeShaw, P.E. working under Vice President, Jill Cook, P.E.

Section 2. Billings Rights and Duties.

A. To furnish all labor, materials, equipment, supplies, and incidentals necessary to conduct and complete Billings' portion of the project as designated in the scope of work.

B. Name a Task Director who shall be the liaison between the Engineer and Billings. For this project, the Task Director designated is Travis Harris, P.E.

Section 3. Scope of Work.

The Engineer shall perform the work outlined within this agreement that includes the completion of design and construction phase services for W.O. 21-01 Pioneer Park Area Water Main Replacement. Design and construction work for the W.O. 21-01 Pioneer Park Area Water Main Replacement is based on the following:

- Approximately 4,985 linear feet (LF) of 8-inch to 12-inch water main replacement in Avenues B through E from 3rd Street West to North 32nd Street and in 1st Street West from Grand Avenue to Avenue C
- Reconnect existing water services from the existing 4-inch water main to the new 16-inch water main in Avenue F between 3rd Street West and North 32nd Street
- Approximately 725 LF of 8-inch water main replacement in 2nd Street West from Grand Avenue to Burlington Avenue
- Approximately 1,220 LF of 8-inch water main replacement in Burlington Avenue from 2nd Street West to Division Street
- Approximately 1,550 LF of 8-inch to 12-inch water main replacement in 12th Avenue North from North 26th Street to North 22nd Street
- Replace approximately 130 lead service lines from water main to curb stop

The scope of work is summarized below:

TASK 000 - PROJECT MANAGEMENT

Project management for the design and construction phases will include all project coordination between the City and the consultant team members. This management task includes communication of ideas, questions, and issues to ensure the design encompasses the input from the project personnel for both the City and Morrison-Maierle. Project management also includes the effort necessary to control the quality, schedule, and budget of the project.

TASK 030 – SURVEY

Design phase survey services will consist of the following:

- Establish horizontal and vertical control for the project areas. The horizontal and vertical datums for this project shall be approved by the City.
- The City GIS information will be used to draw in existing water, sewer, and storm drain mains. The plans will show owner addresses and approximate lot lines based on City GIS information. Property corner searches are not included.
- Design survey will be completed using an unmanned aerial vehicle (UAV) to collect surface data. Utility locates will be requested prior to the UAV survey using the One-Call service and the located private utilities will be drawn in from the UAV survey imagery. It is assumed that the City staff will locate all water services prior to the UAV survey such that survey of curb stops is not required. The water service records will be used to draw in services that are not visible in the UAV survey due to tree cover, cars, or other obstructions. The plans will utilize the aerial imagery from the UAV survey as a background and features such curb, sidewalk, drive approaches, trees, etc. will not be drawn in. If snow cover prevents the use of a UAV survey during the winter months, or if utilities in all areas are not located in a manner that will allow for UAV survey, a limited conventional survey will be required (for all or a portion of the project) to keep the project on schedule. If a conventional survey is required, it will be limited to surveying the ground surface along the centerline of the new water main alignment.
- Obtain approval from the Billings Airport for the UAV survey.
- Up to two days of ground survey with a GPS are included as needed to survey features that could not be obtained from the UAV survey.

Construction phase survey services will consist of the following:

- Provide personnel, equipment, and supplies for construction layout and control.
- Construction layout shall include layout, measurements, lines, locations, and grades necessary for construction of the water main replacement and associated appurtenances. Staking shall include centerline locations and offsets for the principal components of the work (valves, hydrants, horizontal fittings) and intermediate points at approximately 100 feet between principal components for the water main.
- Survey shall reference and preserve all existing survey monuments and benchmarks. All monuments required within the project shall be punched and elevations shown on as-built drawings.

TASK 039 – GEOTECHNICAL EVALUATION

Geotechnical engineering will be provided by a sub-consultant and shall include field sampling, laboratory testing and review of subsurface soils to determine appropriate pavement section design alternatives, sub-grade treatment, groundwater conditions, foundations and backfill recommendations for utility installations, and thrust block recommendations. Recommendations for specific construction materials established

in this review will be included in the project plans and specifications. Design geotechnical work will include 12 soil borings to a depth of 10 feet and two shallow borings (less than 18-inches deep) to identify existing asphalt and base course thickness. Additional soil borings in the project area from recent projects will be incorporated into the project specifications for reference only to reduce overall geotechnical design costs.

Quality assurance density tests, proctors, asphalt, and concrete testing are included in the construction materials testing scope up to $25,000. Since actual geotechnical testing fees may vary based on the contractors means and methods, the Engineer shall notify the City immediately if we believe the budget is going to be exceeded.

TASK 040 – DESIGN

The following work will be performed under this task:

- Review existing record drawings to verify depths and locations of existing utilities. Perform valve and manhole measure downs to verify depths of existing water, sewer and storm drain mains where this information is not available on record drawings, or to verify depths where there is minimal clearance at utility crossings.
- Identify lead water services to be replaced from the water main to curb stop and show these on the plans based on water service records provided by the City. The City will conduct the communication with property owners and necessary testing during construction for the lead service replacements.
- Review pros and cons of an offset water main alignment to save on temporary water costs and other benefits such as local access during construction and trench restoration of half the street width rather than down the middle of the street. Review temporary water options for the water main in 12th Avenue North, which is the only supply to Zone 2. A memo summarizing the pros and cons of an offset water main alignment will be submitted to the City for review at the 30% design stage.
- Verify water model for sizing of water main in 12th Avenue North.
- Review existing leaking underground storage tank (LUST) sites in the project areas from the MDEQ database to determine if the potential for contaminated soil and groundwater needs to be addressed in the project specifications.
- Include specifications and details for cathodic protection using sacrificial anodes at metallic valves, fittings, and hydrants. Details and specifications from a previous City project will be repurposed and no new design of cathodic protection is included.
- Traffic control will be addressed with written specifications and referencing the traffic control drawings in the City of Billings Standard Modifications to MPWSS. No traffic control plans will be prepared by the Engineer for this project.
- Prepare preliminary plans and specifications. Deliverables will include preliminary plans at 30% complete, and preliminary plans, specifications, and opinion of probable cost at 60% complete for review by the City. An electronic file (PDF) of each review set will be provided to the City for review. In addition, one (1) 11”x17” copy of 30% plans, and one (1) 22”x34” copy and one (1)

11”x17” copy of 60% plans and specifications will be provided to the City. One copy of the 60% plans will be provided to each utility in the area. The 60% plans provided to the utilities will be annotated with potential conflicts noted as part of the design. Engineer will follow up with the utilities to ensure they received the plans sent to them. Engineer will hold a meeting for utilities to attend to discuss potential conflicts, if any occur.

- Coordinate with permitting agencies including MDEQ and public/private utilities.
- Hold separate review meetings to review 30%, 60%, and 90% submittals with City staff before development of next stage plan documents.
- Perform field review(s) with City and other agencies, as required.
- Meet with up to two local contractors and suppliers to discuss constructability issues.
- Develop 90% plans, specifications, quantity summaries, and opinion of probable cost for final review by City staff. Engineer will meet with City staff to review 90% comments. One (1) 22”x34” copy and two (2) 11”x17” copies will be provided to the City, as well as an electronic file (PDF).
- Seal and sign all final plans, specifications, submitted calculations, and reports with the seal of the Montana licensed Professional Engineer in responsible charge of the work.
- Submit plans, specifications, design summary, certified checklist, and any required deviations for the water main replacement to MDEQ for review. The City will pay respective permitting fees directly. Coordinate with MDEQ on any follow-up comments/requirements.
- Prepare informational letter and send to property owners adjacent to the project areas. Attend one public informational meeting during design.
- Potholing or other exploratory may be required during design and/or construction of this project. This scope includes up to $6,000 for potholing or exploratory services as required.

Bidding services will be provided as follows:

- Provide bid advertisement text to City for publication. Submission of the advertisement to publications and the cost for advertising will be responsibility of the City.
- Distribution of plans and specifications will be done electronically using the City’s Quest CDN service and through www.montanabid.com. No hard copies of the plans and specifications will be provided to the bidders. Two (2) 11”x17” copies will be provided to the City, as well as an electronic file (PDF).
- The plan holder’s list will be maintained through Quest CDN.
- Answer prospective bidders’ questions regarding the project.
- Schedule and hold a pre-bid conference with interested contractors and suppliers. Prepare agenda and minutes for the meeting.
- Prepare and distribute addenda as necessary.
- Attend bid opening, analyze bid proposals, publish a bid tabulation, and make recommendations on awarding a construction contract.

Construction Manager/General Contractor (CMGC)

If a CMGC alternative delivery method is chosen by the City, services will be provided as follows:

- Assistance in preparation of Request for Proposals (RFP) after 30% design for contractor selection, in lieu of bidding phase services as described above. These services include:
    - Prepare RFP for contractor selection
    - Provide bid advertisement text to City for publication. Submission of the advertisement to publications and the cost for advertising will be responsibility of the City.
    - Distribution of plans and RFP will be done electronically using the City's Quest CDN service and through www.montanabid.com. No hard copies of the plans and specifications will be provided to the bidders. Two (2) 11"x17" copies will be provided to the City, as well as an electronic file (PDF).
    - The plan holder's list will be maintained through Quest CDN.
    - Answer prospective bidders' questions regarding the project.
    - Schedule and hold a pre-bid conference with interested contractors and suppliers. Prepare agenda and minutes for the meeting.
    - Prepare and distribute addenda as necessary.
- Attend construction meetings with the contractor and owner (in lieu of just attending them with the owner)

TASK 050 – CONSTRUCTION ADMINISTRATION

Construction administration will include the following tasks:

- Prepare four (4) copies of construction contract documents and distribute to Contractor and City.
- Schedule and hold a pre-construction conference prior to commencement of work at the site. Issue meeting minutes to Contractor and City.
- Take preconstruction photos of proposed work areas.
- Coordinate appropriate quality assurance testing of materials intended for incorporation into the project and require documentation of testing results.
- Provide review of construction to check the Contractor's work for general conformance with the drawings, specifications, and other applicable documents, codes, or standards. Review of work shall be made on a full-time basis while any major item of work is in progress. Major items of work shall include, but not be limited to, water main installation; lead service replacement; subgrade preparation; gravel base course preparation; asphalt trench restoration; and concrete pouring and finishing. Each daily review shall be documented in permanent reproducible form and kept in consecutive order with the project file. Copies of the daily review reports shall be furnished to Billings as requested during construction. Engineer will notify Billings immediately of contract problems or deviation from approved plans.

- Coordinate and administer weekly progress meetings for a 100-calendar day project.
- Prepare weekly construction update email and project map showing work areas to include on the City's website.
- This project is planned based on a construction contract time of 100-calendar days. It is assumed that two (2) construction crews will be allowed to work in separate project areas, which may require two (2) full time resident project representatives (RPR) for the work. This project is planned for one (1) full time RPR at ten (10) hours per working day for 72 working days and a second full time RPR is planned at ten (10) hours per working day for 58 working days out of the 100-calendar day contract. Additional time for both RPRs includes 14 hours of preparation, pre-con meeting, and contract review and 20 hours for punch list items for a total of 1,334 hours.
- Interpret geotechnical test results and recommendations and coordinate with field observations.
- The Engineer shall record the location and depth, where available, of all underground utilities.
- Engineer shall ascertain that the Contractor has all needed permits to accomplish his work during construction.
- Check shop drawings, samples, equipment, temporary water plans, traffic control plans, valve operation requests, asphaltic concrete mix design, concrete mix design, aggregate, and other data submitted by the Contractor for compliance with drawings and specifications.
- Evaluate and respond to Requests for Information (RFI) from Contractor.
- Prepare monthly pay estimates and final pay estimates for construction and prepare contract administration forms on a monthly basis. These will be submitted in Billings' approved format.
- Engineer shall provide City with geotechnical testing reports after construction.
- Issue notice to the Contractor to suspend work in whole or part when, in the opinion of the Engineer, and when directed by the Owner, work is not being, or cannot be performed in accordance with the contract documents and specifications.
- Contact Billings for any proposed plan or specification changes when required due to initial design and engineering deficiencies to complete the project in its original concept. Plan and specification changes shall be prepared by the design engineer and implemented via change order.
- Prepare and recommend field orders and change orders when necessary due to conditions encountered during construction. Work resulting in contract overage will be processed by approved change orders using Billings' standard format.

TASK 060 – CLOSEOUT

Closeout services will be provided as follows:

- Following receipt of red-lined drawings from the general contractor and any review comments from Billings, make necessary changes and furnish Billings

with record drawings as indicated in Section 2D of Part I of this contract. Record drawings shall include, but not be limited to:
    - Locations of water services, bends, fittings, valves and hydrants will be surveyed with a GPS by the RPR.
    - All above elevations shall be referenced to a permanent benchmark elevation that is clearly shown on the plans.
    - Record drawings are due within 60 days of Contractor's final payment and before final payment to the Engineer.
- Schedule and make final inspection with Billings and certify to Billings all construction items were constructed according to plans and specifications and are acceptable to the Engineer.
- Issue Certificate of Substantial Completion.
- Schedule and inspect with Billings prior to the expiration of construction warranty period and provide a certification of final acceptance. If any problems are found, send a list of deficiencies to Billings and Contractor and continue until acceptable.
- Approximately eleven (11) months after construction is completed, a one-year walkthrough will be attended by a representative of the design team with the City. A follow-up letter of findings and recommendations will be provided to the City.

TASK 88 – QUALITY ASSURANCE

Internal quality assurance will be provided for all reports, plans and specifications furnished to the City or other agencies.

Appendix B

Methods and Times of Payment
City of Billings W.O. 21-01 Pioneer Park Area Water Main Replacement

Section 1. Payments for Basic Services.

Billings shall authorize payment to the Engineer for services performed under Appendix A of this Agreement. Partial payment shall be due the Engineer upon receipt of the Engineer's pay estimate, said estimate being proportioned to the work completed by the Engineer.

Partial payment shall be made to the Engineer upon receipt of the Engineer's pay estimate, said estimate being proportioned to the work completed by the Engineer. Billings shall deduct five percent (5%) from each monthly pay estimate to be held until the completion of the final scope of work. The final payment shall be made only after acceptance of final documents by Billings, and determination that the scope of work has been satisfactorily completed.

A. For services rendered as described in Appendix A, the Engineer shall be paid based upon actual time accrued, but not to exceed the following total fee:

1.	Task 000 – Project Management	$19,268.00
2.	Task 030 – Survey	$43,840.00
3.	Task 039 – Geotechnical	$44,982.00
4.	Task 040 – Design	$177,492.00
5.	Task 050 – Construction Administration	$264,363.00
6.	Task 060 – Project Closeout	$23,925.00
7.	Task 088 – Quality Assurance	$11,984.00
	TOTAL	**$585,854.00**

B. Final payment shall be the above stated basic fee less all previous payments.

Section 2. Payments for Extra Services when Authorized by Billings.

Requests made or conditions identified by interested groups at the agency or public meetings, which are beyond the scope and intent of this project shall be paid for by a negotiated fee.

Section 3. Corrections.

Costs of Billings work that is required for corrections to the Engineer's work which requires redoing by Billings shall be deducted from any payments due the Engineer, if the Engineer fails to make the required corrections.

Section 4. Fee Increases

For contracts and services that are expected to require more than one (1) year to complete, the above stated basic services payments may be reviewed and adjusted annually by mutual agreement of the parties, based upon documented evidence that the Engineer's costs and hourly rates as shown in Appendix D have increased for all comparable clients.

Appendix C

Additional Services of Engineer
City of Billings W.O. 21-01 Pioneer Park Area Water Main Replacement

Extra Services of the Engineer will be paid only with written prior authorization by Billings.

A. Requests made or conditions identified which are beyond the scope and intent of the services identified under Appendix A.

Appendix D

Schedule of Professional Fees
City of Billings W.O. 21-01 Pioneer Park Area Water Main Replacement

Not used on this Contract.

Appendix E

Project Schedule
City of Billings W.O. 21-01 Pioneer Park Area Water Main Replacement

Based on a notice to proceed by Billings date no later than December 15, 2020, the completion date for the Engineer's work through final design shall be:

1. Preliminary Engineering Services (30% Design): January 2021
2. Preliminary Engineering Services (60% Design): February 2021
3. Preliminary Engineering Services (90% Design): March 2021
4. Final Engineering Services (100% Design): April 2021
5. Construction Services to be based on Contractor Schedule.

Delays affecting the completion of the work within the time specified of more than ninety (90) days, not attributable to or caused by the Parties hereto, may be considered as cause for the renegotiation or termination of this Contract.

If the Engineer is behind on this Contract due to no fault of Billings, then the Engineer hereby acknowledges the right of Billings to withhold future Contracts to the Engineer in addition to any other remedy until this Contract is brought back on schedule or otherwise resolved.

Appendix F

Certificate(s) of Insurance
City of Billings W.O. 21-01 Pioneer Park Area Water Main Replacement

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(Attach Certificate(s) of Insurance)

Consent **1. D.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: FIRE Breathing Air Compressor emergency replacement

PRESENTED BY: William Rash, Fire Chief

Department: Fire **Division:** Fire

RECOMMENDATION

Staff recommends approving the purchase of a new breathing air compressor to replace the existing unit in the amount of $127,683.29.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

In 2018 when we purchased the Scott breathing air compressor, we learned there were only two manufacturers of 7,000 psi compressors: Scott and Bauer. All other manufacturers had 7,000 psi unit in the R&D stage but nothing in production. We chose Scott for affordability, to keep our supply chain narrow and limit the number of brands of equipment we had on hand. The Scott compressor has not performed as expected and attempts to repair it have been unsuccessful. Scott announced the dissolution of the breathing air compressor line in May 2020.

Fire/SCBA Technicians began researching to find a replacement unit as soon as possible. Fifteen vendors and/or manufacturers were contacted only one quote was received that offered a 7,000 psi compressor. DXP Enterprises, Inc. offered a Bauer unit. Many provided information on their current product lines but stated they did not yet have a 7,000 psi model in production.

ALTERNATIVES

City Council may approve or disapprove of purchase a new breathing air compressor.

FISCAL EFFECTS

In May 2018 the purchase price for the unit we are replacing was $83,958.00. The City's Legal Department has been working to secure a refund from the manufacturer of our existing compressor and these funds can then be applied to the purchase cost of $127,683.29 for the new compressor manufactured by Bauer.

Consent **1. E.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: Ward Boundary Expansion Ordinance Second Reading - Annexation 20-03

PRESENTED BY: Monica Plecker

Department: Planning & Community Services **Division:** Planning

RECOMMENDATION

Staff recommends City Council approve the Ward Boundary Ordinance on second reading. The City Council approved first reading on November 23, 2020. Ordinances require two readings.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

City election ward boundaries must be adjusted to conform to city limit amendments resulting from annexation of property into the City. Chuck Hogan and Rick Dorn, on behalf of Hogan Properties (contract buyer) submitted a petition to annex land using the provisions of Section 7-2-4600, MCA. The subject property is Certificate of Survey 1121, Tract 2-A-1, totaling approximately 4.350 gross acres. The property is zoned Controlled Industrial (CI) and has a metal pole building on site. The parcel is located south of the South Frontage Road and north of the Grey Eagle Ditch. Upon Council approval, this annexation requires a change in the boundaries of Ward III. Two readings are required for this action. City Council approved the first reading of the ordinance and held a public hearing on November 23, 2020.

ALTERNATIVES

City Council may:

- Approve, or;
- Disapprove

Disapproval will not modify the boundary of Ward III and will create a problem where property inside the City Limits is not within a City Ward.

FISCAL EFFECTS

Action on this item has no impact on the Planning Division budget.

Attachments

Ward Boundary Ordinance

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE CITY OF BILLINGS, AMENDING BILLINGS MUNICIPAL CODE, CHAPTER 11, ELECTIONS, IN PARTICULAR, SECTION 11-102(c), WARD BOUNDARIES; AND CHANGING THE WARD BOUNDARIES ESTABLISHED THEREIN BY ADDING CERTAIN NEWLY ANNEXED REAL PROPERTY TO WARD III PROVIDING FOR CERTIFICATION AND REPEALING OF ALL ORDINANCES AND RESOLUTIONS INCONSISTENT THEREWITH.

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

1. AMENDMENT. Pursuant to Billings Municipal Code, Section 11-102(c) and the State Law, Billings Municipal Code, Section 11-102(c) Ward Boundaries is hereby amended by adding to Ward III the following described real property:

   Tracts of land situated in the NW1/4 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

   Being Tract 2-A-1 of Amended Tracts 2-A And 2-B, of Amended Tract 2 Certificate of Survey No. 1121, Recorded January 14th, 2008, under Document Number 3451343, on file and of record in the office of the Yellowstone County Clerk & Recorder.

   Including all adjacent Right-Of-Way of the City of Billings City County Drain and including all adjacent Right-Of-Way of Washington Street, being a part of Yellowstone County road easement for Washington Street also described as a portion of County Road Petition Number 58.

   Containing 4.350 gross and 3.673 net acres more or less.
   (# 20-03) See Exhibit "A" Attached

2. CERTIFICATION. Pursuant to M.C.A. Section 13-3-103, the above change and alteration is hereby certified to the election administrator by the City Council, and the City Administrator or his designee is hereby directed to certify the changes and alterations and to deliver a map showing the boundaries of the ward, the streets, avenues and alleys by name and the ward by number, to the

election administrator not more than ten (10) days after the effective date of this ordinance.

3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.

PASSED by the City Council on the first reading this 23rd day of November, 2020.

PASSED by the City Council on the second reading this 14th day of December, 2020.

THE CITY OF BILLINGS:

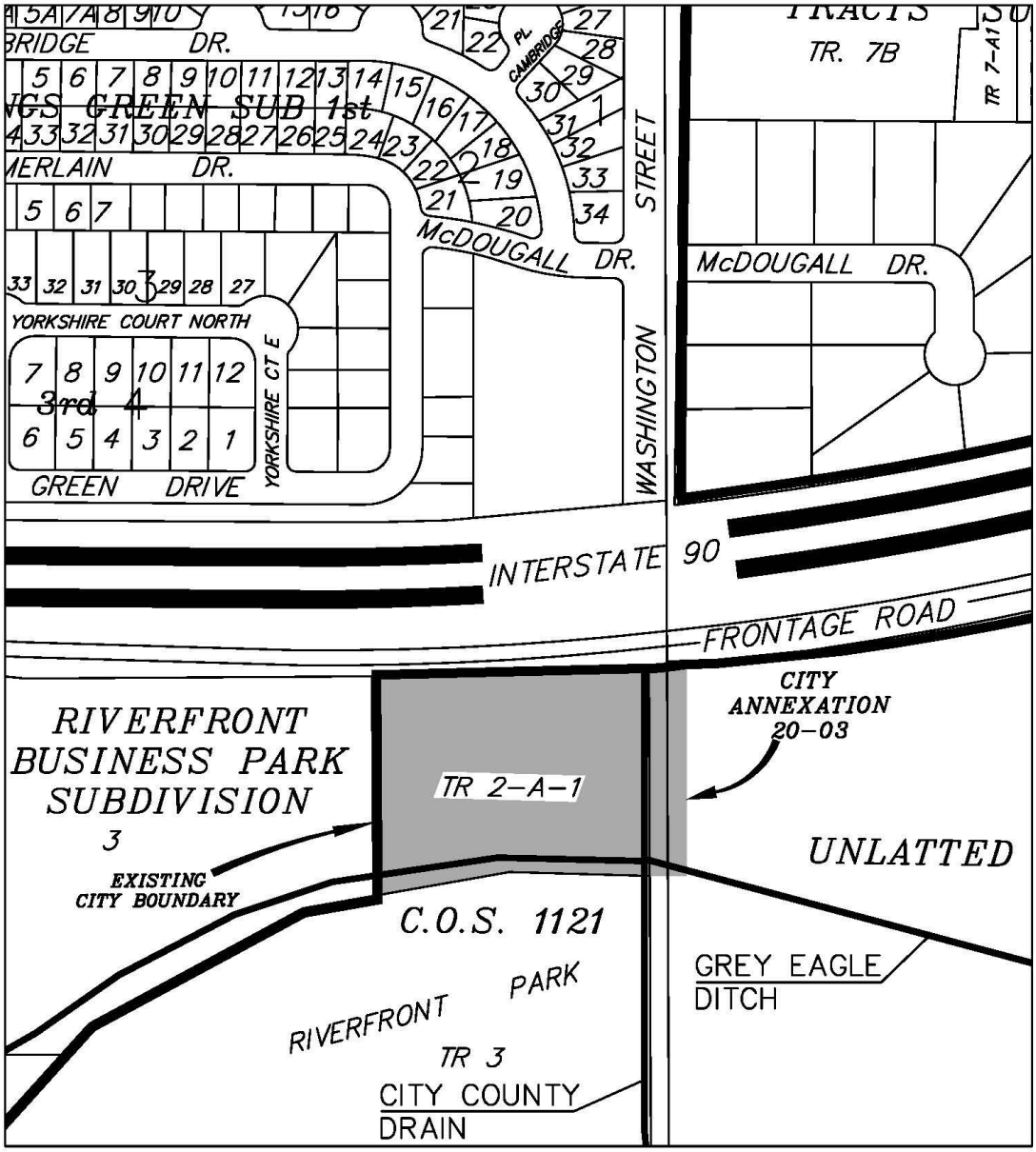
_____
William A. Cole, MAYOR

ATTEST:

BY: _____
Denise Bohlman, CITY CLERK

(AN 20-03)

EXHIBIT "A"


BRIDGE DR.
IGS GREEN SUB 1st
MERLAIN DR.
McDOUGALL DR.
STREET
WASHINGTON
YORKSHIRE COURT NORTH
YORKSHIRE CT E
GREEN DRIVE
3rd 4
TRACTS
TR. 7B
TR 7-A1
McDOUGALL DR.
INTERSTATE 90
FRONTAGE ROAD
CITY ANNEXATION 20-03
RIVERFRONT BUSINESS PARK SUBDIVISION 3
TR 2-A-1
EXISTING CITY BOUNDARY
UNLATTED
C.O.S. 1121
RIVERFRONT PARK
TR 3
CITY COUNTY DRAIN
GREY EAGLE DITCH

Consent **1. F.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: Resolution of Intention to Create SILMD 329 and Amend SILMD 263 and Set a Public Hearing Date

PRESENTED BY: Debi Meling

Department: Public Works **Division:** Engineering

RECOMMENDATION

Staff recommends City Council approve the Resolution of Intent to create SILMD 329 and amend SILMD 263 on Hallowell Lane and set a public hearing date of January 11, 2021.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Reconstruction of Hallowell Lane is planned for the spring of 2021. The improvements that are planned include the installation of 36 street lights within the project area. Due to anticipated long lead times on pole delivery, early creation of the SILMD will ensure that the poles will be available by the time construction is wrapping up. The City will administer the SILMD by assessing the property owners for the costs of maintaining the district and paying Northwestern Energy for the electricity. Passage of this Resolution of Intent is the first step in the legal process of creating a lighting maintenance district to pay the maintenance and operation costs. Passage of this Resolution of Intent will trigger the mailing of legal notices to the affected property owners and set a public hearing at the January 11, 2021 City Council meeting.

The new lighting will use LED lamps and underground wiring. The cost of installation will be paid for with project funds. The adjacent property owners will only pay for electrical energy, ongoing maintenance, and administration costs through an assessment on their property tax statements. Light district assessments are estimated at $0.699390 per lineal foot and will range from approximately $34.97 to $462.30 per year depending on the Hallowell Lane frontage of the property within the District boundary. The total yearly assessment is estimated to be $5,826.62.

Corner lots currently under assessment in existing light districts will also be assessed in the new SILMD 329 as they benefit from lighting in both districts.

SILMD 263 will be amended to remove the parcel with Tax ID D01597, described in Exhibit C. The lights in SILMD 263 run along State Avenue and it has been determined that the parcel with Tax ID D01597 will not have as much benefit from that lighting compared to SILMD 329.

ALTERNATIVES

City Council may:

- Pass the Resolution of Intent to Create SILMD 329 to provide a source of funding for operation and maintenance of the streetlights and set a public hearing for January 11, 2021; or
- Do not pass the Resolution of Intent or set a public hearing date. If the Council does not adopt the Resolution, the property owners cannot be assessed for operation and maintenance of the streetlights, so the new lighting will not be installed.

FISCAL EFFECTS

There are two City of Billings owned properties located within the District. The total assessed frontage is 1,262 feet which equates to an estimated total annual assessment of $882.63.

Attachments

Resolution of Intent & Exhibits

RESOLUTION NO. _____

A RESOLUTION OF INTENTION TO CREATE SPECIAL IMPROVEMENT LIGHTING MAINTENANCE DISTRICT NO. 329 OF THE CITY OF BILLINGS, MONTANA, FOR THE PURPOSE OF MAINTAINING THE STREET LIGHTING FIXTURES AND FACILITIES WITHIN THE DISTRICT AND SUPPLYING ELECTRICAL CURRENT THEREFOR; DESIGNATING THE NUMBER OF SAID DISTRICT, DESCRIBING THE BOUNDARIES THEREOF, GENERALLY DESCRIBING THE MAINTENANCE TO BE UNDERTAKEN, PROVIDING AN INITIAL ESTIMATE OF COSTS AND EXPENSES AND DESCRIBING THE METHOD OF ASSESSING SUCH COSTS AND EXPENSES; AND, IN THE EVENT THE DISTRICT IS CREATED, AMENDING SPECIAL IMPROVEMENT LIGHTING MAINTENANCE DISTRICT NO. 263 OF THE CITY OF BILLINGS, MONTANA

BE IT RESOLVED by the City Council of the City of Billings, Montana (the "City"), as follows:

Section 1. The City Council of the City has determined that the public interest and convenience require, and it is deemed necessary to create, a Special Improvement Lighting Maintenance District pursuant to Montana Code Annotated, Title 7, Chapter 12, Part 43, for the purpose of maintaining the street lighting fixtures and facilities within the proposed district, supplying electrical current therefor, and assessing the costs and expenses thereof against the lots and parcels of land within the proposed district. The intention of the City Council to create the proposed district, as hereinafter more particularly described, is hereby declared.

Section 2. The proposed Special Improvement Lighting Maintenance District shall be known and designated as "Special Improvement Lighting Maintenance District No. 329 (hereinafter called the "District"), and the boundaries of the District are hereby declared to include the lots and parcels of land directly abutting Hallowell Lane between King Avenue East and State Avenue, as shown on the map included as Exhibit A attached hereto and as described in Exhibit B attached hereto.

The District includes certain lots and parcels of land within existing Special Improvement Lighting Maintenance Districts designated as "Special Improvement Lighting Maintenance District No. 263" (hereinafter called the "Existing District"), as described in Exhibit C attached hereto. If the District is created, the Existing District shall be amended to remove said parcel as of the first fiscal year in which assessments are levied with respect to the District.

Section 3. The general character of the maintenance to be undertaken within the District is hereby declared to be as follows: (i) maintenance of the street lighting fixtures

and facilities, currently consisting of 36 LED luminaires mounted on steel poles, underground wiring and associated appurtenances and equipment, and (ii) supplying electrical current therefor. The City shall own all such street lighting fixtures and facilities. Notwithstanding anything herein to the contrary, maintenance, for purposes of the District, includes routine maintenance, major maintenance and replacement of obsolete, damaged or worn-out street lighting fixtures and facilities.

Section 4. The City hereby finds, determines and declares that each of the lots and parcels of land within the District will be specially benefited and affected by the street lighting fixtures and facilities within the District, and that all of the lots and parcels of land within the District are hereby declared to be the lots and parcels of land to be assessed for the costs and expenses of maintaining the street lighting fixtures and facilities within the District and supplying electrical current therefor, as further described in Section 5 below.

Section 5. The City estimates that the aggregate costs and expenses of maintaining the street lighting fixtures and facilities within the District and supplying electrical current therefor are $5,826.62 for the first year, which amount includes $2.45 per unit per month for electrical current. It is expected that such costs and expenses will vary from year to year and will generally increase over time. Each year the City Council shall adopt a resolution estimating such costs and expenses and may adjust annual assessment amounts in accordance with Section 7-12-4332, M.C.A. Such costs and expenses may include amounts for the accumulation of maintenance reserves. The cost of the original installation of the street lighting fixtures and facilities will be paid for by the City and will not be included in the costs and expenses assessed against the lots and parcels of land within the District.

Section 6. All costs and expenses of maintaining the street lighting fixtures and facilities within the District and supplying electrical current therefor shall be assessed against the lots and parcels of land within the District, as listed in Exhibit D attached hereto in accordance with Section 7-12-4324, M.C.A., with each such lot or parcel of land to be assessed such portion of the aggregate costs and expenses as its lineal frontage bears to the total assessable frontage of the entire District, exclusive of public streets, avenues, alleys and other public places. Estimated assessments for the first year is approximately $0.699390 per lineal foot of property frontage, as set forth on Exhibit D attached hereto.

Section 7. All monies derived from the collection of the assessments described in Section 6 above shall be paid into a fund to be known as “Special Lighting Maintenance District No. 329 Maintenance Fund.” Amounts in the Special Lighting District No. 329 Maintenance Fund will be used to pay the costs and expenses of maintaining the street lighting fixtures and facilities and supplying electrical current therefor, and for no other purpose.

Section 8. That on the 11th day of January 2021, at 5:30 o'clock p.m., at the Council Chambers of the City Hall in said City, the City Council intends to create the District and will hear protests against the proposed maintenance, the costs and expenses

thereof and the extent and creation of the District to be assessed therefor, at said time and place, by any person, firm or corporation owning property within the District who has filed a written protest with the City Clerk of the City within fifteen (15) days after the date on which the notice of the passage of this Resolution of Intention is first published in the Yellowstone County News.

Section 9. That the City Clerk is hereby authorized and directed to publish a copy of the notice of the passage of this Resolution twice in the Yellowstone County News, a weekly newspaper published and circulated in the City, and to mail a copy of said notice to every person, firm or corporation owning property within the District. Said notice is to be mailed on the same date as it is first published.

PASSED AND APPROVED by the City Council of the City of Billings, Montana, this 14th day of December 2020.

_____
Mayor

Attest: _____
City Clerk

(SEAL)

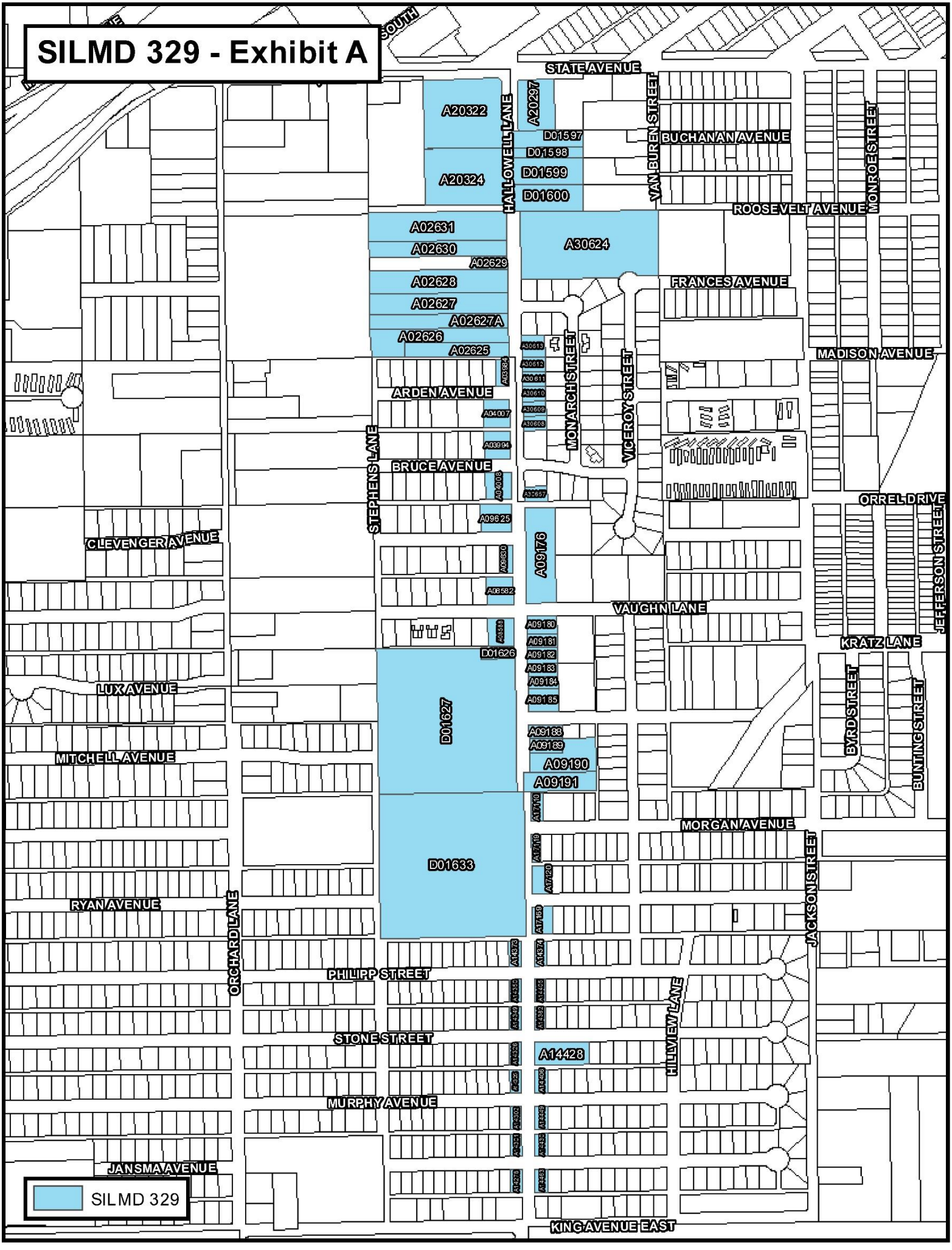

SILMD 329 - Exhibit A
SOUTH
STATE AVENUE
A20322
A20297
D01597
D01598
D01599
D01600
A20324
HALLOWELL LANE
VAN BUREN STREET
BUCHANAN AVENUE
MONROE STREET
ROOSEVELT AVENUE
A02631
A02630
A02629
A02628
A02627
A02627A
A02626
A02625
A30624
FRANCES AVENUE
MADISON AVENUE
ARDEN AVENUE
MONARCH STREET
VICEROY STREET
STEPHENS LANE
BRUCE AVENUE
ORREL DRIVE
JEFFERSON STREET
CLEVENGER AVENUE
A09176
VAUGHN LANE
KRATZ LANE
LUX AVENUE
D01626
D01627
BYRD STREET
BUNTING STREET
MITCHELL AVENUE
A09188
A09189
A09190
A09191
MORGAN AVENUE
D01633
JACKSON STREET
RYAN AVENUE
ORCHARD LANE
PHILIPP STREET
HILLVIEW LANE
STONE STREET
A14428
MURPHY AVENUE
JANSMA AVENUE
SILMD 329
KING AVENUE EAST

EXHIBIT "B"

SILMD 329 – DISTRICT DESCRIPTION

A Special Improvement Lighting Maintenance District encompassing the following parcels of land abutting both sides of Hallowell Lane between King Avenue East and State Avenue in Yellowstone County, Montana. All subdivisions and certificates of survey referenced are as on file in the Office of the County Clerk and Recorder, Yellowstone County, Montana.

Lot 16, Block 10, Lots 1 & 12, Block 9, Lots 1 & 12, Block 8, Lots 1 & 12, Block 7, Lot 1, Block 6, Southwest Park Subdivision, 2nd Filing, as recorded August 27, 1963, under Document Number 713317;

Lot 17, Block 6, Lots 17-18, Block 3, Lot 16, Block 2, Treasure Valley Subdivision, as recorded June 05, 1954, under Document Number 524964;

Tract 2, Certificate of Survey 360, as recorded November 11, 1950, under Document Number 471080;

Lots 4, 5, 12, 13 & 20, Homecroft Acres Subdivision, as recorded September 6, 1907, under Document Number 8239;

Lots 2-7, Block 1, Lot 1, Block 2, Lot 2, Block 4, Chrysalis Acres Subdivision, as recorded March 3, 2003, under Document Number 3220635;

Unplatted parcels situated in the NE1/4 Section 9, Township 1 South, Range 26 East, wholly surrounded to the west by T.O. Rickman Industrial Subdivision, Amended, as recorded January 27, 1984 under Document Number 1294680, to the north by Tract 2, Certificate of Survey 1930, as recorded September 4, 1979 under Document Number 1140616, to the east by Amended Tract B of Certificate of Survey Number 154, as recorded October 9, 1979 under Document Number 1144409 and Fairview Subdivision, as recorded May 27, 1914 under Document Number 52839, to the south by Chrysalis Acres Subdivision, as recorded March 20, 2003 under Document Number 3220635;

Tracts 1 & 2, Certificate of Survey 1930, as recorded September 4, 1979, under Document Number 1140616;

Lot 1A, Conitz Subdivision, as recorded February 28, 1996, under Document Number 1818380;

Lots 1A1 & 3A1, Block 1, T.O. Rickman Industrial Subdivision Amended, as recorded January 27, 1984, under Document Number 1294680;

Lots 1-10, Balcher Acres, as recorded November 22, 1946, under Document Number 420510;

Lot 1, Block 1, Lots 1 & 20, Block 2, Lot 1, Block 3, Byrnes-Stephens Subdivision, as recorded August 21, 1951, under Document Number 481005;

Lot 1, Block 1, Lot 1, Block 2, Kissee Subdivision, as recorded May 29, 1956, under Document Number 564232;

Lot 1, Block 1, Lot 1, Block 2, Hayes Subdivision, as recorded April 17, 1959, under Document Number 619995;

Unplatted parcels situated in Section 9, Township 1 South, Range 26 East, more particularly described as follows; the NE1/4, NW1/4, SE1/4 and the SE1/4, NW1/4, SE1/4 of Section 9, Township 1 South, Range 26 East, P.M.M., City of Billings, Yellowstone County, Montana;

Lot 6, Block 5, Lots 6 & 7, Block 4, Lots 6 & 7, Block 3, Lots 6 & 7, Block 2, Lot 7, Block 1, Southwest Park Subdivision, as recorded October 9, 1961, under Document Number 670442;

Exempting there from all lands which are public street, road, or alley rights-of-way.

EXHIBIT C

TAX_ID	OwnerName	ShortLegalDescription
D01597	SMITH, DAN L & BARBARA L	S09, T01 S, R26 E, C.O.S. 1930, PARCEL 1

EXHIBIT D

TAX_ID	OwnerName	ShortLegalDescription	Frontage	Assessment Estimate
A02625	NETTERBERG, CHARLES J JR	BALCHER ACRES, S09, T01 S, R26 E, Lot 1, E475 FT LT 1	66	$ 46.16
A02626	BAUER PROPERTIES LLC	BALCHER ACRES, S09, T01 S, R26 E, Lot 2, & W154.8 FT LT 1	66	$ 46.16
A02627	SCHELLER, JEFFREY A & SHAUNA C	BALCHER ACRES, S09, T01 S, R26 E, Lot 4, & S27' LT 5 1.346 AC (02)	93	$ 65.04
A02627A	BAUER PROPERTIES LLC	BALCHER ACRES, S09, T01 S, R26 E, Lot 3, 0.956 AC (02)	66	$ 46.16
A02628	PERRY, DALTON A	BALCHER ACRES, S09, T01 S, R26 E, Lot 5, N39' LT 5-6	105	$ 73.44
A02629	MCGEE, TORRENCE K & HEATHER D	S09, T01 S, R26 E, C.O.S. 480, PARCEL A	61	$ 42.66
A02630	TIPTON, GARY C &	BALCHER ACRES, S09, T01 S, R26 E, Lot 8, LT 8 & N5 FT LT 7 (LESS COS 480)	71	$ 49.66
A02631	ROMERO, GILBERT JR	BALCHER ACRES, S09, T01 S, R26 E, Lot 9 - 10	132	$ 92.32
A03984	ELLARD, ADAM C & RACHEL M	BYRNES-STEPHENS, S09, T01 S, R26 E, BLOCK 1, Lot 1	125	$ 87.42
A03994	PASQUARELLO, ROBERT & KAMELLE	BYRNES-STEPHENS, S09, T01 S, R26 E, BLOCK 2, Lot 1 - 2	125	$ 87.42
A04007	RICHAU, KEVIN	BYRNES-STEPHENS, S09, T01 S, R26 E, BLOCK 2, Lot 19 - 20	125	$ 87.42
A04008	NORDAHL, ALICE F	BYRNES-STEPHENS, S09, T01 S, R26 E, BLOCK 3, Lot 1 - 2	126	$ 88.12
A08582	BIRKLE, KAREN	HAYES SUBD, S09, T01 S, R26 E, BLOCK 1, Lot 1 - 2	125	$ 87.42
A08588	BIRKLE, KAREN	HAYES SUBD, S09, T01 S, R26 E, BLOCK 2, Lot 1 - 2	126	$ 88.12
A09176	EASTMAN, RICK A &	HOMECROFT ACRES, S09, T01 S, R26 E, Lot 4 - 5	435	$ 304.23
A09180	DVORAK, RICK	HOMECROFT ACRES, S09, T01 S, R26 E, Lot 12, N82.5'	83	$ 58.05
A09181	ROMERO, NEIL E	HOMECROFT ACRES, S09, T01 S, R26 E, Lot 12, N60 FT S135 FT LT 12	60	$ 41.96
A09182	ROMERO, GUY C & KIRK R & NEIL E & LLOYI	HOMECROFT ACRES, S09, T01 S, R26 E, Lot 12, S75'	75	$ 52.45
A09183	ACHTEN, WAYNE &	HOMECROFT ACRES, S09, T01 S, R26 E, Lot 13, N56'	56	$ 39.17
A09184	SMITH, MICHAEL L &	HOMECROFT ACRES, S09, T01 S, R26 E, Lot 13, S56' N112'	56	$ 39.17
A09185	HIRT, DONNA	HOMECROFT ACRES, S09, T01 S, R26 E, Lot 13, S105.5'	106	$ 74.14
A09188	CHARLES R DANHOF TRUST	HOMECROFT ACRES, S09, T01 S, R26 E, Lot 19 - 20, W15.29' N62.5' LT 19 & N62.5' LT 20	63	$ 44.06
A09189	SANNES, RONALD R JR	HOMECROFT ACRES, S09, T01 S, R26 E, Lot 19 - 20, N67.5' S155' W15.29' LT 19 N67.5' S155' LT 20	68	$ 47.56
A09190	ORELUP, LYLE W & BARBARA F	HOMECROFT ACRES, S09, T01 S, R26 E, Lot 19 - 20, N67.5' E150' S155' LT 19 & S87.5' LT 19-20	88	$ 61.55
A09191	NAVA, ROBIN LEE & JESSICA ALDORA	S09, T01 S, R26 E, C.O.S. 360, PARCEL 2, (LESS 30 FT STREET)	85	$ 59.45
A09625	EISELEIN, KIMBERLY A	KISSEE SUBD, S09, T01 S, R26 E, BLOCK 1, Lot 1 - 2, & E21' LT 3	125	$ 87.42
A09630	FISHER, SHANNON J	KISSEE SUBD, S09, T01 S, R26 E, BLOCK 2, Lot 1	125	$ 87.42
A14278	WEBER, JAMES A & ROBIN K	SOUTHWEST PARK SUBD 1ST FILING, S09, T01 S, R26 E, BLOCK 1, Lot 7, LESS W50 FT	104	$ 72.74
A14301	ENZENBACHERN, DOMINICK	SOUTHWEST PARK SUBD 1ST FILING, S09, T01 S, R26 E, BLOCK 2, Lot 6, LESS W50 FT	104	$ 72.74
A14302	MARTIN, AARON J & DOLORES	SOUTHWEST PARK SUBD 1ST FILING, S09, T01 S, R26 E, BLOCK 2, Lot 7, LESS W50 FT	104	$ 72.74
A14325	JONES, ANGELA L	SOUTHWEST PARK SUBD 1ST FILING, S09, T01 S, R26 E, BLOCK 3, Lot 6, E54'	108	$ 75.53
A14326	HOLT, KAREN N	SOUTHWEST PARK SUBD 1ST FILING, S09, T01 S, R26 E, BLOCK 3, Lot 7, LESS W50'	104	$ 72.74
A14349	BONNER, REUBEN & MURIEL	SOUTHWEST PARK SUBD 1ST FILING, S09, T01 S, R26 E, BLOCK 004, Lot 006, LT 6 LESS W50 FT BLK 4 SOUTHWEST PARK SUBD 1ST FILING	104	$ 72.74
A14350	TURNER, JAMES D &	SOUTHWEST PARK SUBD 1ST FILING, S09, T01 S, R26 E, BLOCK 4, Lot 7, LESS W50 FT	104	$ 72.74
A14373	REYNOLDS, RICHARD	SOUTHWEST PARK SUBD 1ST FILING, S09, T01 S, R26 E, BLOCK 5, Lot 6, LESS W50 FT	115	$ 80.43
A14374	BALL, NATALIE Y	SOUTHWEST PARK SUBD 2ND FILING, S09, T01 S, R26 E, BLOCK 6, Lot 1, LESS E55 FT	115	$ 80.43
A14382	OAKLAND, BRIANA M	SOUTHWEST PARK SUBD 2ND FILING, S09, T01 S, R26 E, BLOCK 7, Lot 1, LT 1 LESS E50 FT BLK 7	104	$ 72.74
A14405	NICHOLSON, PATRICK T	SOUTHWEST PARK SUBD 2ND FILING, S09, T01 S, R26 E, BLOCK 7, Lot 12, LESS E50 FT	104	$ 72.74
A14406	LUECK, VICKI L &	SOUTHWEST PARK SUBD 2ND FILING, S09, T01 S, R26 E, BLOCK 8, Lot 1, LESS E40 FT	108	$ 75.53
A14428	CHURCH OF GOD PROPHECY, THE	SOUTHWEST PARK SUBD 2ND FILING, S09, T01 S, R26 E, BLOCK 8, Lot 11 - 12, W50' LT 10 & ALL LT 11-12 BLK 8 SOUTHWEST PARK SUBD 2ND FILING	104	$ 72.74
A14430	REIMERS, RUSSELL D & ROBERTA K	SOUTHWEST PARK SUBD 2ND FILING, S09, T01 S, R26 E, BLOCK 9, Lot 1, LESS E40 FT	104	$ 72.74
A14449	CUMMINS, GERALD E	SOUTHWEST PARK SUBD 2ND FILING, S09, T01 S, R26 E, BLOCK 9, Lot 12, LESS E40 FT	104	$ 72.74
A14463	BARNARD, PETER E	SOUTHWEST PARK SUBD 2ND FILING, S09, T01 S, R26 E, BLOCK 10, Lot 16, W60 FT	104	$ 72.74
A17110	BIBLER, HEIDI J	TREASURE VALLEY SUBD, S09, T01 S, R26 E, BLOCK 2, Lot 16, & W2 LT 15	126	$ 88.12
A17119	SHEARIN, SHANNON	TREASURE VALLEY SUBD, S09, T01 S, R26 E, BLOCK 3, Lot 17	125	$ 87.42
A17120	LAFURGE, RONALD G	TREASURE VALLEY SUBD, S09, T01 S, R26 E, BLOCK 3, Lot 18 - 20	125	$ 87.42
A17169	MAIER, BETTY A	TREASURE VALLEY SUBD, S09, T01 S, R26 E, BLOCK 6, Lot 15 - 17	125	$ 87.42
A20297	FD GROUP 9 LLC	CONITZ SUBD, S09, T01 S, R26 E, Lot 1A, AMND LT 1 (97)	229	$ 160.16
A20322	REALCO LLC	RICKMAN, T O INDUSTRIAL SUBD, S09, T01 S, R26 E, BLOCK 1, Lot 1A1, AMND	315	$ 220.31

EXHIBIT D

TAX_ID	OwnerName	ShortLegalDescription	Frontage	Assessment Estimate
A20324	MILLS, BOBBY R	RICKMAN, T O INDUSTRIAL SUBD, S09, T01 S, R26 E, BLOCK 1, Lot 3A1, AMND	259	$ 181.14
A30608	CARLSON, RUSSELL C JR & REBECCA	CHRYSALIS ACRES SUB, S09, T01 S, R26 E, BLOCK 1, Lot 2, 7,035 SF (04)	67	$ 46.86
A30609	KING, MICHAEL &	CHRYSALIS ACRES SUB, S09, T01 S, R26 E, BLOCK 1, Lot 3, 7,035 SF (04)	67	$ 46.86
A30610	GENTRY, KEVIN TYLER & COURTNEY LEE	CHRYSALIS ACRES SUB, S09, T01 S, R26 E, BLOCK 1, Lot 4, 7035 SF (04)	67	$ 46.86
A30611	TIDWELL, CHANEY R &	CHRYSALIS ACRES SUB, S09, T01 S, R26 E, BLOCK 1, Lot 5, 7035 SF (04)	67	$ 46.86
A30612	PETRE, CONNIE J	CHRYSALIS ACRES SUB, S09, T01 S, R26 E, BLOCK 1, Lot 6, 7035 SF (04)	67	$ 46.86
A30613	ELCO ENTERPRISES LLC	CHRYSALIS ACRES SUB, S09, T01 S, R26 E, BLOCK 1, Lot 7, 10,413 SF (04)	99	$ 69.24
A30624	BILLINGS ELEMENTARY SCHOOL DIST #2	CHRYSALIS ACRES SUB, S09, T01 S, R26 E, BLOCK 2, Lot 1, 4.42 AC (04)	313	$ 218.91
A30657	BOWMAN, RHIANNON	CHRYSALIS ACRES SUB, S09, T01 S, R26 E, BLOCK 4, Lot 2, 7022 SF (04)	67	$ 46.86
D01597	SMITH, DAN L & BARBARA L	S09, T01 S, R26 E, C.O.S. 1930, PARCEL 1	76	$ 53.15
D01598	TURLEY, DARREN J &	S09, T01 S, R26 E, C.O.S. 1930, PARCEL 2	50	$ 34.97
D01599	HENDERSON, EDWARD T &	S09, T01 S, R26 E, 1 AC IN W2 LOT 2 IN NE4	122	$ 85.33
D01600	METZER, STEVEN W	S09, T01 S, R26 E, S 1 ACRE OF W2 LT 2 IN NE4	122	$ 85.33
D01626	ROMAIN, MONTE R	S09, T01 S, R26 E, 50 X 150 FT IN NE CORNER OF LT 3 IN SE4	50	$ 34.97
D01627	CITY OF BILLINGS	S09, T01 S, R26 E, LOT 3 OR NENWSE4 LESS 50 X 150FT IN NE CORNER	601	$ 420.33
D01633	CITY OF BILLINGS	S09, T01 S, R26 E, LOT 6 OR SENWSE	661	$ 462.30
			8331	**$ 5,826.62**

Price Per Lineal Foot 0.699390

Consent **1. G.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: FY22 Equipment Replacement Plan

PRESENTED BY: Andy Zoeller, Finance Director

Department: Finance

RECOMMENDATION

Staff recommends that City Council adopt the FY22 Equipment Replacement Plan

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

City staff presented the FY22 Equipment Replacement Plan at the November 16th, 2020, City Council work session. No changes have been made to the plan that was presented, based upon discussion that occurred at that meeting.

In 2000, the City developed an equipment replacement program to monitor and plan for all equipment replacement at the City. All vehicles and non-stationary equipment with a useful life of greater than 3 years and a cost of $5,000 or more is included in the plan. The program has criteria and guidelines to identify when equipment should be considered for replacement, as well as allow the city to make intelligent investments in equipment into the future. The plan covers a 20-year time period and is reviewed annually. Each year every piece of equipment that is eligible for replacement is reviewed by a committee made up of representatives from across all city departments. The committee makes replacement recommendations to City Administration and City Council for annual adoption. Once the plan is adopted, the replacement costs are included in the next fiscal year budget.

All City equipment is included in the plan, which is used to budget and make sound financial decisions for equipment replacement. The City uses the plan to set aside money for replacements. Governmental fund departments, Parks, Code Enforcement, Police, Fire, Planning, and Library, contribute to a separate fund to ensure funds are available when equipment is in need of replacement, while Enterprise and Internal Service departments maintain reserves within their departmental funds for equipment replacement.

ALTERNATIVES

City Council may:

- Approve, or;
- Disapprove

FISCAL EFFECTS

The FY22 plan replacements total $5,011,503 across multiple departments.

	FY22 Plan & Supplemental Amounts
Airport	$47,036
Engineering	24,057
Parking	26,443

Facilities	14,480
Fire	1,088,430
Fleet	21,470
Met Transit	107,994
Parks	272,749
Police	480,444
PW Belknap	238,318
Solid Waste	2,040,989
Streets	892,267
Total	**$ 5,254,675**

Contributions to the Equipment Replacement Fund for FY22 are the following:

Parks & Rec	306,800
Code Enforcement	13,047
Animal Shelter	19,180
Fire	682,673
Police	448,592
Planning	3,712
Library	36,869
Total	**$ 1,510,873**

Attachments

FY22 ERP



EQUIPMENT REPLACEMENT PLAN

Fiscal Year 2022

Table of Contents

I. Equipment Replacement Plan

II. Recommended FY22 Equipment Replacement Plan
a. Summary of FY22 Replacements
b. Worksheet with 20 Years of Replacement

III. Funding Estimates
a. Governmental Funding Graph

IV Supplemental Requests
a. Supplemental Request Summary
b. Supplemental Budget Requests

City Of Billings

Equipment Replacement Plan

- The City of Billings Equipment Replacement Plan identifies replacement and funding guidelines for vehicles and equipment with a useful life in excess of three years and a cost of $5000 or more. Stationary equipment which is part of a facility Such as compressors, generators, air conditioners, etc. are exempt.

- On an annual basis the Equipment Replacement Committee will review vehicles and equipment scheduled for replacement, make required changes and submit recommendations for current or future replacements to the City Administrator.

- Equipment replacement guidelines are not intended to be an automatic replacement indicator. Guidelines are an indicator for consideration to recommend equipment for replacement. Because a piece of equipment is scheduled for replacement in a certain year, does not necessarily mean that it will automatically be replaced. Likewise, because a piece of equipment falls within the age and meter/miles guidelines does not necessarily mean that it will be recommended for replacement. Extended use options will be considered. Departments are required review and adjust replacement schedules annually, prior to committee review. Departmental review for replacement consideration include: Meter/Miles, Age, Usage, Condition, Cost, Obsolescence, Safety and Change of operations.

- The replacement plan will cover a 20-year time period and will be reviewed and updated annually. This would require many pieces of equipment to be replaced several times over the 20 years.

- Each piece of equipment will be assigned a replacement year, salvage value, and replacement cost.

- Salvage value is determined by past market analysis as a percentage of purchase price varied by equipment class. Average salvage values range from 15 to 20% of purchase price. Some exceptions will apply to obsolete, low demand, and high demand equipment.

- Estimated Replacement costs are determined by manufacturer average annual percentage increases ranging from 3 to 5%. Some exceptions will apply.

- Departments should ensure that replacement cost estimates are accurate. The amount entered in the Equipment Replacement Plan (ERP) must match the annual budget request amount. Budget amounts will be determined by taking total estimated replacement cost less estimated salvage value. Instances where the equipment is not traded in but sold through auction or other methods will be handled on a case by case basis. The affected department/division will work with

finance to determine the budget impact if any. Budget amendments if required will need Department Head and City Administrator approval prior to placing on the council agenda.
Any savings from purchase replacements will not be used to purchase other equipment.

- Any piece of equipment which has been approved for replacement must be disposed of unless otherwise approved by the committee for retention. It will be the respective department's responsibility to ensure that all replacement equipment is appropriately disposed of.

- Replacement funding is maintained by annual contributions for each piece of equipment based on the estimated life, salvage value and replacement cost. Internal Service and Enterprise funded equipment are excluded from the annual contribution funding process but are included in the replacement, cost projection and budgeting process of the program.

- The final plan document will total equipment by department, fund and replacement year including a grand total for all city funds.

- Departments requesting additional equipment or upgraded equipment replacements are required to obtain the additional funding through an **approved** Supplemental Budget Request submitted through the ERP committee.
    - *Example of "upgraded equipment":* If a department presently has a compact car and wishes to replace it with a full size pickup, the replacement funding calculations are based on the replacement cost of the compact car. The additional cost for the pickup will require a Supplemental Budget Request Form to be submitted.

- Change requests after the final plan is submitted will likely be deferred to the next budget year. Any changes to the final plan, such as equipment purchases, transfers, retentions or other revisions must be reviewed by the committee, recommend by majority vote and then requested in writing and submitted to the City Administrator for approval.

EQUIPMENT REPLACEMENT GUIDELINES

Class Code	Equipment Class	Years	Meter
1001	Autos - General Use	10-12	80-110k
1002	Police Patrol Cars	5-7	80-110k
1003	Pickups and Light trucks	7-12	80-110k
1004	SUVs	7-12	80-110k
1005	Trucks over 1 ton	10-15	60-100k
1006	Dump trucks	10-15	60-100k mi/ 7-12k hrs
1007	Trucks Refuse	7-10	7-12k hrs
1008	Trucks Sewer Jet	7-12	7-12k hrs
1009	Trucks Ariel Bucket	7-10	7-10k hrs
1010	Trucks Sander/Dump	10-12	60-100k
1011	Trucks Fire Aerial ladder	15-20	N/A
1012	Trucks Fire/Pumper	15-20	N/A
1013	Trucks Fire/Rescue	15-20	N/A
1014	Bus MET	12	300-500k
1015	Bus Paratransit	5	80-100k
1016	Bus Misc	10-20	100-500k
1017	Dozers	3-6	8-10k hrs
1018	Tractors	10-20	5-15k hrs
1019	Loaders	10-20	7-10k hrs
1020	Backhoes	7-15	7-10k hrs
1021	Compactor Landfill	3-5	8-10k hrs
1022	Graders	10-20	7-12k hrs
1023	Rollers	10-20	5-8k hrs
1024	Pavers	15-20	5-7k hrs
1025	Misc Const Equipment	10-20	4-15k hrs
1026	Small Equipment	3-15	N/A
1027	Non Powered Equipment	7-20	N/A
1028	Forklifts	15-20	5-10k hrs
1029	Cushman & Enforcement Scooters	10-15	25-35k
1030	Snow Blowers	10-20	N/A
1031	Snow Plows	10-20	N/A
1032	Street Sweepers	7-10	7-12k hrs
1033	Pumps/generators	7-20	N/A
1034	Air Compressors	10-20	N/A
1035	Mowers/Riding	5-10	3-10k hrs
1036	Attachments/accessories	5-20	N/A
1037	Electronic equipment	3-20	N/A
1038	Computer equipment	3-20	N/A
1039	Furniture/office equipment	3-20	N/A
1040	Shop equipment/machines	3-20	N/A

FY22 EQUIPMENT REPLACEMENTS

Department	Unit.	Description	Grant Funding	City Funding	2,021
AIRPORT	1745	CHEVROLET C1500 PICKUP		29,455	29,455
AIRPORT	E170	WINDSOR FLOOR SCRUBBER		17,581	17,581
AIRPORT'S TOTAL				**47,036**	**47,036**
POLICE DEPT	1404	FORD INTERCEPTOR PATROL CAR		33,890	33,890
POLICE DEPT	1406	FORD INTERCEPTOR PATROL CAR		33,890	33,890
POLICE DEPT	1407	FORD INTERCEPTOR PATROL CAR		33,890	33,890
POLICE DEPT	1411	FORD INTERCEPTOR PATROL CAR		33,890	33,890
POLICE DEPT	1412	FORD INTERCEPTOR PATROL CAR		33,890	33,890
POLICE DEPT	1413	FORD INTERCEPTOR PATROL CAR		33,890	33,890
POLICE DEPT	1414	FORD INTERCEPTOR PATROL CAR		33,890	33,890
POLICE DEPT	1416	FORD INTERCEPTOR PATROL CAR		33,890	33,890
POLICE DEPT	1417	FORD INTERCEPTOR PATROL CAR		33,890	33,890
POLICE DEPT	1420	FORD INTERCEPTOR PATROL CAR		33,890	33,890
POLICE DEPT	1422	FORD INTERCEPTOR PATROL CAR		33,890	33,890
POLICE DEPT	1572	FORD INTERCEPTOR PATROL CAR		33,890	33,890
POLICE DEPT	1496	CHEVY MALIBU		29,762	29,762
POLICE DEPT'S TOTAL				**436,444**	**436,444**
PARKING	1962	GO-4 PARKING VEHICLE		26,443	26,443
PARKING'S TOTAL				**26,443**	**26,443**
FACILITIES	1076	JOHN DEERE LAWN MOWER		14,480	14,480
FACILITIES TOTAL				**14,480**	**14,480**
FIRE	4061	FIRE TRUCK SUTPHEN QUINT		1,088,430	1,088,430
FIRE'S TOTAL				**1,088,430**	**1,088,430**
FLEET	1038	FORD 3/4T W/UTILITY BOX		10,913	10,913
FLEET	1047	FORD 3/4T W/UTILITY BOX		10,557	10,557
FLEET'S TOTAL				**21,470**	**21,470**
ENGINEERING	1087	GMC SONOMA S-15 PICKUP		24,057	24,057
ENGINEERING'S TOTAL				**24,057**	**24,057**
SOLID WASTE	0038	FORD F250 2WD W/SERVICE BODY		12,120	12,120
SOLID WASTE	0141	AUTOCAR WATER TANKER		24,786	24,786
SOLID WASTE	0189	FREIGHTLINER ROLL OFF		188,159	188,159
SOLID WASTE	0190	FREIGHTLINER ROLL OFF		188,159	188,159
SOLID WASTE	0192	PTRBLT NEWAY FRONTLOAD		251,273	251,273
SOLID WASTE	0193	PTRBLT CURBTENDER SIDELOAD		295,947	295,947
SOLID WASTE	0195	AUTOCAR CNG HEIL SIDELOAD		299,008	299,008
SOLID WASTE	0261	CAT 836K COMPACTOR		781,536	781,536
SOLID WASTE'S TOTAL				**2,040,989**	**2,040,989**
STREET/TRAFFIC	1123	IHC AERIAL LIFT TRUCK		223,608	223,608
STREET/TRAFFIC	1170	FREIGHTLINER ROLL OFF TRUCK		216,166	216,166
STREET/TRAFFIC	1222	FREIGHTLINER DE-ICE UNIT		234,390	234,390
STREET/TRAFFIC	1227	FORD 3430 TRACTOR MOWER		24,378	24,378
STREET/TRAFFIC	1309	JOHN DEERE MOWER/BLOWER		43,255	43,255
STREET/TRAFFIC	1365	GRACO LINE LAZER		8,846	8,846
STREET/TRAFFIC'S TOTAL				**750,645**	**750,645**
MET TRANSIT	1866	FORD WINDSTAR VAN	46,395	11,599	57,994
MET TRANSIT'S TOTAL			**46,395**	**11,599**	**57,994**
PARKS	1026	FORD 1/2 TON PICKUP WHITE		36,220	36,220
PARKS	1603	FORD HI-CUBE VAN		5,560	5,560
PARKS	1611	CHEVY 1500 2WD PICKUP		24,891	24,891
PARKS	1614	FORD F250 PICKUP W/PLOW		43,170	43,170
PARKS	1620	JOHN DEERE Z997 RIDING MOWER		21,776	21,776
PARKS	1631	JOHN DEERE 5420 TRACTOR 2WD		50,127	50,127
PARKS	1687	TURF SWEEPER		37,389	37,389

FY22 EQUIPMENT REPLACEMENTS

Department	Unit.	Description	Grant Funding	City Funding	2,021
PARKS	1907	CHEVY 1T DUMP TRK W/PLOW		46,064	46,064
PARK DEPT'S TOTAL				**265,199**	**265,199**
PW BELKNAP	7312	KUBOTA FRONT DECK MOWER		26,250	26,250
PW BELKNAP	7360	TOYOTA FORKLIFT		52,653	52,653
PW BELKNAP	7365	FORD F450XL 1 TON FLATBED		55,764	55,764
PW BELKNAP	7409	FORD F250 EXT CAB W/SRVICE BODYPICKUP		30,960	30,960
PW BELKNAP	7412	FORD F250 W/SERVICE BODY		31,889	31,889
PW BELKNAP	7842	TOYOTA FORKLIFT		40,802	40,802
PW BELKNAP'S TOTAL				**238,318**	**238,318**
Total Plan Replacements			**46,395**	**4,965,108**	**5,011,503**

SUPPLEMENTAL REQUESTS

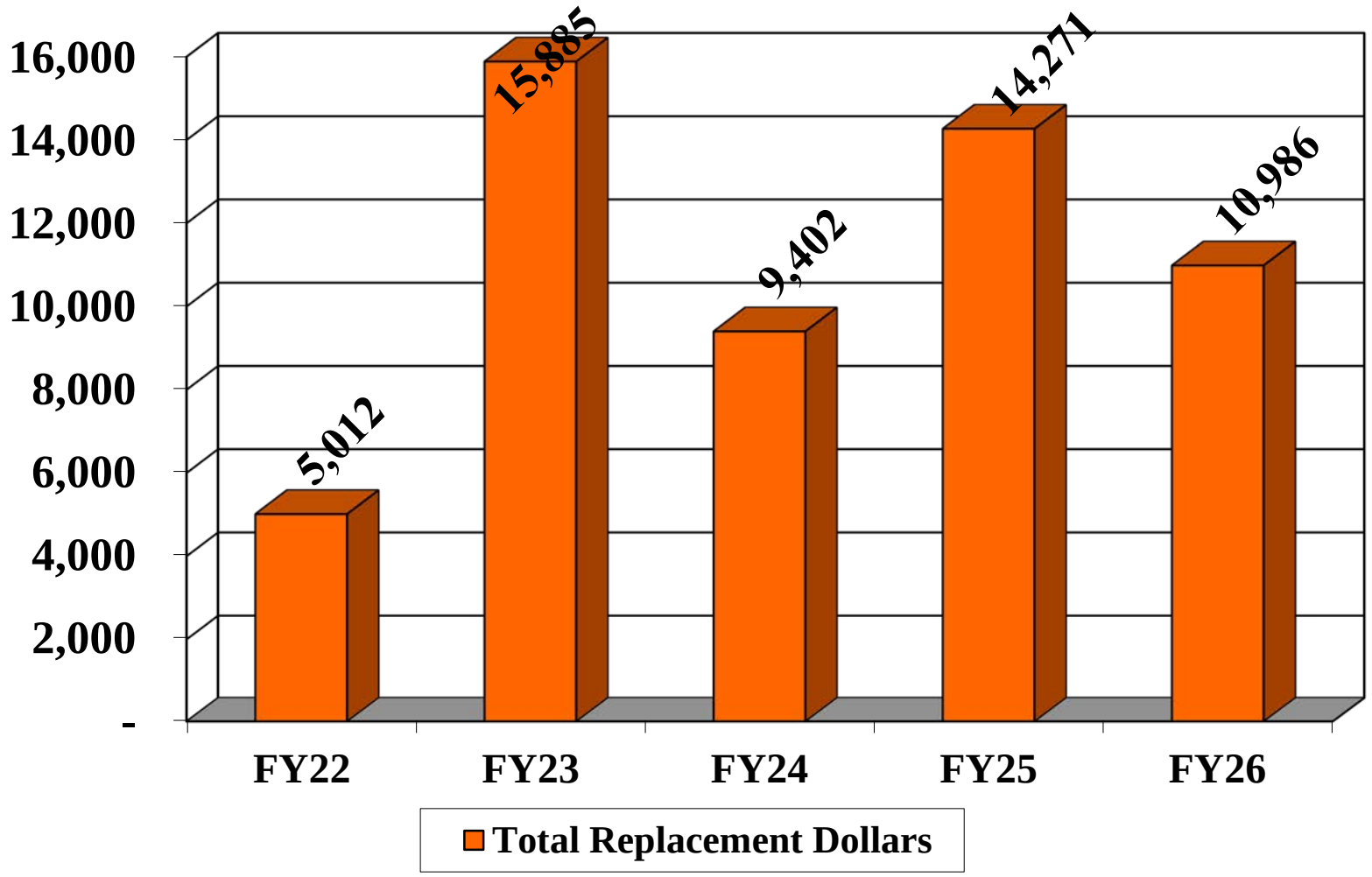
MET TRANSIT	ADD	ADDITIONAL SUPPORT VEHICLE	50,000		50,000
POLICE DEPT	1404	TRANSITION TO SUV PATROL VEHICLES		3,000	3,000
POLICE DEPT	1406	TRANSITION TO SUV PATROL VEHICLES		3,000	3,000
POLICE DEPT	1407	TRANSITION TO SUV PATROL VEHICLES		3,000	3,000
POLICE DEPT	1411	TRANSITION TO SUV PATROL VEHICLES		3,000	3,000
POLICE DEPT	1412	TRANSITION TO SUV PATROL VEHICLES		3,000	3,000
POLICE DEPT	1413	TRANSITION TO SUV PATROL VEHICLES		3,000	3,000
POLICE DEPT	1414	TRANSITION TO SUV PATROL VEHICLES		3,000	3,000
POLICE DEPT	1416	TRANSITION TO SUV PATROL VEHICLES		3,000	3,000
POLICE DEPT	1417	TRANSITION TO SUV PATROL VEHICLES		3,000	3,000
POLICE DEPT	1420	TRANSITION TO SUV PATROL VEHICLES		3,000	3,000
POLICE DEPT	1422	TRANSITION TO SUV PATROL VEHICLES		3,000	3,000
POLICE DEPT	1572	TRANSITION TO SUV PATROL VEHICLES		3,000	3,000
POLICE DEPT	7842	TRANSFER FORKLIFT FROM PW		8,000	8,000
STREET/TRAFFIC	1127	UPGRADE MOWER TRACTOR		61,622	61,622
STREET/TRAFFIC	ADD	MINI EXCAVATOR		80,000	80,000
PARKS	4079	TRANSFER VEHICLE FROM FIRE		6,950	6,950
PARKS		RETAIN TWO RETIRED POLICE VEHICLES		600	600
SUPPLEMENTAL REQUESTS TOTAL			**50,000**	**193,172**	**243,172**
RECOMMENDED REPLACEMENTS GRAND TOTAL			**96,395**	**5,158,280**	**5,254,675**

Transfer Requests

7842, 2000 Toyota Forklift from PUD to Police
7409, 2011 Ford F250 from PUD to Fleet to replace 1038
7412, 2010 Ford F250 from PUD to Fleet to replace 1047
1170, 2012 Freightliner Roll Off Truck from Street to Solid Waste to replace 0141
1309, 2009 JD Mower/Blower from Street to Facilities to replace 1076
4079, 2007, Chevy Suburban from Fire to Parks

Equipment Replacement Plan

FY22-FY26 Total Dollars



FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. %	g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,022	2,023	2,024	2,025	2,026	2,027	2,028	2,029	2,030	2,031
AIRPORT	E170	WINDSOR FLOOR S	13	N/A	3%	Ent	0%	-	562	100%	2009	11,972	2022	17,581									
AIRPORT	1745	CHEVROLET C1500	32	100,000	3%	Ent	2%	231	562	100%	1990	11,528	2022	29,455									
AIRPORT	1740	MASS TRANSIT BUS	32			Ent	5%	250	562	100%	1991	5,000	2023		4,750								
AIRPORT	E-174	Voyager Duo Carpet	10		3%	Ent	0%	-	562	100%	2013	10,217	2023		13,731								
AIRPORT	1710	FORD F350 REG CA	12	100,000	3%	Ent	10%	2,432	407	100%	2011	24,322	2023		32,245								
AIRPORT	E-165	TURBOWAY PASSEI	20		3%	Ent	2%	440	405	100%	2003	22,000	2023		39,294								
AIRPORT	1776	CHEVY BRUSH/RES	25		5%	Ent	5%	900	562	100%	1998	18,000	2023		60,054								
AIRPORT	1770	RUNWAY CLOSURE	17	N/A	4%	Ent	5%	641	562	100%	2007	12,825	2024			24,341							
AIRPORT	1771	RUNWAY CLOSURE	17	N/A	4%	Ent	5%	641	562	100%	2007	12,825	2024			24,341							
AIRPORT	1718	NEW HOLLAND TRA	22	5,000	3%	Ent	5%	1,020	562	100%	2002	20,400	2024			38,069							
AIRPORT	1725	JOHN DEERE SKIDS	17	7,000	4%	Ent	3%	743	562	100%	2007	24,772	2024			47,510							
AIRPORT	1738	INGERSOLL-RAND F	39	5,000	3%	Ent	0%	-	562	100%	1985	20,358	2024			64,474							
AIRPORT	1705	JOHN DEERE TRAC	21	5,000	3%	Ent	2%	1,758	405	100%	2003	87,900	2024			161,762							
AIRPORT	1730	OSHKOSH HB SERIE	20		3%	Ent	8%	30,851	407	100%	2004	385,636	2024			665,651							
AIRPORT	1750	OSHKOSH HB-SERI	15		3%	Ent	7%	35,252	407	100%	2009	503,598	2024			749,337							
AIRPORT	1746	Ford Paratransit Van	20	90,000	3%	Ent	7%	660	572	100%	2005	9,426	2025				16,365						
AIRPORT	E177	RIDING CARPET SW	8		3%	Ent	2%	337	562	100%	2017	16,850	2025				21,008						
AIRPORT	E-139	CLYDE 18' PORTABI	38		3%	Ent	3%	234	562	100%	1987	7,800	2025				23,749						
AIRPORT	E-157	1 JLG CM2033 SCIS	30		3%	Ent	3%	404	562	100%	1995	13,467	2025				32,284						
AIRPORT	1704	FORD EXPEDITION	15	100,000	3%	Ent	10%	2,881	562	100%	2010	28,806	2025				41,998						
AIRPORT	1708	CHEVY 2500 PICKUI	20	100,000	4%	Ent	10%	2,096	562	100%	2005	20,962	2025				43,834						
AIRPORT	1729	FORD ECONOLINE 3	37	4,000	1%	Ent	1%	698	562	100%	1988	69,799	2025				100,167						
AIRPORT	1775	TYMCO SWEEPER/V	15	7,000	4%	Ent	15%	28,099	562	100%	2010	187,329	2025				309,270						
AIRPORT	1733	OSHKOSH H SERIES	22	7,000	7%	Ent	10%	33,560	407	100%	2003	335,603	2025				1,453,296						
AIRPORT	E-146	MILLER 300 SHOP M	32		3%	Ent	0%	-	562	100%	1994	7,000	2026					18,026					
AIRPORT	1734	MILLER BIG 40 POR	44	4,000	3%	Ent	0%	-	562	100%	1982	6,500	2026					23,864					
AIRPORT	E171	CAT GTX 30" RIDING	15		3%	Ent	5%	933	562	100%	2011	18,665	2026					28,146					
AIRPORT	1716	CHEVY 3/4 TON PIC	20	100,000	4%	Ent	5%	900	562	100%	2006	17,996	2026					38,532					
AIRPORT	E172	TERMINAL BUILDIN	15		3%	Ent	3%	886	562	100%	2011	29,547	2026					45,147					
AIRPORT	1782	FORD EXPEDITION	10	100,000	4%	Ent	10%	4,113	562	100%	2016	41,125	2026					56,763					
AIRPORT	1783	FORD EXPEDITION	10	100,000	4%	Ent	10%	4,113	562	100%	2016	41,125	2026					56,763					
AIRPORT	1784	FORD EXPEDITION	10	100,000	4%	Ent	10%	4,113	562	100%	2016	41,125	2026					56,763					
AIRPORT	1743	JOHN DEERE TRAC	20	7,000	4%	Ent	2%	1,672	562	100%	2006	83,591	2026					181,486					
AIRPORT	1779	OSHKOSH 4X4 20' B	15	7,000	3%	Ent	7%	36,610	562	100%	2011	523,000	2026					778,207					
AIRPORT	1760	16' HOMEMADE TAN	30		3%	Ent	2%	100	562	100%	1997	5,000	2027						12,036				
AIRPORT	E176	CARPET EXTRACTO	10		3%	Ent	2%	207	562	100%	2017	10,340	2027						13,689				
AIRPORT	E-147	OPS CENTER HYDR	35		3%	Ent	5%	359	562	100%	1992	7,185	2027						19,858				
AIRPORT	E-168	Escalator Tread Clea	19		3%	Ent	5%	680	562	100%	2008	13,595	2027						23,159				
AIRPORT	1763	AMIDA LT760D POR	30	4,000	3%	Ent	5%	750	562	100%	1997	15,000	2027						35,659				
AIRPORT	1755	DEEP VAC 850	15	N/A	4%	ent	5%	1,248	407	100%	2012	24,968	2027						43,718				
AIRPORT	1702	FORD CROWN VICT	20	100,000	4%	ent	10%	2,191	562	100%	2007	21,908	2027						45,812				
AIRPORT	1709	SKID STEER 320D L	15	7,000	4%	ent	3%	949	407	100%	2012	31,645	2027						56,042				
AIRPORT	1741	BAUER SCBA COMP	20	N/A	4%	Ent	3%	1,104	562	100%	2007	36,785	2027						79,497				
AIRPORT	1715	E-ONE TITAN AIRCR	30	N/A	3%	Ent	3%	9,040	407	100%	1997	301,343	2027						722,398				
AIRPORT	1736	OSHKOSH P SERIES	23	7,000	5%	Ent	10%	24,490	405	100%	2004	244,896	2027						727,714				
AIRPORT	1772	ROSENBAUER AIRC	20		3%	Ent	8%	50,726	407	100%	2007	634,075	2027						1,094,484				
AIRPORT	1773	ROSENBAUER AIRC	20		3%	Ent	8%	50,726	407	100%	2007	634,075	2027						1,094,484				
AIRPORT	1732	OSHKOSH P SERIES	24	7,000	7%	Ent	10%	23,205	405	100%	2003	232,048	2027						1,153,828				
AIRPORT	1744	ASPHALT CRACK R(	20	N/A	2%	Ent	5%	418	562	100%	2008	8,350	2028							11,990			
AIRPORT	1703	CHEVY 1 TON 4X4 P	20	100,000	5%	Ent	5%	1,131	562	100%	2008	22,622	2028							58,892			
AIRPORT	1706	CHEVY 1 TON 4x4 P	20	100,000	5%	Ent	5%	1,131	562	100%	2008	22,622	2028							58,892			
AIRPORT	1724	HENDERSON RUNW	25	7,000	5%	Ent	0%	-	407	100%	2003	56,942	2028							192,826			
AIRPORT	1720	IHC TANDEM DUMP	25	60,000	5%	Ent	5%	4,153	407	100%	2003	83,058	2028							277,111			
AIRPORT	1728	JOHN DEERE MOTC	25	7,000	3%	Ent	5%	6,978	407	100%	2003	139,563	2028							285,236			
AIRPORT	1764	CRAFCO 200 ASPHA	30	4,000	3%	Ent	5%	295	562	100%	1999	5,894	2029								14,012		
AIRPORT	1711	FORD F350 4X4 PIC	15	100,000	3%	Ent	15%	3,836	562	100%	2014	25,576	2029								36,010		
AIRPORT	1713	FORD F350 4X4 EXT	20	100,000	4%	Ent	10%	2,392	562	100%	2009	23,916	2029								50,011		
AIRPORT	1751	BOBCAT TOOLCAT	10		3%	Ent	5%	2,552	562	100%	2019	51,044	2029								66,047		
AIRPORT	1712	FORD F350 4X4 WIT	20	100,000	4%	Ent	10%	3,391	562	100%	2009	33,911	2029								70,912		
AIRPORT	E-169	BOOM LIFT AERIAL	20		3%	Ent	10%	4,167	405	100%	2009	41,665	2029								71,085		
AIRPORT	1768	JOHN DEERE WHEE	24	7,000	4%	Ent	7%	9,450	562	100%	2005	135,000	2029								336,596		
AIRPORT	1737	MB SNOW BLOWER	15	7,000	4%	Ent	7%	40,601	562	100%	2014	580,012	2029								1,003,968		
AIRPORT	1777	SULLAIR COMPRES	20	7,000	3%	Ent	10%	1,671	562	100%	2010	16,705	2030									28,501	
AIRPORT	1765	CRAFTCO SS250 AS	30	4,000	3%	Ent	10%	3,503	562	100%	2000	35,030	2030									81,524	
AIRPORT	1774	INTERNATIONAL 6X	20		4%	Ent	10%	11,869	407	100%	2010	118,687	2030									248,189	
AIRPORT	1749	TEREX PORTABLE L	20	7,000	3%	Ent	10%	1,791	562	100%	2011	17,907	2031										30,551
AIRPORT	1778	MEDICAL SUPPORT	20		5%	Ent	10%	3,500	407	100%	2011	35,000	2031										89,365

FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. % g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,022	2,023	2,024	2,025	2,026	2,027	2,028	2,029	2,030	2,031
AIRPORT	1785	FORD F350 4X4 PICI	15	100,000	4% Ent	15%	4,356	562	100%	2017	29,039	2032										
AIRPORT	1786	FORD F350 4X4 PICI	15	100,000	4% Ent	15%	4,356	562	100%	2017	29,039	2032										
AIRPORT	1727	JOHN DEERE 644 LC	20	7,000	4% Ent	20%	48,330	407	100%	2013	241,650	2033										
AIRPORT	1780	IHC DUMP TRUCK/S	20	7,000	4% Ent	20%	58,159	407	100%	2013	290,793	2033										
AIRPORT	1781	IHC DUMP TRUCK/S	20	7,000	4% Ent	20%	65,178	407	100%	2013	325,889	2033										
AIRPORT	1721	MULTI-TASK SNOW	15	100,000	4% Ent	15%	114,912	562	100%	2018	766,080	2033										
AIRPORT	1722	MULTI-TASK SNOW	15	100,000	4% Ent	15%	114,912	562	100%	2018	766,080	2033										
AIRPORT Total													47,036	150,075	1,775,484	2,041,970	1,283,696	5,122,379	884,946	1,648,641	358,214	119,917
ANIMAL SHELTER	1001	CHEVY 3/4 TON EXT	10	100,000	4% Gov	15%	4,043	150-211	100%	2013	26,951	2023		35,851								
ANIMAL SHELTER	1002	CHEVY 3/4 TON EXT	10	100,000	4% Gov	15%	4,043	150-211	100%	2013	26,951	2023		35,851								
ANIMAL SHELTER	1004	FORD F250 4X4 EXT	15	100,000	1% Gov	20%	1,120	150-211	100%	2009	5,600	2024			5,381							
ANIMAL SHELTER	1010	FORD F250 4X4 SU	10	100,000	3% Gov	10%	2,725	150-211	100%	2014	27,245	2024			33,891							
ANIMAL SHELTER	AS1002	ANIMAL CONTROL U	24		4% Gov	10%	1,259	150-211	100%	2001	12,585	2025				31,001						
ANIMAL SHELTER	1011	FORD F250 4WD XC	10	100,000	3% Gov	10%	2,620	150-	100%	2015	26,195	2025				32,584						
ANIMAL SHELTER	AS1006	Animal control Box m	25	N/A	5% Gov	5%	629	150-211	100%	2003	12,583	2028							41,981			
ANIMAL SHELTER	1005	CHEVY 2500 4X4 EX	10	100,000	4% Gov	15%	4,888	150-211	100%	2020	32,589	2030									43,351	
ANIMAL SHELTER	AS1004	SCHWAB ANIMAL CO	22		4% Gov	10%	-	150-211	100%	2009		2031										-
ANIMAL SHELTER	S10021	ANIMAL TRANSPOR	20	N/A	4% Gov	15%	2,073	150-211	100%	2013	13,820	2033										
ANIMAL SHELTER Total													-	71,703	39,272	63,585	-	-	41,981	-	43,351	-
BUILDING	1054	CHEVY MALIBU SED	15	100,000	4% Ent	15%	2,440	209	100%	2008	16,264	2023		26,851								
BUILDING	1055	FORD FUSION 4DR	10	100,000	3% Ent	10%	1,806	209	100%	2015	18,060	2025				22,465						
BUILDING	1056	FORD FUSION	10	100,000	4% Ent	15%	2,826	209	100%	2016	18,840	2026					25,062					
BUILDING	1060	DODGE 1500 4X4	10	100000	4% ENT	15%	3,947	209	100%	2017	26,313	2027						35,003				
BUILDING	1061	DODGE 1500 4X4	10	100000	4% ENT	15%	3,947	209	100%	2017	26,313	2027						35,003				
BUILDING	1062	DODGE 1500 4X4	10	100000	4% ENT	15%	3,947	209	100%	2017	26,313	2027						35,003				
BUILDING	1063	DODGE 1500 4X4	10	100000	4% ENT	15%	3,947	209	100%	2017	26,313	2027						35,003				
BUILDING	1064	DODGE 1500 4X4	10	100000	4% ENT	15%	3,947	209	100%	2017	26,313	2027						35,003				
BUILDING	1057	DODGE 1500 4X4	10	100,000	4% Ent	15%	2,440	209	100%	2018	26,706	2028							35,526			
BUILDING Total													-	26,851	-	22,465	25,062	175,014	35,526	-	-	-
CITY COUNTY PLA	5102	CHEVY EQUINOX A	15	100,000	3% Gov	10%	2,392	240	100%	2014	23,918	2029								34,872		
CITY COUNTY PLA	5101	DODGE 1500 4X4	10	100,000	3% Gov	10%	2,507	240	100%	2020	25,072	2030									31,187	
CITY COUNTY PLANNING Total													-	-	-	-	-	-	-	34,872	31,187	-
CODE ENFORCEM	1955	FORD F150 4X2 XCA	10	100,000	5% GOV	15%	3,543	010-4321	100%	2016	23,622	2026					34,934					
CODE ENFORCEM	1953	DODGE 1500 4X4	10	100000	4% GOV	15%	3,947	010 432	100%	2017	26,313	2027						35,003				
CODE ENFORCEM	1950	DODGE 1500 4X4	10	100,000	5% GOV	15%	3,761	010-4321	100%	2020	25,072	2030									37,079	
CODE ENFORCEM	1952	DODGE 1500 4X4	10	100,000	5% GOV	15%	3,761	010-4321	100%	2020	25,072	2030									37,079	
CODE ENFORCEMENT Total													-	-	-	-	34,934	35,003	-	-	74,158	-
DEVELOPMENT SE	1954	FORD FUSION 4 DO	17	90,000	4% Gov	15%	910	282	33%	2011	6,069	2028							10,911			
DEVELOPMENT SE	1954	FORD FUSION 4 DO	17	90,000	4% Gov	15%	1,848	290	67%	2011	12,321	2028							22,152			
DEVELOPMENT SERVICES Total													-	-	-	-	-	-	33,063	-	-	-
ENGINEERING	1087	GMC SONOMA S-15	28	80,000	4% Ent	10%	830	010-3141	100%	1994	8,299	2022	24,057									
ENGINEERING	1085	FORD FUSION 4 DO	14	100,000	4% Ent	10%	1,885	010-3141	100%	2009	18,850	2023		30,757								
ENGINEERING	1082	FORD F150 EXT CAI	13	80,000	4% Ent	15%	3,051	010-3141	100%	2010	20,341	2023		30,818								
ENGINEERING	1095	FORD E150 CARGO	23	80,000	4% Ent	15%	2,927	010-3141	100%	2000	19,513	2023		45,167								
ENGINEERING	1083	FORD RANGER X-C/	13	80,000	4% Ent	10%	1,477	010-3141	100%	2011	14,771	2024			23,118							
ENGINEERING	1094	Chevy Colorado Ext c	12	80,000	4% ent	15%	2,677	010-3141	100%	2012	17,849	2024			25,899							
ENGINEERING	1084	FORD FUSION 4 DO	13	80,000	4% Ent	10%	1,815	010-3141	100%	2011	18,150	2024			28,406							
ENGINEERING	1099	FORD TRANSIT CON	13	100,000	4% Ent	10%	2,069	010-3141	100%	2011	20,685	2024			32,374							
ENGINEERING	1091	Chevy Colorado Ext c	13	80,000	4% ent	15%	2,677	010-3141	100%	2012	17,849	2025				27,043						
ENGINEERING	1092	Chevy Colorado Ext c	13	80,000	4% ent	15%	2,677	010-3141	100%	2012	17,849	2025				27,043						
ENGINEERING	1088	ADDCO MESSAGE B	15	N/A	4% Ent	10%	1,700	010-3141	100%	2011	17,000	2026					28,916					
ENGINEERING	1098	ADDCO MESSAGE B	15	N/A	4% Ent	10%	1,700	010-3141	100%	2011	17,000	2026					28,916					
ENGINEERING	1086	FORD F150 EXT CA	12	100,000	4% Ent	15%	3,514	010-3141	100%	2014	23,425	2026					33,990					
ENGINEERING	1080	DODGE 1500 2WD	10	100000	4% ENT	15%	3,540	01 3141	100%	2017	23,602	2027						31,396				
ENGINEERING	1089	DODGE 1500 2WD	10	100000	4% ENT	15%	3,540	01 3141	100%	2017	23,602	2027						31,396				
ENGINEERING	1096	DODGE 1500 2WD	10	100000	4% ENT	15%	3,540	01 3141	100%	2017	23,602	2027						31,396				
ENGINEERING	1093	DODGE 1500 4X4	10	100,000	4% Ent	15%	1,686	513	100%	2018	26,706	2028							35,526			
ENGINEERING	1081	DODGE RAM1500 4)	10	100,000	4% Ent	10%	2,575	010-3141	100%	2019	25,754	2029								35,547		
ENGINEERING Total													24,057	106,742	109,797	54,085	91,823	94,189	35,526	35,547	-	-
FACILITIES	1076	JOHN DEERE LAWN	24		4% ENT	15%	900	650	100%	1998	6,000	2022	14,480									
FACILITIES	1077	WALKER 52" MOWE	12	3,000	4% ENT	15%	450	650	100%	2011	3,000	2023		4,353								
FACILITIES	1072	JOHN DEERE GATO	23		4% ENT	25%	625	650	100%	2000	2,500	2023		5,537								
FACILITIES	1975	GMC CANYON PICK	14	100,000	4% ENT	10%	726	650	100%	2009	7,264	2023		11,852								
FACILITIES	1075	TENNANT SWEEPE	8	3,000	3% ENT	10%	6,900	650	100%	2015	69,000	2023		80,507								103,825
FACILITIES	1073	GENIE SISSOR LIFT	18	7,000	4% ENT	10%	1,500	650	100%	2006	15,000	2024			28,887							
FACILITIES	1071	FORD FUSION 4 DO	15	100,000	4% ENT	15%	2,723	650	100%	2011	18,150	2026					29,965					
FACILITIES Total													14,480	102,250	28,887	-	29,965	-	-	-	-	103,825

FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. %	g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,022	2,023	2,024	2,025	2,026	2,027	2,028	2,029	2,030	2,031
FIRE	4060	FIRE TRUCK SUTPH	18		4%	Gov	4%	21,924	150-22	100%	2004	548,102	2022	1,088,430									
FIRE	4082	FORD EXPLORER 4	16	80,000	4%	Gov	10%	2,480	150-22	100%	2007	24,800	2023		43,970								
FIRE	4083	FORD F550 BRUSH	16		5%	Gov	10%	4,337	150-22	100%	2007	43,367	2023		90,328								
FIRE	4057	FORD F550 4X4 BRU	21	80,000	5%	Gov	10%	4,274	150-22	100%	2002	42,737	2023		114,790								
FIRE	4088	WATER TENDER 25(	26		5%	Gov	10%	8,677	150-22	100%	1997	86,770	2023		299,849								
FIRE	4080	CHEVY MALIBU	17	80,000	5%	Gov	10%	1,538	150-22	100%	2007	15,379	2024			33,711							
FIRE	4081	CHEVY MALIBU	17	80,000	5%	Gov	10%	1,538	150-22	100%	2007	15,379	2024			33,711							
FIRE	4074	GMC 1/2 TON 4X4 PI	15	80,000	4%	Gov	10%	2,063	150-22	100%	2009	20,625	2024			35,082							
FIRE	4070	FORD 4X4 BRUSH T	20		5%	Gov	10%	5,470	150-22	100%	2004	54,698	2024			139,660							
FIRE	4065	HAZMAT TRAILER	20		4%	Gov	0%	-	150-22	100%	2004	87,820	2024			192,424							
FIRE	4068	FREIGHTLINER HAZ	20		5%	Gov	10%	8,782	150-22	100%	2004	87,820	2024			224,231							
FIRE	4089	GMC TOPKICK 4DR	15		5%	Gov	10%	12,769	150-22	100%	2009	127,686	2024			252,681							
FIRE	4048	SUTPHEN FIRE PUM	15		5%	Gov	4%	16,168	150-22	100%	2009	404,194	2024			766,062							
FIRE	4049	SUTPHEN FIRE PUM	15		5%	Gov	4%	16,168	150-22	100%	2009	404,194	2024			766,062							
FIRE	4098	CHEVY MALIBU	17	100,000	4%	Gov	15%	2,440	150-2	100%	2008	16,264	2025				29,241						
FIRE	4093	S2 RESCUE PMPER	18		5%	Gov	4%	11,437	150-22	100%	2007	285,937	2025				676,704						
FIRE	4073	HAZMAT TRAILER	35	N/A	2%	Gov	15%	2,100	150-22	100%	1991	14,000	2026					26,295					
FIRE	4087	FORD F250 PICKUP	15	80,000	5%	Gov	10%	2,998	150-22	100%	2011	29,984	2026					59,336					
FIRE	4096	FORD F550 QRV	15	100,000	5%	Gov	10%	11,695	150-22	100%	2011	116,953	2026					231,442					
FIRE	4097	FORD F550 QRV	15	100,000	5%	Gov	10%	11,695	150-22	100%	2011	116,953	2026					231,442					
FIRE	4050	SUTPHEN PUMPER	18		5%	Gov	4%	14,939	150-22	100%	2008	373,477	2026					809,877					
FIRE	4051	SUTPHEN PUMPER	18		5%	Gov	4%	14,939	150-22	100%	2008	373,477	2026					809,877					
FIRE	4075	FORD FUSION 4DR	12	80,000	5%	Gov	10%	1,806	150-22	100%	2015	18,060	2027						30,627				
FIRE	4053	SUTPHEN AERIAL L	30		4%	Gov	3%	360	150-22	100%	1997	12,000	2027						38,561				
FIRE	4067	H&H TECHNICAL RE	20		4%	Gov	10%	695	150-22	100%	2009	6,950	2029								14,533		
FIRE	4041	FORD INTERCEPTC	10	110000	4%	GOV	10%	3,162	150-22	100%	2019	31,624	2029								43,649		
FIRE	4042	FORD INTERCEPTC	10	110000	4%	GOV	10%	3,162	150-22	100%	2019	31,624	2029								43,649		
FIRE	4077	DODGE 2500 4X4 CI	10	100,000	4%	Gov	10%	3,614	150-22	100%	2019	36,139	2029								49,881		
FIRE	4094	DODGE 2500 4X4 CI	10	100,000	4%	Gov	10%	3,614	150-22	100%	2019	36,139	2029								49,881		
FIRE	4066	FORD F350 4X4 UTI	15	100,000	3.0%	Gov	15%	6,058	150-22	100%	2014	40,385	2029								56,861		
FIRE	4069	FREIGHTLINER TO	15	7,000	4.0%	Gov	10%	19,540	150-22	100%	2014	195,395	2029								332,356		
FIRE	4064	FREIGHTLINER WA	25		5%	Gov	10%	11,587	150-22	100%	2004	115,868	2029								380,783		
FIRE	4076	DODGE RAM 2500 4	10	100,000	4%	Gov	15%	4,581	150-22	100%	2020	30,542	2030									40,628	
FIRE	4086	FORD F250 4X4 CR	15	100,000	4%	Gov	15%	4,294	150-22	100%	2015	28,625	2030									47,258	
FIRE	4054	PIERCE AERIAL	15	100,000	3%	Gov	10%	91,649	150-22	100%	2016	916,487	2031										1,336,208
FIRE	4072	FREIGHTLINER AIR	20	N/A	4%	Gov	5%	4,868	150-22	100%	2012	97,360	2032										
FIRE	4055	PIERCE FIRE PUMPI	15	100,000	5%	Gov	4%	24,435	150-22	100%	2020	610,879	2035										
FIRE	4056	PIERCE FIRE PUMPI	15	100,000	5%	Gov	4%	24,435	150-22	100%	2020	610,879	2035										
FIRE	4027	BREATHING AIR CC	20	0	4%	GOV	10%	13,384	150-22	100%	2018	133,835	2038										
FIRE Total														1,088,430	548,937	2,443,624	705,945	2,168,268	69,188	-	971,592	87,887	1,336,208
FLEET SERVICES	1047	FORD 3/4T W/UTILIT	14	100,000	4%	ENT	25%	1,781	601	100%	2008	7,125	2022	10,557									
FLEET SERVICES	1038	FORD 3/4 TON PICK	14	80,000	4%	ENT	20%	1,425	601	100%	2008	7,125	2022	10,913									
FLEET SERVICES	1039	FORD F250 2WD W/	15	100,000	4%	ENT	15%	750	601	100%	2008	5,000	2023		8,255								
FLEET SERVICES	1045	FORD 3/4T EXT CAB	13	100,000	3%	ENT	15%	975	503	100%	2010	6,500	2023		8,570								
FLEET SERVICES	1036	FORD RANGER 1/2	16	80,000	4%	ENT	10%	1,400	601	100%	2007	14,000	2023		24,822								
FLEET SERVICES	1033	FORD F150 2WD PIC	15	80,000	4%	ENT	10%	1,575	601	100%	2008	15,750	2023		26,790								
FLEET SERVICES	1048	FORD ESCAPE AWD	10	100,000	4%	ENT	10%	2,600	601	100%	2013	26,002	2023		35,889								
FLEET SERVICES	1034	TOYOTA FORKLIFT	24	8,000	4%	ENT	15%	3,794	601	100%	1999	25,290	2023		61,032								
FLEET SERVICES	1032	FORD F550 W/SERV	12	80,000	4%	ENT	10%	5,195	601	100%	2011	51,954	2023		77,985								
FLEET SERVICES	1044	FORD 1T 4X4 W/UTI	16	100,000	6%	ENT	25%	2,469	601	100%	2008	9,875	2024			21,871							
FLEET SERVICES	7901	FORD F250 EX CAB	13	100,000	3%	Ent	15%	3,475	513	100%	2011	23,165	2024			30,544							
FLEET SERVICES	7902	FORD F250 EX CAB	13	100,000	3%	Ent	15%	3,475	513	100%	2011	23,165	2024			30,544							
FLEET SERVICES	1114	FORD F350 4X4 WIT	15	100,000	4%	ENT	15%	4,409	211	100%	2009	29,394	2024			48,528							
FLEET SERVICES	1035	FORD F150 4X4 EXT	10	100,000	4%	ENT	15%	4,060	601	100%	2017	27,065	2027						36,002				
FLEET SERVICES	1030	DODGE 1500 4X4	10	100,000	5%	ENT	35%	8,775	601	100%	2020	25,072	2030									33,246	
FLEET SERVICES Total														21,470	243,343	131,486	-	-	36,002	-	-	33,246	-
ITD	1984	FORD TAURUS	18	80,000	4%	ENT	25%	500	150-2	100%	2005	2,000	2023		3,552								
ITD	1983	FORD RANGER EXT	17	80,000	4%	ENT	10%	250	010-3141	100%	2006	2,500	2023		4,620								
ITD	1982	CHEVY ASTRO VAN	21	80,000	5%	ENT	15%	623	150-22	100%	2002	4,150	2023		10,939								
ITD Total														-	19,111	-	-	-	-	-	-	-	-
LIBRARY	5006	FORD E350 12 PSGI	25	80,000	3%	Gov	10%	250	260	100%	1998	2,500	2023		4,984								
LIBRARY	5004	FORD CUTAWAY VA	16	80,000	4%	Gov	10%	4,406	260	100%	2007	44,058	2023		78,114								
LIBRARY	5005	FREIGHTLINER BOC	11	150,000	3%	Gov	10%	27,337	260	100%	2013	273,372	2024			351,074							
LIBRARY Total														-	83,098	351,074	-	-	-	-	-	-	-
MET TRANSIT	1866	FORD WINDSTAR V.	22	81,900	5%	Ent	5%	1,009	572	100%	2000	20,170	2022	57,994									
MET TRANSIT	1816	GILLIG TRANSIT BU	17	300,000	3.5%	Ent	1%	6	572	20%	2006	560	2023		999								
MET TRANSIT	1809	GILLIG TRANSIT BU	18	300,000	3.5%	Ent	1%	5	572	20%	2005	543	2023		1,003								

FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. %	g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,022	2,023	2,024	2,025	2,026	2,027	2,028	2,029	2,030	2,031
MET TRANSIT	1868	TANDEM FLAT BED	31	0	2%	Ent	6%	110	572	100%	1992	1,828	2023		3,268								
MET TRANSIT	1809	GILLIG TRANSIT BU	18	300,000	3.5%	Ent	1%	21	412	80%	2005	2,107	2023		3,893								
MET TRANSIT	1816	GILLIG TRANSIT BU	17	300,000	3.5%	Ent	1%	22	412	80%	2006	2,239	2023		3,996								
MET TRANSIT	1892	FORD F450	6	100000	3%	Ent	5%	791	572	20%	2017	15,816	2023		18,094						21,759		
MET TRANSIT	1893	FORD F450	6	100000	3%	Ent	5%	791	572	20%	2017	15,816	2023		18,094						21,759		
MET TRANSIT	1872	FORD F450	5	100000	3%	Ent	5%	882	572	20%	2018	17,637	2023		19,564					22,821			
MET TRANSIT	1873	FORD F450	5	100000	3%	Ent	5%	882	572	20%	2018	17,637	2023		19,564					22,821			
MET TRANSIT	1874	FORD F450	5	100000	3%	Ent	5%	882	572	20%	2018	17,637	2023		19,564					22,821			
MET TRANSIT	1875	FORD F450	5	100000	3%	Ent	5%	882	572	20%	2018	17,637	2023		19,564					22,821			
MET TRANSIT	1876	FORD F450	5	100000	3%	Ent	5%	882	572	20%	2018	17,637	2023		19,564					22,821			
MET TRANSIT	1865	FORD TAURUS	18	100,000	3%	Ent	10%	1,460	572	100%	2005	14,600	2023		23,396								
MET TRANSIT	1867	CHEVY MALIBU 4DR	23	53,000	5%	Ent	5%	766	572	100%	2000	15,324	2023		46,302								
MET TRANSIT	1820	FORD F550 31'	7	200,000	3%	Ent	5%	2,156	572	20%	2016	43,111	2023		50,866							63,054	
MET TRANSIT	1821	FORD F550 31'	7	200,000	3%	Ent	5%	2,156	572	20%	2016	43,111	2023		50,866							63,054	
MET TRANSIT	1822	FORD F550 31'	7	200,000	3%	Ent	5%	2,156	572	20%	2016	43,111	2023		50,866							63,054	
MET TRANSIT	1823	FORD F550 31'	7	200,000	3%	Ent	5%	2,156	572	20%	2016	43,111	2023		50,866							63,054	
MET TRANSIT	1824	FORD F550 31'	7	200,000	3%	Ent	5%	2,156	572	20%	2016	43,111	2023		50,866							63,054	
MET TRANSIT	1825	FORD F550 31'	7	200,000	3%	Ent	5%	2,156	572	20%	2016	43,111	2023		50,866							63,054	
MET TRANSIT	1870	NILFISK ADVANCE S	19		3%	Ent	10%	3,241	572	100%	2004	32,412	2023		53,593								
MET TRANSIT	1862	FORKLIFT	33	700	3%	Ent	5%	1,198	572	100%	1990	23,963	2023		62,360								
MET TRANSIT	1892	FORD F450	6	100000	3%	Ent	5%	3,163	572	80%	2017	63,260	2023		72,373						87,031		
MET TRANSIT	1893	FORD F450	6	100000	3%	Ent	5%	3,163	572	80%	2017	63,260	2023		72,373						87,031		
MET TRANSIT	1861	FORD F350 4X4 TRU	24	32,000	5%	Ent	5%	1,226	572	100%	1999	24,517	2023		77,844								
MET TRANSIT	1872	FORD F450	5	100000	3%	Ent	5%	3,527	572	80%	2018	70,548	2023		78,257					91,283			
MET TRANSIT	1873	FORD F450	5	100000	3%	Ent	5%	3,527	572	80%	2018	70,548	2023		78,257					91,283			
MET TRANSIT	1874	FORD F450	5	100000	3%	Ent	5%	3,527	572	80%	2018	70,548	2023		78,257					91,283			
MET TRANSIT	1875	FORD F450	5	100000	3%	Ent	5%	3,527	572	80%	2018	70,548	2023		78,257					91,283			
MET TRANSIT	1876	FORD F450	5	100000	3%	Ent	5%	3,527	572	80%	2018	70,548	2023		78,257					91,283			
MET TRANSIT	1818	GILLIG TRANSIT BU	12	300,000	3.5%	Ent	1%	768	412	20%	2011	76,818	2023		115,309								
MET TRANSIT	1819	GILLIG TRANSIT BU	12	300,000	3.5%	Ent	1%	768	412	20%	2011	76,818	2023		115,309								
MET TRANSIT	1820	FORD F550 31'	7	200,000	3%	Ent	5%	8,622	572	80%	2016	172,443	2023		203,461							252,213	
MET TRANSIT	1821	FORD F550 31'	7	200,000	3%	Ent	5%	8,622	572	80%	2016	172,443	2023		203,461							252,213	
MET TRANSIT	1822	FORD F550 31'	7	200,000	3%	Ent	5%	8,622	572	80%	2016	172,443	2023		203,461							252,213	
MET TRANSIT	1823	FORD F550 31'	7	200,000	3%	Ent	5%	8,622	572	80%	2016	172,443	2023		203,461							252,213	
MET TRANSIT	1824	FORD F550 31'	7	200,000	3%	Ent	5%	8,622	572	80%	2016	172,443	2023		203,461							252,213	
MET TRANSIT	1825	FORD F550 31'	7	200,000	3%	Ent	5%	8,622	572	80%	2016	172,443	2023		203,461							252,213	
MET TRANSIT	1818	GILLIG TRANSIT BU	12	300,000	3.5%	Ent	1%	3,073	412	80%	2011	307,274	2023		461,239								
MET TRANSIT	1819	GILLIG TRANSIT BU	12	300,000	3.5%	Ent	1%	3,073	412	80%	2011	307,274	2023		461,239								
MET TRANSIT	1877	Ford Paratransit Van	5	90,000	3%	Ent	5%	882	572	20%	2019	17,637	2024			19,564					22,821		
MET TRANSIT	1869	FORD F350 4X4 EXT	15	100,000	4%	Ent	10%	3,398	572	100%	2009	33,984	2024			57,805							
MET TRANSIT	1877	Ford Paratransit Van	5	90,000	3%	Ent	5%	3,527	572	80%	2019	70,548	2024			78,257					91,283		
MET TRANSIT	1859	MASSY 4WD TRACT	15	7,000	3%	Ent	10%	2,041		100%	2010	20,406	2025				29,751						
MET TRANSIT	1878	MET PARATRANSIT	6	9,000	3%	Ent	5%	4,028	572	20%	2019	80,555	2025				92,159						110,824
MET TRANSIT	1879	MET PARATRANSIT	6	9,000	3%	Ent	5%	4,028	572	20%	2019	80,555	2025				92,159						110,824
MET TRANSIT	1889	MET PARATRANSIT	10	9,000	4%	Ent	5%	3,752	572	20%	2015	75,046	2025				107,334						
MET TRANSIT	1889	MET PARATRANSIT	10	9,000	4%	Ent	5%	3,752	412	80%	2015	75,046	2025				107,334						
MET TRANSIT	1890	MET PARATRANSIT	10	9,000	4%	Ent	5%	3,752	572	20%	2015	75,046	2025				107,334						
MET TRANSIT	1890	MET PARATRANSIT	10	9,000	4%	Ent	5%	3,752	412	80%	2015	75,046	2025				107,334						
MET TRANSIT	1891	MET PARATRANSIT	10	9,000	4%	Ent	5%	3,752	572	20%	2015	75,046	2025				107,334						
MET TRANSIT	1891	MET PARATRANSIT	10	9,000	4%	Ent	5%	3,752	412	80%	2015	75,046	2025				107,334						
MET TRANSIT	1857	GENIE SCISSOR LIF	10	N/A	3.0%	Ent	15%	2,468	572	100%	2020	16,450	2030									19,640	
MET TRANSIT	1858	FLATBED TRAILER	20	N/A	3.0%	Ent	10%	580	572	100%	2020	5,800	2040										
MET TRANSIT Total														57,994	3,625,752	155,626	858,074	-	-	570,520	331,683	1,911,242	221,649
PARK DIVISION	1603	FORD HI-CUBE VAN	28	60,000	4%	Gov	50%	1,113	150-112	100%	1994	2,225	2022	5,560									
PARK DIVISION	1620	JOHN DEERE Z997 F	14	3,000	5%	Gov	15%	1,785	010-5112	100%	2008	11,900	2022	21,776									
PARK DIVISION	1611	CHEVY 1500 2WD P	17	80,000	4%	Gov	10%	1,347	110-511	100%	2005	13,470	2022	24,891									
PARK DIVISION	1026	FORD 1/2 TON PICK	25	80,000	4%	Gov	15%	2,160	010-5114	100%	1997	14,397	2022	36,220									
PARK DIVISION	1687	TURF SWEEPER	28	3,000	4%	Gov	15%	1,969	010-5112	100%	1994	13,125	2022	37,389									
PARK DIVISION	1614	FORD F250 PICKUP	10	80,000	4%	Gov	15%	4,868	010-5112	100%	2012	32,453	2022	43,170									
PARK DIVISION	1907	CHEVY 1T DUMP TR	23	70,000	3%	Gov	14%	3,517	010-5141	100%	1999	25,123	2022	46,064									
PARK DIVISION	1631	JOHN DEERE 5420 T	20	10,000	3%	Gov	10%	2,938	010-5112	100%	2002	29,381	2022	50,127									
PARK DIVISION	1607	FORD RANGER 4X4	22	100,000	1%	Gov	40%	1,105	240	100%	2001	2,762	2023		2,333								
PARK DIVISION	1692	FORD RANGER EXT	16	100,000	1%	Gov	30%	1,200	010-4321	100%	2007	4,000	2023		3,490								
PARK DIVISION	1637	COMPRESSOR	33	5,000	3%	Gov	10%	300	010-5112	100%	1990	3,000	2023		6,477								
PARK DIVISION	1674	Ditch Witch Tilt-bed t	20	N/A	4%	Gov	10%	316	010-5112	100%	2003	3,161	2023		6,610								
PARK DIVISION	1613	FORD F250 W/SERV	13	100,000	4%	Gov	15%	900	010-5112	100%	2010	6,000	2023		9,090								
PARK DIVISION	1604	FORD F250 2WD W/	15	100,000	4%	Gov	25%	1,500	150-112	100%	2008	6,000	2023		9,306								

FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. %	g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,022	2,023	2,024	2,025	2,026	2,027	2,028	2,029	2,030	2,031
PARK DIVISION	1629	HOLLAND AERWAY	23	N/A	4%	Gov	15%	715	010-5112	100%	2000	4,765	2023		11,030								
PARK DIVISION	1938	TORO TURF SWEEF	28	2,000	3%	Gov	15%	1,500	010-5141	100%	1995	9,999	2023		21,377								
PARK DIVISION	1609	FORD F150 2WD RE	10	80,000	4%	Gov	10%	1,869	010-5112	100%	2013	18,686	2023		25,791								
PARK DIVISION	1610	CHEVY 1500 2WD P	18	80,000	4%	Gov	10%	1,347	110-511	100%	2005	13,470	2023		25,941								
PARK DIVISION	1903	SUL AIR AIR COMPF	37	1,700	3%	Gov	14%	1,587	010-5141	100%	1986	11,339	2023		26,685								
PARK DIVISION	1622	FORD F150 EXT CAI	10	80,000	4%	Gov	10%	2,101	010-5112	100%	2013	21,010	2023		28,999								
PARK DIVISION	1928	WALKER MOWER	8	3,000	4%	Gov	15%	4,098	010-	100%	2015	27,321	2023		33,293								47,074
PARK DIVISION	1624	TORO SPRAYER	15	7,000	5%	Gov	10%	1,700	010-5112	100%	2008	17,000	2023		33,642								
PARK DIVISION	1675	Ditch Witch	20	7,000	4%	Gov	10%	1,830	010-5112	100%	2003	18,299	2023		38,265								
PARK DIVISION	1625	FORD F350 STAKE E	12	80,000	4%	Gov	10%	2,935	010-5112	100%	2011	29,345	2023		44,048								
PARK DIVISION	1630	FORD F350 W/SERV	12	80,000	4%	Gov	10%	2,961	010-5112	100%	2011	29,613	2023		44,450								
PARK DIVISION	1632	JOHN DEERE TRAC	29	5,000	4%	Gov	15%	2,813	010-5112	100%	1994	18,750	2023		55,662								
PARK DIVISION	1640	JOHN DEERE 5420 T	21	10,000	3%	Gov	10%	4,218	010-5112	100%	2002	42,184	2023		74,256								
PARK DIVISION	1671	TORO 5900 16' MOW	10	3,000	4%	Gov	15%	11,947	010-5112	100%	2013	79,649	2023		105,953								
PARK DIVISION	1676	TORO 5900 16' MOW	10	7,000	4%	Gov	15%	11,947	010-5112	100%	2013	79,649	2023		105,953								
PARK DIVISION	1906	JCB BACKHOE / LOA	26	7,000	5%	Gov	14%	4,830	010-5141	100%	1997	34,500	2023		117,841								
PARK DIVISION	1618	IHC 4700 W/VERSAL	23	8,000	4%	Gov	15%	14,285	010-5111	100%	2000	95,233	2023		220,437								
PARK DIVISION	1693	FORD RANGER EXT	16	100,000	1%	Gov	30%	1,200	010-4321	100%	2008	4,000	2024			3,490							
PARK DIVISION	1642	BOBCAT UTILITY VI	10	3,000	3%	Gov	10%	739	010-5112	100%	2014	7,386	2024			9,188							
PARK DIVISION	1930	WALKER 52" MOWE	6	3,000	4%	Gov	10%	2,727	010-5141	100%	2018	27,267	2024			31,775						40,929	
PARK DIVISION	1929	TORO WORKMAN	8	3,000	4%	Gov	10%	2,574	010-5141	100%	2016	25,741	2024			32,654							
PARK DIVISION	1020	FORD E450 PASSEN	15	100,000	4%	Gov	10%	5,985	010-	100%	2009	59,853	2024			101,807							
PARK DIVISION	1023	FORD E450 PASSEN	15	100,000	4%	Gov	10%	5,985	010-	100%	2009	59,853	2024			101,807							
PARK DIVISION	3606	BOBCAT UTV 4X2 3	10	3,000	3%	Gov	15%	1,119	150-	100%	2015	7,462	2025				8,909						
PARK DIVISION	1680	TORO WORKMAN A	15	N/A	3%	Gov	5%	353	010-5112	100%	2010	7,064	2025				10,652						
PARK DIVISION	3610	BOBCAT UTV 4X4 W	10	3,000	3%	Gov	15%	3,205	150-	100%	2015	21,365	2025				25,508						
PARK DIVISION	3601	CHEVY 1500 2WD F	10	100,000	4%	Gov	15%	3,329	150-	100%	2015	22,193	2025				29,522						
PARK DIVISION	3602	CHEVY 1500 2WD F	10	100,000	4%	Gov	15%	3,329	150-	100%	2015	22,193	2025				29,522						
PARK DIVISION	3618	FORD F150 X-CAB 3	10	100,000	4%	Gov	10%	2,580	150-	100%	2015	25,803	2025				35,614						
PARK DIVISION	1633	TURFTENDER TOP I	26	N/A	4%	Gov	15%	2,505	010-5112	100%	1999	16,700	2025				43,795						
PARK DIVISION	1641	CASE TRACTOR W/I	20	7,000	4%	Gov	5%	1,446	110-511	100%	2005	28,925	2025				61,932						
PARK DIVISION	3617	TORO 4100D TRIM	10	6,000	4%	Gov	5%	2,737	150-	100%	2015	54,742	2025				78,294						
PARK DIVISION	3615	TORO 5900 MOWEI	10	6,000	4%	Gov	5%	4,037	150-	100%	2015	80,749	2025				115,491						
PARK DIVISION	3616	TORO 5900 MOWEI	10	6,000	4%	Gov	5%	4,037	150-	100%	2015	80,749	2025				115,491						
PARK DIVISION	1612	CHEVY 3/4 TON PIC	20	80,000	1%	Gov	15%	675	010-5112	100%	2006	4,500	2026					4,816					
PARK DIVISION	1634	PJ TILT BED TRAILE	15	N/A	3%	Gov	10%	788	010-5112	100%	2011	7,876	2026					11,483					
PARK DIVISION	1914	JOHN DEERE GATO	12	2,000	4%	Gov	12%	1,319	010-5141	100%	2014	10,995	2026					16,284					
PARK DIVISION	1697	CHEVY 1500 4X4 W	12	100,000	3%	Gov	15%	4,857	010-5112	100%	2014	32,383	2026					41,313					
PARK DIVISION	1905	Chevy Colorado Ext c	15	100,000	4%	Gov	15%	2,677	010-5141	100%	2012	17,849	2027						29,468				
PARK DIVISION	1638	DODGE 1500 2WD	10	100000	4%	Gov	15%	3,376	010 514	100%	2017	22,506	2027						29,938				
PARK DIVISION	1639	DODGE 1500 2WD	10	100000	4%	Gov	15%	3,376	010 514	100%	2017	22,506	2027						29,938				
PARK DIVISION	1024	FORD RANGER 1/2 T	20	80,000	4%	Gov	15%	2,248	010-5114	100%	2007	14,989	2027						30,594				
PARK DIVISION	1605	FORD F250 4X4 W S	10	100,000	4%	Gov	15%	3,835	150-	100%	2017	25,565	2027						34,008				
PARK DIVISION	1651	DODGE 1500 4X4	10	100000	4%	Gov	15%	3,947	010 514	100%	2017	26,313	2027						35,003				
PARK DIVISION	3603	FORD F250 4X4 W S	12	100,000	4%	Gov	15%	5,387	150-	100%	2015	35,911	2027						52,108				
PARK DIVISION	1691	FREIGHTLINER DUM	15	80,000	4%	Gov	15%	11,974	010-5112	100%	2012	79,825	2027						131,787				
PARK DIVISION	1694	FREIGHTLINER DUM	15	80,000	4%	Gov	15%	11,974	010-5112	100%	2012	79,825	2027						131,787				
PARK DIVISION	1654	Vermeer Stump Grinc	25	2,500	4%	Gov	10%	15	010-5111	100%	2003	150	2028							385			
PARK DIVISION	3622	POLARIS RANGER 4	10	5,000	4%	Gov	10%	948	010-5114	100%	2018	9,482	2028							13,087			
PARK DIVISION	3623	POLARIS RANGER 4	10	5,000	4%	Gov	10%	948	010-5114	100%	2018	9,482	2028							13,087			
PARK DIVISION	3624	POLARIS RANGER 4	10	5,000	4%	Gov	10%	948	010-5114	100%	2018	9,482	2028							13,087			
PARK DIVISION	3631	DODGE RAM 1500 2	10	100,000	3%	Gov	15%	3,717	010-5114	100%	2018	24,780	2028							29,585			
PARK DIVISION	1664	JOHN DEERE 72"	8	5000	4%	Gov	15%	3,875	010 514	100%	2020	25,835	2028							31,482			
PARK DIVISION		FUEL STORAGE TAI	25		4%	Gov	1%	120	010-5141	100%	2003	11,962	2028							31,769			
PARK DIVISION	3628	FORD F250 W/UTILI	10	100,000	4%	Gov	10%	3,410	010-5114	100%	2018	34,101	2028							47,068			
PARK DIVISION	3629	JEEP WRANGLER 4	10	100,000	4%	Gov	10%	3,410	010-5114	100%	2018	34,101	2028							47,068			
PARK DIVISION	3625	JEEP WRANGLER 4	10	100,000	4%	Gov	10%	4,105	010-5114	100%	2018	41,050	2028							56,659			
PARK DIVISION	3626	JEEP WRANGLER 4	10	100,000	4%	Gov	10%	4,105	010-5114	100%	2018	41,050	2028							56,659			
PARK DIVISION	1649	TORO 4100D 16' MO	10	3,000	4%	Gov	15%	8,965	010-5112	100%	2018	59,767	2028							79,505			
PARK DIVISION	1647	TORO 5900 16' MOW	10	3,000	4%	Gov	15%	12,748	010-5112	100%	2018	84,984	2028							113,049			
PARK DIVISION	1924	WALKER MOWER/S	9	3,000	4%	Gov	15%	3,156	010-5141	100%	2020	21,043	2029								26,794		
PARK DIVISION	1636	DODGE RAM 1500 2	10	100,000	4%	Gov	10%	2,322	010-5112	100%	2019	23,220	2029								32,049		
PARK DIVISION	1919	WALKER 52" RIDING	9	3,000	4%	Gov	15%	3,916	010-5141	100%	2020	26,106	2029								33,241		
PARK DIVISION	3634	DODGE 1500 4X4	10	100000	4%	Gov	15%	3,761	010 514	100%	2020	25,072	2030									33,352	
PARK DIVISION	3612	TRU BURROW BLO	15	N/A	4%	Gov	10%	1,990	150-	100%	2015	19,895	2030									33,840	
PARK DIVISION	1602	DODGE 1500 4X4	10	100000	4%	Gov	15%	4,832	010 514	100%	2020	32,216	2030									42,855	
PARK DIVISION	1627	IHC PACMAC	10	10000	4%	Gov	10%	13,203	010 514	100%	2020	132,033	2030									182,238	

FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. %	g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,022	2,023	2,024	2,025	2,026	2,027	2,028	2,029	2,030	2,031
PARK DIVISION	3621	NORTHSTAR	15	N/A	3%	Gov	10%	740	010-5112	100%	2016	7,400	2031										10,789
PARK DIVISION	1678	TORO MOWER	21	3,000	3%	Gov	10%	1,796	010-5112	100%	2011	17,964	2032										
PARK DIVISION	1644	TORO PROCORE	15	100000	4%	Gov	10%	3,454	010 514	100%	2017	34,538	2032										
PARK DIVISION	1660	DODGE RAM 5500	12	100000	4%	Gov	15%	6,793	010 514	100%	2020	45,287	2032										
PARK DIVISION	1643	WIEDENMAN	15	100000	4%	Gov	10%	4,218	010 514	100%	2017	42,175	2032										
PARK DIVISION	1684	CAT 908H WHEEL L	20	7,000	4%	Gov	15%	12,939	010-5112	100%	2012	86,258	2032										
PARK DIVISION	1635	BOBCAT TRACK LO/	15	7,000	4%	Gov	15%	8,570	010-5114	100%	2018	57,133	2033										
PARK DIVISION	1617	FREIGHTLINER SER	15	7,000	4%	Gov	15%	21,932	010-5114	100%	2019	146,213	2034										
PARK DIVISION	1028	MOBIL SOUND STA(	30	N/A	4%	Gov	10%	8,183	640	100%	2004	81,829	2034										
PARK DIVISION	3608	PJ TILT BED TRAILE	20	N/A	3%	Gov	15%	774	150-	100%	2015	5,161	2035										
PARK DIVISION	3609	PJ TILT BED TRAILE	20	N/A	3%	Gov	15%	774	150-	100%	2015	5,161	2035										
PARK DIVISION	3613	VERMEER BRUSH (	20	7,000	4%	Gov	10%	3,878	150-	100%	2015	38,779	2035										
PARK DIVISION	3630	B-B 20' Tiltbed Traile	20	N/A	3%	Gov	15%	1,254	010-5114	100%	2018	8,363	2038										
PARK DIVISION	1650	IHC TRUCK WITH B(	40	80,000	5%	Gov	10%	4,269	010-5111	100%	2001	42,685	2041										
PARK DIVISION Total														265,199	1,050,927	280,720	554,731	73,896	504,631	532,491	92,085	333,214	57,863
PARKING	1962	GO-4 PARKING VEH	15	40,000	1%	Ent	10%	2,492	521	100%	2007	24,923	2022	26,443									
PARKING	1964	BOBCAT UTV W/PL	8	3,000	4%	Ent	15%	3,723	521	100%	2015	24,819	2023		30,244								42,763
PARKING	1965	BOBCAT UTV W/PL	8	3,000	4%	Ent	15%	3,723	521	100%	2015	24,819	2023		30,244								42,763
PARKING	1960	ADVANCE SWEEPEI	14	7,000	5%	Ent	10%	3,440	524	100%	2010	34,395	2024			64,660							
PARKING	1967	CY-CORP TRAILER	37	0	3%	Ent	20%	110	524	25%	1988	548	2025				1,526						
PARKING	1967	CY-CORP TRAILER	37	0	3%	Ent	20%	110	522	25%	1988	548	2025				1,526						
PARKING	1967	CY-CORP TRAILER	37	0	3%	Ent	20%	110	523	25%	1988	548	2025				1,526						
PARKING	1967	CY-CORP TRAILER	37	0	3%	Ent	20%	110	524	25%	1988	548	2025				1,526						
PARKING	1961	JOHN DEERE X700 (	19		3%	Ent	15%	774	522	33%	2006	5,162	2025				8,277						
PARKING	1961	JOHN DEERE X700 (	19		3%	Ent	15%	774	523	33%	2006	5,162	2025				8,277						
PARKING	1961	JOHN DEERE X700 (	19		3%	Ent	15%	798	524	34%	2006	5,318	2025				8,527						
PARKING	1969	GMC SONOMA 4X4 I	29	80,000	3%	Ent	15%	2,380	521	100%	1996	15,868	2025				35,014						
PARKING	1972	FORD F150 4X4 PIC	16	100,000	4%	Ent	10%	2,128	522	100%	2011	21,275	2027						37,720				
PARKING Total														26,443	60,487	64,660	66,201	-	37,720	-	-	-	85,525
PARKS DIVISION	7808	IR COMPRESSOR	15		3%	Ent	15%	2,835	513	100%	2010	18,900	2025				26,611						
PARKS DIVISION Total														-	-	-	26,611	-	-	-	-	-	-
POLICE DEPT	1496	CHEVY MALIBU	14	100,000	5%	Gov	15%	2,440	150-2	100%	2008	16,264	2022	29,762									
POLICE DEPT	1404	FORD INTERCEPTC	8	100,000	3%	Gov	6%	1,632	150-21	100%	2014	27,207	2022	33,890								44,746	
POLICE DEPT	1406	FORD INTERCEPTC	8	100,000	3%	Gov	6%	1,632	150-21	100%	2014	27,207	2022	33,890								44,746	
POLICE DEPT	1407	FORD INTERCEPTC	8	100,000	3%	Gov	6%	1,632	150-21	100%	2014	27,207	2022	33,890								44,746	
POLICE DEPT	1572	FORD POLICE INTEI	9	100,000	4%	gov	10%	2,662	150-21	100%	2013	26,615	2022	33,890									47,537
POLICE DEPT	1411	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,721	150-21	100%	2015	27,207	2022	33,890							46,545		
POLICE DEPT	1412	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,721	150-21	100%	2015	27,207	2022	33,890							46,545		
POLICE DEPT	1413	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,721	150-21	100%	2015	27,207	2022	33,890							46,545		
POLICE DEPT	1414	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,721	150-21	100%	2015	27,207	2022	33,890							46,545		
POLICE DEPT	1416	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,721	150-21	100%	2015	27,207	2022	33,890							46,545		
POLICE DEPT	1417	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,721	150-21	100%	2015	27,207	2022	33,890							46,545		
POLICE DEPT	1420	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,721	150-21	100%	2015	27,207	2022	33,890							46,545		
POLICE DEPT	1422	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,721	150-21	100%	2015	27,207	2022	33,890							46,545		
POLICE DEPT	1532	FORD F350 4X4 4DF	15	100,000	4%	Gov	15%	-	150-2	100%	2008	0	2023		-								
POLICE DEPT	3417	CHEVY SUBURBAN	21	80,000	5%	Gov	15%	780	150-21	100%	2002	5,200	2023		13,707								
POLICE DEPT	1512	FORD FUSION 4 DO	13	100,000	4%	Gov	10%	1,524	150-21	100%	2010	15,242	2023		23,855								
POLICE DEPT	1435	FORD INTERCEPTC	6	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2023		30,739						39,992		
POLICE DEPT	1441	FORD INTERCEPTC	6	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2023		30,739						39,992		
POLICE DEPT	1533	FORD FUSION 4 DO	14	100,000	4%	Gov	10%	1,885	150-21	100%	2009	18,850	2023		30,757								
POLICE DEPT	1495	CHEVY MALIBU	15	100,000	5%	Gov	15%	2,440	150-2	100%	2008	16,264	2023		31,372								
POLICE DEPT	3414	FORD INTERCEPTC	8	100,000	3%	Gov	15%	4,245	150-21	100%	2015	28,299	2023		31,603								41,167
POLICE DEPT	1498	CHEVY MALIBU	16	80,000	5%	Gov	10%	1,538	150-21	100%	2007	15,379	2023		32,033								
POLICE DEPT	1500	CHEVY MALIBU	16	80,000	5%	Gov	10%	1,538	150-21	100%	2007	15,379	2023		32,033								
POLICE DEPT	1492	FORD TAURUS	17	100,000	5%	Gov	15%	2,273	150-21	100%	2006	15,150	2023		32,452								
POLICE DEPT	1494	FORD TAURUS	17	100,000	5%	Gov	15%	2,273	150-21	100%	2006	15,150	2023		32,452								
POLICE DEPT	1528	FORD E250 PRISON	12	100,000	4%	Gov	10%	2,194	150-21	100%	2011	21,937	2023		32,928								
POLICE DEPT	1423	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,749	150-21	100%	2016	27,488	2023		33,424							44,852	
POLICE DEPT	1426	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,749	150-21	100%	2016	27,488	2023		33,424							44,852	
POLICE DEPT	1428	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,749	150-21	100%	2016	27,488	2023		33,424							44,852	
POLICE DEPT	1567	Ford F150 4x4 crew c	12	100,000	4%	Gov	10%	2,751	150-21	100%	2011	27,512	2023		41,296								
POLICE DEPT	1569	Ford F150 4x4 crew c	12	100,000	4%	Gov	10%	2,751	150-21	100%	2011	27,512	2023		41,296								
POLICE DEPT	3415	F150 CREW MARSH	10	100,000	4%	Gov		-	150-21	100%	2014	0	2024			-							
POLICE DEPT	1589	FORD F150 4X4 CRE	13	100,000	0%	Gov	0%	-	150-21	100%	2011	0	2024			-							
POLICE DEPT	1529	GMC 1/2 TON EXT C	26	100,000	0%	Gov	15%	-	150-21	100%	1998	0	2024			-							
POLICE DEPT	1530	TOYOTA 4X4 EXT C/	27	100,000	5%	Gov	15%	-	150-21	100%	1997	0	2024			-							
POLICE DEPT	1531	FORD EXPEDITION	26	100,000	4%	Gov	13%	-	150-21	100%	1998	0	2024			-							

FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. %	g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,022	2,023	2,024	2,025	2,026	2,027	2,028	2,029	2,030	2,031
POLICE DEPT	1595	Meth Lab Trailer	21	N/A	5%	Gov	10%	-	150-21	100%	2003	0	2024			-							
POLICE DEPT	1510	FORD FUSION 4 DO	13	100,000	4%	Gov	10%	1,815	150-21	100%	2011	18,150	2024			28,406							
POLICE DEPT	1511	FORD FUSION 4 DO	15	100,000	4%	Gov	10%	1,885	150-21	100%	2009	18,850	2024			32,063							
POLICE DEPT	1434	FORD INTERCEPTO	7	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2024			32,134							43,593
POLICE DEPT	1436	FORD INTERCEPTO	7	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2024			32,134							43,593
POLICE DEPT	1438	FORD INTERCEPTO	7	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2024			32,134							43,593
POLICE DEPT	1424	FORD INTERCEPTO	8	100,000	4%	Gov	10%	2,749	150-21	100%	2016	27,488	2024			34,870							
POLICE DEPT	1427	FORD INTERCEPTO	8	100,000	4%	Gov	10%	2,749	150-21	100%	2016	27,488	2024			34,870							
POLICE DEPT	1429	FORD INTERCEPTO	8	100,000	4%	Gov	10%	2,749	150-21	100%	2016	27,488	2024			34,870							
POLICE DEPT	1504	FORD FUSION 4 DO	15	100,000	5%	Gov	10%	1,885	150-21	100%	2009	18,850	2024			37,303							
POLICE DEPT	1568	Ford F150 4x4 crew c	13	100,000	4%	Gov	10%	2,751	150-21	100%	2011	27,512	2024			43,058							
POLICE DEPT	1593	HURD BOMB TRAILE	30	N/A	3%	Gov	20%	-	150-21	100%	1995	0	2025				-						
POLICE DEPT	1501	CHEVY MALIBU	12	100,000	4%	Gov	10%	2,043	150-21	100%	2013	20,429	2025				30,665						
POLICE DEPT	1508	CHEVY MALIBU	12	100,000	4%	Gov	10%	2,043	150-21	100%	2013	20,429	2025				30,665						
POLICE DEPT	1514	CHEVY MALIBU	12	100,000	4%	Gov	10%	2,043	150-21	100%	2013	20,429	2025				30,665						
POLICE DEPT	1437	FORD INTERCEPTO	8	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2025				33,585						
POLICE DEPT	1440	FORD INTERCEPTO	8	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2025				33,585						
POLICE DEPT	1442	FORD INTERCEPTO	8	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2025				33,585						
POLICE DEPT	1443	FORD INTERCEPTO	8	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2025				33,585						
POLICE DEPT	1444	FORD INTERCEPTO	8	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2025				33,585						
POLICE DEPT	1445	FORD INTERCEPTO	8	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2025				33,585						
POLICE DEPT	1446	FORD INTERCEPTO	8	100000	4%	GOV	15%	4,192	150 2	100%	2017	27,946	2025				34,054						
POLICE DEPT	1450	FORD	7	100,000	4%	Gov	6%	1,652	150-21	100%	2018	27,533	2025				34,580						
POLICE DEPT	1451	FORD	7	100,000	4%	Gov	6%	1,652	150-21	100%	2018	27,533	2025				34,580						
POLICE DEPT	1452	FORD	7	100,000	4%	Gov	6%	1,652	150-21	100%	2018	27,533	2025				34,580						
POLICE DEPT	1453	FORD	7	100,000	4%	Gov	6%	1,652	150-21	100%	2018	27,533	2025				34,580						
POLICE DEPT	1454	FORD	7	100,000	4%	Gov	6%	1,652	150-21	100%	2018	27,533	2025				34,580						
POLICE DEPT	1456	FORD	7	100,000	4%	Gov	6%	1,652	150-21	100%	2018	27,533	2025				34,580						
POLICE DEPT	1425	FORD INTERCEPTO	9	100,000	4%	Gov	10%	2,749	150-21	100%	2016	27,488	2025				36,375						
POLICE DEPT	1430	FORD INTERCEPTO	9	100,000	4%	Gov	10%	2,749	150-21	100%	2016	27,488	2025				36,375						
POLICE DEPT	1431	FORD INTERCEPTO	9	100,000	4%	Gov	10%	2,756	150-21	100%	2016	27,561	2025				36,472						
POLICE DEPT	1433	FORD INTERCEPTO	9	100,000	4%	Gov	10%	2,756	150-21	100%	2016	27,561	2025				36,472						
POLICE DEPT	1455	FORD	7	100,000	4%	Gov	6%	1,902	150-21	100%	2018	31,706	2025				39,821						
POLICE DEPT	1408	FORD F150 4X4 SU	11	100,000	4%	Gov	15%	4,553	150-21	100%	2014	30,350	2025				42,170						
POLICE DEPT	1410	FORD F150 4X4 SU	11	100,000	4%	Gov	15%	4,553	150-21	100%	2014	30,350	2025				42,170						
POLICE DEPT	1497	FORD FUSION	10	100,000	4%	Gov	15%	2,826	150-21	100%	2016	18,840	2026					25,062					
POLICE DEPT	1457	FORD INTERCEPTO	7	110000	4%	GOV	10%	2,753	150 2	100%	2019	27,533	2026					33,478					
POLICE DEPT	1458	FORD INTERCEPTO	7	110000	4%	GOV	10%	2,753	150 2	100%	2019	27,533	2026					33,478					
POLICE DEPT	1459	FORD INTERCEPTO	7	110000	4%	GOV	10%	2,753	150 2	100%	2019	27,533	2026					33,478					
POLICE DEPT	1460	FORD INTERCEPTO	7	110000	4%	GOV	10%	2,753	150 2	100%	2019	27,533	2026					33,478					
POLICE DEPT	1461	FORD INTERCEPTO	7	110000	4%	GOV	10%	2,753	150 2	100%	2019	27,533	2026					33,478					
POLICE DEPT	1462	FORD INTERCEPTO	7	110000	4%	GOV	10%	2,753	150 2	100%	2019	27,533	2026					33,478					
POLICE DEPT	1439	FORD INTERCEPTO	9	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2026					35,094					
POLICE DEPT	1448	FORD	8	100,000	4%	Gov	6%	1,737	150-21	100%	2018	28,944	2026					37,875					
POLICE DEPT	1463	FORD INTERCEPTO	7	110000	4%	GOV	10%	3,171	150 2	100%	2019	31,706	2026					38,552					
POLICE DEPT	1542	FORD INTERCEPTO	7	110000	4%	GOV	10%	3,171	150 2	100%	2019	31,706	2026					38,552					
POLICE DEPT	1547	FORD INTERCEPTO	7	110000	4%	GOV	10%	3,171	150 2	100%	2019	31,706	2026					38,552					
POLICE DEPT	1409	FORD F150 4X4 SU	12	100,000	4%	Gov	15%	4,553	150-21	100%	2014	30,350	2026					44,039					
POLICE DEPT	1506	FORD FUSION SILV	12	100,000	3%	Gov	10%	1,806	150-21	100%	2015	18,060	2027						23,943				
POLICE DEPT	1516	FORD FUSION BLU	12	100,000	3%	Gov	10%	1,806	150-21	100%	2015	18,060	2027						23,943				
POLICE DEPT	1518	FORD FUSION BLA	12	100,000	3%	Gov	10%	1,806	150-21	100%	2015	18,060	2027						23,943				
POLICE DEPT	1520	FORD FUSION WHI	12	100,000	3%	Gov	10%	1,806	150-21	100%	2015	18,060	2027						23,943				
POLICE DEPT	PD2003	Luma Light	30	N/A	3%	Gov	0%	-	150-21	100%	1997	10,000	2027						24,273				
POLICE DEPT	1539	FORD F150	10	100000	4%	GOV	15%	4,663	150 2	100%	2017	31,089	2027						41,356				
POLICE DEPT	1464	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,382	150-2	100%	2020	35,882	2027						41,836				
POLICE DEPT	1465	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,382	150-2	100%	2020	35,882	2027						41,836				
POLICE DEPT	1466	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,382	150-2	100%	2020	35,882	2027						41,836				
POLICE DEPT	1467	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,382	150-2	100%	2020	35,882	2027						41,836				
POLICE DEPT	1468	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027						41,929				
POLICE DEPT	1469	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027						41,929				
POLICE DEPT	1470	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027						41,929				
POLICE DEPT	1471	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027						41,929				
POLICE DEPT	1472	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027						41,929				
POLICE DEPT	1473	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027						41,929				
POLICE DEPT	1474	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027						41,929				
POLICE DEPT	1475	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027						41,929				
POLICE DEPT	1476	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027						41,929				

FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. %	g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,022	2,023	2,024	2,025	2,026	2,027	2,028	2,029	2,030	2,031
POLICE DEPT	1477	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027						41,929				
POLICE DEPT	1478	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027						41,929				
POLICE DEPT	1519	FORD F150	10	100,000	4%	Gov	6%	1,865	150-21	100%	2018	31,091	2028							44,157			
POLICE DEPT	1502	NISSAN ALTIMA 4DF	10	100,000	4%	Gov	15%	3,285	150-2	100%	2020	21,903	2030									29,136	
POLICE DEPT	1507	NISSAN ALTIMA 4DF	10	100,000	4%	Gov	15%	3,285	150-2	100%	2020	21,903	2030									29,136	
POLICE DEPT	1513	NISSAN ALTIMA 4DF	10	100,000	4%	Gov	15%	3,285	150-2	100%	2020	21,903	2030									29,136	
POLICE DEPT	1517	NISSAN ALTIMA 4DF	10	100,000	4%	Gov	15%	3,285	150-2	100%	2020	21,903	2030									29,136	
POLICE DEPT	1521	NISSAN ALTIMA 4DF	10	100,000	4%	Gov	15%	3,285	150-2	100%	2020	21,903	2030									29,136	
POLICE DEPT	PD2004	Cyvac	30	N/A	3%	Gov	0%	-	150-21	100%	2000	22,195	2030									53,873	
POLICE DEPT	1537	RADAR TRAILER	30	N/A	4%	Gov	13%	1,932	150-21	100%	2001	14,860	2031										46,265
POLICE DEPT	1538	RADAR TRAILER	30	N/A	4%	Gov	13%	-	150-21	100%	2003	0	2033										
POLICE DEPT	1596	FORD TRANSIT	15	100,000	4%	Gov	6%	2,296	150-21	100%	2018	38,265	2033										
POLICE DEPT	1535	GMC TOPKICK BOM	25	100,000	4%	Gov	10%	-	150-21	100%	2009	0	2034										
POLICE DEPT	1590	NABCO BOMB TRAII	30	N/A	5%	Gov	13%	-	150-21	100%	2004	0	2034										
POLICE DEPT	1597	KENWORTH CSI VAI	25	100,000	4%	Gov	10%	-	150-21	100%	2009	0	2034										
POLICE DEPT	1598	CHARMAC ROBOT T	30	N/A	4%	Gov	13%	-	150-21	100%	2004	0	2034										
POLICE DEPT Total														436,443	537,533	341,844	804,890	458,596	789,967	44,157	452,341	468,347	265,746
PW ADMIN	3091	FORD FUSION	10	100,000	4%	Ent	15%	2,826	660	100%	2016	18,840	2026					25,062					
PW ADMIN	1090	FORD FUSION 4 DO	12	100,000	4%	Ent	15%	2,741	010-3141	100%	2014	18,274	2026					26,516					
PW ADMIN Total														-	-	-	-	51,578	-	-	-	-	-
PW BELKNAP	7312	KUBOTA FRONT DE	15	3,000	4%	Ent	15%	2,385	503	100%	2007	15,900	2022	26,250									
PW BELKNAP	7409	FORD F250 EXT CAI	11	100,000	3%	Ent	15%	3,763	513	100%	2011	25,084	2022	30,960									
PW BELKNAP	7412	FORD F250 W/SERV	12	100,000	4%	Ent	15%	3,297	503	100%	2010	21,977	2022	31,889									
PW BELKNAP	7842	TOYOTA FORKLIFT	22	7,000	4%	Ent	10%	1,798	513	100%	2000	17,975	2022	40,802									
PW BELKNAP	7360	TOYOTA FORKLIFT	24	1,000	4%	Ent	10%	2,138	503	100%	1998	21,375	2022	52,653									
PW BELKNAP	7365	FORD F450XL 1 TON	23	80,000	4%	Ent	15%	3,614	503	100%	1999	24,091	2022	55,764									
PW BELKNAP	7350	FORD F150 4X2 SUF	23	80,000	2%	Ent	15%	383	503	100%	2000	2,552	2023		3,641								
PW BELKNAP	7345	30' DREDGE TRAILE	20	N/A	4%	Ent	5%	150	503	100%	2003	3,000	2023		6,423								
PW BELKNAP	7908	TRAILER	10	N/A	4%	Ent	10%	545	513	100%	2013	5,450	2023		7,522								
PW BELKNAP	7106	FORD RANGER REG	12	100,000	3%	Ent	15%	2,187	513	100%	2011	14,577	2023		18,597								
PW BELKNAP	7201	FORD FUSION 4 DO	12	100,000	3%	Ent	15%	2,723	513	100%	2011	18,150	2023		23,155								
PW BELKNAP	7405	CHEVY COLORADO	11	100,000	4%	Ent	15%	2,677	503	100%	2012	17,849	2023		24,800								
PW BELKNAP	7417	FORD F150 2WD EX	10	100,000	4%	Ent	15%	3,152	513	100%	2013	21,010	2023		27,948								
PW BELKNAP	7111	FORD TRANSIT CON	10	100,000	4%	Ent	10%	2,070	513	100%	2013	20,696	2023		28,566								
PW BELKNAP	7101	FORD F250 PICKUP	14	100,000	4%	Ent	15%	3,605	503	100%	2009	24,035	2023		38,016								
PW BELKNAP	7353	FORD F150 4X2 SUF	23	80,000	4%	Ent	15%	2,706	513	100%	2000	18,040	2023		41,757								
PW BELKNAP	7322	FORD F250 4X4 W/S	14	100,000	4%	Ent	15%	4,573	503	100%	2009	30,485	2023		48,217								
PW BELKNAP	7810	CHEVY 3/4T 4X4 EX	10	100,000	4%	Ent	15%	7,453	513	100%	2013	49,686	2023		66,095								
PW BELKNAP	7925	CUMMINS POWER G	20		4%	Ent	5%	1,582	513	100%	2003	31,635	2023		67,734								
PW BELKNAP	7476	CAT SKID STEER LO	23	2,000	4%	Ent	15%	4,901	503	50%	2000	32,675	2023		75,633								
PW BELKNAP	7476	CAT SKID STEER LO	23	2,000	4%	Ent	15%	4,901	513	50%	2000	32,675	2023		75,633								
PW BELKNAP	7414	IHC 8 YD TANDEM D	11	7,000	4%	ent	15%	16,451	503	100%	2012	109,674	2023		152,387								
PW BELKNAP	7436	JOHN DEERE 710D I	24	7,000	4%	Ent	15%	18,222	503	100%	1999	121,480	2023		293,168								
PW BELKNAP	7351	FLOATING DREDGE	20	7,000	5%	Ent	5%	10,331	503	100%	2003	206,620	2023		537,893								
PW BELKNAP	7120	CHEVY MALIBU	16	100,000	4%	ENT	15%	383	150-2	100%	2008	2,550	2024			4,394							
PW BELKNAP	7530	TOWMASTER 20' TR	17		4%	Ent	15%	1,613	503	100%	2007	10,750	2024			19,327							
PW BELKNAP	7303	JOHN DEERE 60" LA	21	5,000	4%	Ent	15%	2,154	503	100%	2003	14,363	2024			30,575							
PW BELKNAP	7431	IR COMPRESSOR	26	7,000	4%	Ent	15%	1,875	513	100%	1998	12,500	2024			32,781							
PW BELKNAP	7418	FORD F350 2WD W	10	100,000	3%	Ent	10%	3,151	503	100%	2014	31,509	2024			39,195							
PW BELKNAP	7440	AIR COMPRESSOR	30	7,000	4%	Ent	5%	1,125	503	100%	1994	22,500	2024			71,851							
PW BELKNAP	7304	CUMMINS POWER G	12	7,000	4%	Ent	15%	15,911	503	100%	2012	106,075	2024			153,918							
PW BELKNAP	7437	FORD F900	33	7,000	4%	Ent	10%	4,595	503	100%	1991	45,946	2024			163,034							
PW BELKNAP	7904	VACTOR SEWER JE	16	7,000	4%	Ent	10%	40,000	513	100%	2008	266,014	2024			471,638							
PW BELKNAP	7370	SULLIVAN AIR COMI	25	7,000	4%	Ent	10%	912	513	100%	2000	9,115	2025				23,388						
PW BELKNAP	7202	FORD FUSION 4 DO	14	100,000	3%	Ent	15%	2,723	513	100%	2011	18,150	2025				24,731						
PW BELKNAP	7104	FORD F250 PICKUP	14	100,000	3%	Ent	15%	3,475	513	100%	2011	23,165	2025				31,564						
PW BELKNAP	7324	FORD F150 4X4 XC	10	100,000	4%	Ent	15%	3,885	502	100%	2015	25,903	2025				34,457						
PW BELKNAP	7502	FORD F350 4X2 FL/	10	100,000	4%	Ent	15%	4,077	502	100%	2015	27,183	2025				36,160						
PW BELKNAP	7108	FORD F250 SRW 4)	10	100,000	4%	Ent	15%	4,439	502	100%	2015	29,592	2025				39,365						
PW BELKNAP	7109	FORD F250 SRW 4)	10	100,000	4%	Ent	15%	4,439	502	100%	2015	29,592	2025				39,365						
PW BELKNAP	7501	FORD F350 4X4 RE	10	100,000	4%	Ent	15%	5,244	502	100%	2015	34,958	2025				46,503						
PW BELKNAP	7520	INGERSOL RAND AI	18	7,000	4%	Ent	15%	3,959	503	100%	2007	26,393	2025				49,508						
PW BELKNAP	7411	WACHS VAC & VALV	13	N/A	4%	ent	5%	1,558	503	100%	2012	31,168	2025				50,339						
PW BELKNAP	7424	FORD F350 4X4 XC	10	100,000	4%	Ent	15%	6,338	502	100%	2015	42,252	2025				56,205						
PW BELKNAP	7907	BOBCAT S650 SKID	13	7,000	4%	Ent	15%	6,141	512	100%	2012	40,939	2025				62,026						
PW BELKNAP	7905	POWER PRIME PUM	18	7,000	4%	Ent	15%	5,535	513	100%	2007	36,898	2025				69,214						
PW BELKNAP	7515	TRAC STAR FUSION	19	7,000	4%	Ent	15%	5,712	503	100%	2006	38,080	2025				74,517						

FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. % g/p	Salv . %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,022	2,023	2,024	2,025	2,026	2,027	2,028	2,029	2,030	2,031
PW BELKNAP	7510	NEW HOLLAND EXC	19	7,000	4% Ent	15%	8,364	503	100%	2006	55,763	2025				109,120						
PW BELKNAP	7313	CUMMINS GENERAT	16	7,000	4% Ent	10%	8,281	503	100%	2009	82,810	2025				146,821						
PW BELKNAP	7413	IHC 8 YD TANDEM D	13	7,000	4% ent	15%	16,451	503	100%	2012	109,674	2025				166,164						
PW BELKNAP	7430	JOHN DEERE 710G	22	7,000	5% Ent	15%	13,871	513	100%	2003	92,470	2025				256,628						
PW BELKNAP	7450	JOHN DEERE 710G	22	7,000	5% Ent	15%	13,871	503	100%	2003	92,470	2025				256,628						
PW BELKNAP	7505	HAMMERHEAD HG1	19		4% Ent	15%	21,000	503	100%	2006	140,000	2025				273,959						
PW BELKNAP	7555	HAMMERHEAD POW	15	N/A	4% Ent	10%	18,600	513	100%	2010	186,000	2025				316,375						
PW BELKNAP	7116	WACHS	10		4% Ent	15%	2,441	502	100%	2016	16,270	2026					21,643					
PW BELKNAP	7323	FORD TRANSIT	10	100,000	4% Ent	15%	3,238	503	100%	2016	21,586	2026					28,715					
PW BELKNAP	7316	DODGE RAM 1500	10	100,000	4% Ent	15%	3,968	503	100%	2016	26,451	2026					35,186					
PW BELKNAP	7317	DODGE RAM 1500	10	100,000	4% Ent	15%	3,968	503	100%	2016	26,451	2026					35,186					
PW BELKNAP	7112	FORD F250 SRW 4)	10	100,000	4% Ent	15%	5,415	502	100%	2016	36,099	2026					48,020					
PW BELKNAP	7113	FORD F250 SRW 4)	10	100,000	4% Ent	15%	5,415	502	100%	2016	36,099	2026					48,020					
PW BELKNAP	7318	FORD F250 4X4	10	100,000	4% Ent	15%	5,736	503	100%	2016	38,241	2026					50,870					
PW BELKNAP	7340	JOHN DEERE TRAC	21	7,000	4% Ent	15%	5,529	503	100%	2005	36,858	2026					78,462					
PW BELKNAP	7373	ONAN GENERATOR	26	7,000	4% Ent	10%	3,250	503	100%	2000	32,500	2026					86,855					
PW BELKNAP	7565	MCELROY FUSION	10	N/A	4% Ent	15%	9,926	503	100%	2016	66,170	2026					88,022					
PW BELKNAP	7912	FREIGHTLINER VA(	10	7,000	4% Ent	15%	53,974	503	100%	2016	359,828	2026					478,659					
PW BELKNAP	7997	FREIGHTLINER VA(	10	7,000	4% Ent	11%	40,027	512	100%	2016	363,885	2026					498,611					
PW BELKNAP	7426	FORD F250 4X4	10	100000	4% ENT	15%	4,715	503	100%	2017	31,431	2027						41,811				
PW BELKNAP	7117	FORD F250 4X4	10	100000	4% ENT	15%	5,055	503	100%	2017	33,703	2027						44,833				
PW BELKNAP	7118	FORD F350 4X4	10	100000	4% ENT	15%	5,358	503	100%	2017	35,721	2027						47,518				
PW BELKNAP	7916	VOLVO 8YD DUMP	10	100000	4% ENT	15%	16,508	503	100%	2017	110,050	2027						146,393				
PW BELKNAP	7121	KUBOTA UTV	10	100,000	4% Ent	15%	1,571	513	100%	2018	10,475	2028							13,934			
PW BELKNAP	7326	KUBOTA UTV	10	100,000	4% Ent	15%	1,571	513	100%	2018	10,475	2028							13,934			
PW BELKNAP	7813	JD GATOR UTV	10	5,000	4% Ent	15%	2,819	513	100%	2018	18,792	2028							24,998			
PW BELKNAP	7814	JD GATOR UTV	10	5,000	4% Ent	15%	2,819	513	100%	2018	18,792	2028							24,998			
PW BELKNAP	7327	KUBOTA RTV	10	5,000	4% Ent	15%	2,864	513	100%	2018	19,095	2028							25,401			
PW BELKNAP	7149	FORD F250 W/SERV	10	100,000	4% Ent	15%	5,421	513	100%	2018	36,139	2028							48,074			
PW BELKNAP	7305	JD 1575 TERRAIN	10	7,000	4% Ent	15%	5,447	513	100%	2018	36,314	2028							48,306			
PW BELKNAP	7446	FORD F350 W/SERV	10	100,000	4% Ent	15%	5,505	513	100%	2018	36,699	2028							48,819			
PW BELKNAP	7344	FORD F350 W/SERV	10	100,000	4% Ent	15%	5,761	513	100%	2018	38,407	2028							51,091			
PW BELKNAP	7546	FORD F250 W/SERV	10	100,000	4% Ent	15%	5,761	513	100%	2018	38,407	2028							51,091			
PW BELKNAP	7486	FREIGHTLINER	10	7000	4% ENT	15%	27,069	503	100%	2018	180,462	2028							240,059			
PW BELKNAP	7995	RAPID VIEW	10	5,000	4% Ent	15%	29,517	513	100%	2018	196,781	2028							261,767			
PW BELKNAP	7917	FRTLINR VACTOR	10	7000	4% ENT	15%	54,794	503	100%	2018	365,290	2028							485,925			
PW BELKNAP	7802	KUBOTA F2690	10	3,000	4% Ent	15%	2,535	513	100%	2019	16,900	2029								22,481		
PW BELKNAP	7815	KUBOTA F2690	10	3,000	4% Ent	15%	2,535	513	100%	2019	16,900	2029								22,481		
PW BELKNAP	7550	KIEFER BUILT 45' TF	20		4% Ent	10%	1,298	502	100%	2009	12,980	2029								27,143		
PW BELKNAP	7143	DODGE RAM1500 4)	10	100,000	4% Ent	10%	2,575	502	100%	2019	25,754	2029								35,547		
PW BELKNAP	7320	DODGE RAM1500 4)	10	100,000	4% Ent	10%	2,575	502	100%	2019	25,754	2029								35,547		
PW BELKNAP	7811	SMITHCO	10	3,000	4% Ent	15%	5,708	513	100%	2019	38,055	2029								50,623		
PW BELKNAP	7114	FORD F250 4X4 PICI	10	100,000	4% Ent	10%	3,749	502	100%	2019	37,487	2029								51,741		
PW BELKNAP	7415	FORD F350 4X4 PICI	10	100,000	4% Ent	10%	3,955	512	100%	2019	39,551	2029								54,590		
PW BELKNAP	7851	FORD F250 4X4 EXT	10	100,000	4% Ent	10%	3,978	512	100%	2019	39,777	2029								54,902		
PW BELKNAP	7177	FORD F250 4X4 EXT	10	100,000	4% Ent	10%	4,011	502	100%	2019	40,113	2029								55,366		
PW BELKNAP	7909	FORD F250 4X4 EXT	10	100,000	4% Ent	10%	5,489	502	100%	2019	54,893	2029								75,766		
PW BELKNAP	7540	FORD F250 4X4 EXT	10	100,000	4% Ent	10%	6,599	502	100%	2019	65,987	2029								91,078		
PW BELKNAP	7484	FREIGHTLINER	10	100,000	4% Ent	15%	22,092	513	100%	2019	147,277	2029								195,914		
PW BELKNAP	7801	JOHN DEERE GATO	10		4% Ent	15%	1,500	513	100%	2020	10,000	2030									13,302	
PW BELKNAP	7115	NISSAN ALTIMA 4DF	10	100,000	4% Ent	15%	3,285	513	100%	2020	21,903	2030									29,136	
PW BELKNAP	3090	FORD TRANSIT CO	15	100,000	3% Ent	15%	3,268	660	100%	2015	21,784	2030									30,671	
PW BELKNAP	7846	DODGE 1500 4X4	10	100,000	5% ENT	35%	8,775	601	100%	2020	25,072	2030									33,246	
PW BELKNAP	7319	CHEVY MALIBU 4DR	30	80,000	4% Ent	15%	2,299	660	100%	2000	15,324	2030									47,404	
PW BELKNAP	7355	DODGE 3500 2WD V	10	100,000	4% Ent	15%	5,522	513	100%	2020	36,812	2030									48,969	
PW BELKNAP	7352	CHEVY 3500 4X4 EX	10	100,000	4% Ent	15%	6,290	513	100%	2020	41,932	2030									55,780	
PW BELKNAP	7408	CHEVY 3500 4X4 EX	10	100,000	4% Ent	15%	6,290	513	100%	2020	41,932	2030									55,780	
PW BELKNAP	7107	GENRAC GENERAT(	20	N/A	4% Ent	15%	5,220	513	100%	2012	34,800	2032										
PW BELKNAP	7812	HANCO GENERATC	20	7,000	4% Ent	15%	3,547	512	100%	2014	23,645	2034										
PW BELKNAP	7930	CAT 950 FRONTENI	15	8,000	4% Ent	15%	28,947	503	100%	2019	192,983	2034										
PW BELKNAP	7342	PJ DECKOVER	20	100,000	3% Ent	15%	1,199	513	100%	2018	7,993	2038										
PW BELKNAP Total													238,318	1,537,188	986,713	2,163,037	1,498,252	280,555	1,338,397	773,179	314,289	-
SOLID WASTE	0038	FORD F250 2WD W/	14	100,000	5% Ent	25%	1,781	601	100%	2008	7,125	2022	12,120									
SOLID WASTE	0141	AUTOCAR WATER T	18	15,000	3% Ent	5%	750	541	100%	2004	15,000	2022	24,786									
SOLID WASTE	0189	FREIGHTLINER ROL	8	7,000	4% Ent	15%	23,162	541	100%	2014	154,410	2022	188,159								266,046	
SOLID WASTE	0190	FREIGHTLINER ROL	8	7,000	4% Ent	15%	23,162	541	100%	2014	154,410	2022	188,159								266,046	
SOLID WASTE	0192	PTRBLT NEWAY FF	7	7,000	4% Ent	20%	45,034	541	100%	2015	225,169	2022	251,273							344,886		

FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. % g/p	Salv . %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,022	2,023	2,024	2,025	2,026	2,027	2,028	2,029	2,030	2,031
SOLID WASTE	0193	PTRBLT CURBTENI	7	7,000	4% Ent	20%	53,040	541	100%	2015	265,202	2022	295,947							406,204		
SOLID WASTE	0195	AUTOCAR CNG HEI	7	10,000	3% Ent	10%	26,464	541	100%	2015	264,638	2022	299,008							373,825		
SOLID WASTE	0261	CAT 836K COMPACT	3	10,000	4% Ent	40%	431,273	541	100%	2019	1,078,183	2022	781,536			932,972			1,103,317			1,294,933
SOLID WASTE	1392	SWENSON SLIDE-IN	12	N/A	3% Ent	10%	240	211	100%	2011	2,400	2023		3,182								
SOLID WASTE	1292	SCHMIDT/WAUSAU	12	N/A	3% Ent	10%	350	211	100%	2011	3,500	2023		4,640								
SOLID WASTE	1192	FRTLINER 10YD DUI	12	80,000	3% Ent	10%	2,500	211	100%	2011	25,000	2023		33,144								
SOLID WASTE	0027	CHEVY 3/4 TON 4X4	10	100,000	4% Ent	15%	3,830	541	100%	2013	25,533	2023		33,965								
SOLID WASTE	0250	KINCAID PRO HYDR	10	7,000	4% Ent	15%	6,876	541	100%	2013	45,843	2023		60,982								
SOLID WASTE	0264	CAT SKIDSTEER	3	7500	4% Ent	17%	14,044	541	100%	2020	82,610	2023		78,881			90,484			103,536		
SOLID WASTE	0265	CAT SKIDSTEER	3	7500	4% Ent	17%	14,044	541	100%	2020	82,610	2023		78,881			90,484			103,536		
SOLID WASTE	0266	CAT SKIDSTEER	3	7500	4% Ent	17%	14,044	541	100%	2020	82,610	2023		78,881			90,484			103,536		
SOLID WASTE	0058	PETERBUILT REARL	7	10,000	4% Ent	10%	25,737	541	100%	2016	257,374	2023		312,949							419,951	
SOLID WASTE	0050	PETERBUILT NEWA	7	10,000	4% Ent	10%	27,719	541	100%	2016	277,192	2023		337,047							452,288	
SOLID WASTE	0051	PETERBUILT NEW/	7	10,000	4% Ent	10%	27,719	541	100%	2016	277,192	2023		337,047							452,288	
SOLID WASTE	0197	PETERBUILT CNG S	7	10,000	3% Ent	10%	30,380	541	100%	2016	303,795	2023		343,250							429,138	
SOLID WASTE	0198	PETERBUILT CNG S	7	10,000	3% Ent	10%	30,380	541	100%	2016	303,795	2023		343,250							429,138	
SOLID WASTE	0057	PETERBUILT NEWA	7	10,000	4% Ent	10%	29,235	541	100%	2016	292,346	2023		355,473							477,014	
SOLID WASTE	0263	JOHN DEERE 950K I	3	10,000	4% Ent	40%	200,843	541	100%	2020	502,107	2023		363,959			434,483			513,812		
SOLID WASTE	0254	CAT 966M	6	10000	4% ENT	10%	38,712	541	100%	2017	387,118	2023		451,116						581,077		
SOLID WASTE	0262	CAT 836K COMPACT	3	10,000	4% Ent	40%	410,840	541	100%	2020	1,027,100	2023		744,508			888,769			1,051,044		
SOLID WASTE	0243	CAT 327G TWIN EN(	14	8,000	4% Ent	20%	127,888	541	100%	2009	639,438	2023		979,412								
SOLID WASTE	0249	MONROE TRIPEDGE	30	0	4% Ent	15%	75	802	100%	1994	500	2024			1,547							
SOLID WASTE	1391	SWENSON SLIDE-IN	13	N/A	3% ENT	10%	1,200	211	100%	2011	12,000	2024			16,422							
SOLID WASTE	1291	SCHMIDT/WAUSAU	13	N/A	3% ENT	10%	1,723	211	100%	2011	17,225	2024			23,573							
SOLID WASTE	0256	CAT SKIDSTEER	7	7500	4% Ent	17%	8,411	541	100%	2017	49,475	2024			56,695							77,264
SOLID WASTE	1191	FRTLINER 10YD DUI	13	80,000	3% ENT	10%	13,384	211	100%	2011	133,839	2024			183,163							
SOLID WASTE	0260	CAT 938M LOADER	5	8,000	4% Ent	10%	26,353	541	100%	2019	263,533	2024			294,275					363,740		
SOLID WASTE	0055	ATC	7	10000	4% Ent	20%	63,111	541	100%	2017	315,556	2024			352,139							483,330
SOLID WASTE	0056	AUTO CAR CURBTE	7	10,000	4% Ent	10%	31,556	541	100%	2017	315,557	2024			383,696							514,887
SOLID WASTE	0030	FORD F250 4X4 PIC	10	100,000	4% Ent	10%	2,402	541	100%	2015	24,024	2025				33,159						
SOLID WASTE	0063	PETERBUILT	7	10000	4% Ent	10%	24,712	541	100%	2018	247,122	2025				300,483						
SOLID WASTE	0074	AUTOCAR BRIDGEP	7	10,000	4% Ent	10%	25,465	541	100%	2018	254,648	2025				309,635						
SOLID WASTE	0075	AUTOCAR BRIDGEP	7	10,000	4% Ent	10%	25,465	541	100%	2018	254,648	2025				309,635						
SOLID WASTE	0194	AUTOCAR CNG HEI	10	10,000	3% Ent	10%	25,013	541	100%	2015	250,126	2025				311,136						
SOLID WASTE	0070	PETERBUILT NEWA	7	10,000	4% Ent	10%	26,006	541	100%	2018	260,060	2025				316,215						
SOLID WASTE	0071	PETERBUILT NEWA	7	10,000	4% Ent	10%	26,006	541	100%	2018	260,060	2025				316,215						
SOLID WASTE	0072	PETERBUILT NEWA	7	10,000	4% Ent	10%	26,006	541	100%	2018	260,060	2025				316,215						
SOLID WASTE	0073	PETERBUILT NEWA	7	10,000	4% Ent	10%	26,006	541	100%	2018	260,060	2025				316,215						
SOLID WASTE	0066	PETERBUILT HEIL	7	10000	4% Ent	8%	20,906	541	100%	2018	261,324	2025				322,979						
SOLID WASTE	0067	PETERBUILT HEIL	7	10000	4% Ent	8%	20,906	541	100%	2018	261,324	2025				322,979						
SOLID WASTE	0068	PETERBUILT HEIL	7	10000	4% Ent	8%	20,906	541	100%	2018	261,324	2025				322,979						
SOLID WASTE	0206	CHAMPION GRADEF	30	10,000	4% Ent	15%	15,975	541	100%	1995	106,498	2025				329,441						
SOLID WASTE	0028	FORD F250 4X4 PIC	12	100,000	3.0% Ent	15%	3,783	541	100%	2014	25,217	2026					32,171					
SOLID WASTE	0033	CHEVY 2500HD 4X4	10	100,000	4% Ent	15%	4,330	541	100%	2016	28,869	2026					38,403					
SOLID WASTE	0069	PETERBUILT/HEIL	8	8,000	4% Ent	15%	39,328	541	100%	2018	262,186	2026					319,492					
SOLID WASTE	0059	PETERBUILT REARL	10	10,000	4% Ent	5%	12,525	541	100%	2016	250,490	2026					358,262					
SOLID WASTE	0060	PETERBUILT REARL	10	10,000	4% Ent	5%	12,525	541	100%	2016	250,490	2026					358,262					
SOLID WASTE	0052	PETERBUILT REAR	10	12,000	4% Ent	5%	12,882	541	100%	2016	257,648	2026					368,500					
SOLID WASTE	0053	PETERBUILT REAR	10	12,000	4% Ent	5%	12,882	541	100%	2016	257,648	2026					368,500					
SOLID WASTE	0036	FORD F250 4X4 PICI	10	100,000	4% Ent	5%	1,366	541	100%	2017	27,329	2027						39,087				
SOLID WASTE	0037	FORD F250 4X4 PICI	10	100,000	4% Ent	5%	1,366	541	100%	2017	27,329	2027						39,087				
SOLID WASTE	0054	FREIGHTLINER	10	10000	4% ENT	20%	32,830	541	100%	2017	164,151	2027						210,153				
SOLID WASTE	0258	CAT 316 EXCAVATO	10	12,000	4% Ent	15%	32,212	541	100%	2017	214,745	2027						285,663				
SOLID WASTE	0191	PTRBLT LEACH RE/	12	12,000	4% Ent	10%	20,443	541	100%	2015	204,432	2027						306,859				
SOLID WASTE	0076	PETERBUILT.CURB1	7	10,000	4% Ent	10%	28,420	541	100%	2020	284,200	2027						345,568				
SOLID WASTE	0077	PETERBUILT.CURB1	7	10,000	4% Ent	10%	28,420	541	100%	2020	284,200	2027						345,568				
SOLID WASTE	0078	PETERBUILT.CURB1	7	10,000	4% Ent	10%	28,420	541	100%	2020	284,200	2027						345,568				
SOLID WASTE	0079	PETERBUILT.CURB1	7	10,000	4% Ent	10%	28,420	541	100%	2020	284,200	2027						345,568				
SOLID WASTE	0080	PETERBUILT.CURB1	7	10,000	4% Ent	10%	28,420	541	100%	2020	284,200	2027						345,568				
SOLID WASTE	0081	PETERBUILT.CURB1	7	10,000	4% Ent	10%	28,420	541	100%	2020	284,200	2027						345,568				
SOLID WASTE	0082	PETERBUILT.CURB1	7	10,000	4% Ent	10%	28,844	541	100%	2020	288,441	2027						350,725				
SOLID WASTE	0219	HYDRAULIC SLIDE I	44	N/A	4% Ent	5%	240	541	100%	1984	4,800	2028							26,719			
SOLID WASTE	0202	SWENSON SANDER	39	N/A	4% Ent	10%	633	541	100%	1989	6,328	2028							28,580			
SOLID WASTE	90205	TWO STATION HIGH	29		4% Ent	0%	-	541	100%	1999	10,661	2028							33,249			
SOLID WASTE	90209	REFUSE CONTAINE	29		4% Ent	5%	622	541	100%	1999	12,430	2028							38,143			
SOLID WASTE	0026	CHEVY 4X4 CREW C	15	100,000	4% Ent	15%	4,351	541	100%	2013	29,008	2028							47,891			
SOLID WASTE	0231	5YD DUMP TRUCK	36	70,000	4% Ent	5%	750	541	100%	1992	15,000	2028							60,809			

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Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. % g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,022	2,023	2,024	2,025	2,026	2,027	2,028	2,029	2,030	2,031
SOLID WASTE	0196	FREIGHTLINER GR.	15	10,000	3% Ent	20%	29,367	541	100%	2013	146,833	2028							199,394			
SOLID WASTE	0061	FREIGHTLINER	10	10000	4% Ent	10%	16,572	541	100%	2018	165,720	2028							228,734			
SOLID WASTE	0062	FREIGHTLINER	10	10000	4% Ent	10%	16,572	541	100%	2018	165,720	2028							228,734			
SOLID WASTE	0064	AUTOCAR HEIL	10	10000	4% Ent	8%	19,688	541	100%	2018	246,098	2028							344,597			
SOLID WASTE	0065	AUTOCAR HEIL	10	10000	4% Ent	8%	19,688	541	100%	2018	246,098	2028							344,597			
SOLID WASTE	0029	FORD FUSION SED	15	100,000	3.0% Ent	10%	1,872	541	100%	2014	18,724	2029								27,299		
SOLID WASTE	90208	ROTARY BROOM FC	30		4% Ent	10%	889	541	100%	1999	8,890	2029								27,945		
SOLID WASTE	0039	FORD F250 4X4 PIC	10	100,000	4% Ent	15%	4,356	541	100%	2019	29,038	2029								38,628		
SOLID WASTE	0020	FORD F550 SERVIC	10	10,000	4% Ent	10%	8,123	541	100%	2019	81,227	2029								112,113		
SOLID WASTE	0024	DODGE RAM 2500 4	10	100,000	4% Ent	10%	3,054	541	100%	2020	30,542	2030									42,155	
SOLID WASTE	0084	FREIGHTLINER ROL	10	10,000	4% Ent	5%	9,110	541	100%	2020	182,200	2030									260,591	
SOLID WASTE	0220	FREIGHTLINER 400(	10	10,000	4% Ent	10%	19,175	541	100%	2020	191,750	2030									264,662	
SOLID WASTE	0083	PETERBUILT HEIL R	10	10,000	4% Ent	10%	20,861	541	100%	2020	208,605	2030									287,926	
SOLID WASTE	0229	VOLVO EXCAVATOF	30	12,000	4% Ent	15%	20,380	541	100%	2000	135,868	2030									420,294	
SOLID WASTE	2067	LOADTRAIL TILT	15	N/A	4% Ent	5%	323	541	100%	2020	6,450	2035										
SOLID WASTE	0035	TOYOTA FORKLIFT	20	7,000	4% Ent	10%	4,679	541	100%	2016	46,786	2036										
SOLID WASTE	0025	DODGE RAM 5500 T	20	100,000	4% Ent	5%	4,120	541	100%	2019	82,408	2039										
SOLID WASTE	0217	TANK ROLLOFF 400	50	7,000	4% Ent	5%	1,152	541	100%	1995	23,040	2045										
SOLID WASTE Total													2,040,989	4,940,568	1,311,510	4,760,257	3,438,293	3,304,981	2,684,766	4,151,180	4,467,534	2,370,413
STREET/TRAFFIC	1365	GRACO LINE LAZER	10	N/A	4% ENT	15%	998	211	100%	2012	6,650	2022	8,846									
STREET/TRAFFIC	1227	FORD 3430 TRACTC	26	10,000	4% ENT	15%	1,394	211	100%	1996	9,296	2022	24,378									
STREET/TRAFFIC	1309	JOHN DEERE MOWI	13	7,000	4% ENT	15%	4,283	211	100%	2009	28,550	2022	43,255									
STREET/TRAFFIC	1170	Freightliner Roll Off	10	7,000	4% ENT	15%	24,375	211	100%	2012	162,501	2022	216,166									
STREET/TRAFFIC	1123	IHC AERIAL LIFT TR	10	7,000	5% ENT	4%	5,629	211	100%	2012	140,732	2022	223,608									
STREET/TRAFFIC	1222	FREIGHTLINER DE-I	25	60,000	4% ENT	15%	13,975	211	100%	1997	93,166	2022	234,390									
STREET/TRAFFIC	1317	GRACO	6	N/A	3% ENT	10%	752	211	100%	2017	7,520	2023		8,227						9,970		
STREET/TRAFFIC	1360	GRACO GRIND &	6	N/A	3% ENT	10%	1,460	211	100%	2017	14,600	2023		15,973						19,356		
STREET/TRAFFIC	1351	VARIABLE MESSAGI	12	N/A	4% ENT	15%	1,941	211	100%	2011	12,940	2023		18,776								
STREET/TRAFFIC	13001	VARIABLE MESSAGI	12	N/A	4% ENT	15%	1,941	211	100%	2011	12,940	2023		18,776								
STREET/TRAFFIC	1223	TRAILER W/ 1998 ST	35	0	4% ENT	15%	1,125	211	100%	1988	7,500	2023		28,471								
STREET/TRAFFIC	1318	AIR COMPRESSOR	31	4,000	4% ENT	15%	1,359	211	100%	1992	9,060	2023		29,202								
STREET/TRAFFIC	1101	FORD 3/4 TON W/LI	10	100,000	4% ENT	15%	3,704	211	100%	2013	24,691	2023		32,845								
STREET/TRAFFIC	1305	INGERSALL RAND A	34	4,000	4% ENT	15%	1,398	211	100%	1989	9,320	2023		33,965								
STREET/TRAFFIC	1109	GMC VAN	18		6% ENT	15%	1,931	211	100%	2005	12,870	2023		34,805								
STREET/TRAFFIC	1113	CHEVY 2500 4X4 W/	10	100,000	4% ENT	15%	4,701	211	100%	2013	31,338	2023		41,687								
STREET/TRAFFIC	1115	FORD F350 4X4 W/F	12	100,000	4% ENT	15%	4,499	211	100%	2011	29,995	2023		43,524								
STREET/TRAFFIC	1116	FORD F350 4X4 W/F	12	100,000	4% ENT	15%	4,574	211	100%	2011	30,495	2023		44,249								
STREET/TRAFFIC	1230	NEW HOLLAND TL9(	23	10,000	4% ENT	15%	2,882	211	100%	2000	19,216	2023		44,480								
STREET/TRAFFIC	1396	OSHKOSH H SERIES	40		4% ENT	10%	1,000	211	100%	1983	10,000	2023		47,010								
STREET/TRAFFIC	1201	CASE 721E LOADER	13	8,000	4% ENT	15%	20,524	211	100%	2010	136,828	2023		207,304								
STREET/TRAFFIC	1203	ASPHALT ROLLER,	28	6,000	4% ENT	15%	3,491	211	100%	1995	23,275	2023		66,304								
STREET/TRAFFIC	1232	FREIGHTLINER DE-I	22	60,000	4% ENT	15%	13,050	211	100%	2001	87,000	2023		193,133								
STREET/TRAFFIC	1196	FORD F750 DOUBLE	12	80,000	4% ENT	15%	20,195	211	100%	2011	134,633	2023		195,357								
STREET/TRAFFIC	1197	FORD F750 DOUBLE	12	80,000	4% ENT	15%	20,195	211	100%	2011	134,633	2023		195,357								
STREET/TRAFFIC	1121	FREIGHTLINER/VER	21	7,000	4% ENT	15%	16,736	211	100%	2002	111,576	2023		237,519								
STREET/TRAFFIC	1250	FREIGHTLINER/ELC	9	7,000	4% ENT	10%	20,244	211	100%	2014	202,443	2023		267,895								
STREET/TRAFFIC	1246	Freightliner/Elgin Bro	11	7,000	4% ENT	15%	29,275	211	100%	2012	195,167	2023		271,176								
STREET/TRAFFIC	1245	FREIGHTLINER.ELG	12	7,000	4% ENT	15%	28,693	211	100%	2011	191,289	2023		277,567								
STREET/TRAFFIC	1234	BOMAG MILLING MA	12	7,000	4% ENT	15%	44,169	211	100%	2011	294,458	2023		427,268								
STREET/TRAFFIC	1315	HI-WAY SLIDE-IN PI(	14	N/A	4% ENT	10%	-	211	100%	2010		2024			-							
STREET/TRAFFIC	1344	PORTABLE SOLAR /	25	N/A	4% ENT	15%	823	211	100%	1999	5,485	2024			13,799							
STREET/TRAFFIC	1337	HOTSY STEAMER	14	N/A	4% ENT	5%	425	211	100%	2010	8,495	2024			14,286							
STREET/TRAFFIC	1386	TREE SPADE SKIDS	17	N/A	4% ENT	15%	1,760	211	100%	2007	11,736	2024			21,100							
STREET/TRAFFIC	1324	ISUZU PAINT STRIP	20	4,000	5% ENT	50%	5,000	211	100%	2004	10,000	2024			21,533							
STREET/TRAFFIC	1343	TORO 7200 ZERO TI	13	4,000	4% ENT	15%	2,518	211	100%	2011	16,784	2024			25,429							
STREET/TRAFFIC	1237	BOBCAT UTV 3400	13		4% ENT	15%	2,723	211	100%	2011	18,150	2024			27,499							
STREET/TRAFFIC	1393	TORO 7210 MOWEI	10	3,000	4% ENT	10%	2,046	211	100%	2014	20,464	2024			28,245							
STREET/TRAFFIC	1385	ROCK WHEEL SKID!	17	N/A	4% ENT	15%	2,384	211	100%	2007	15,890	2024			28,569							
STREET/TRAFFIC	1333	EAGER BEAVER PA'	22	7,000	4% ENT	15%	1,931	211	100%	2002	12,870	2024			28,570							
STREET/TRAFFIC	1210	BOBCAT MINI TRAC	10	7,000	4% ENT	15%	3,311	211	100%	2014	22,071	2024			29,360							
STREET/TRAFFIC	1226	FLAIL MOWER	16		4% ENT	10%	1,802	211	100%	2008	18,015	2024			31,940							
STREET/TRAFFIC	1220	FORD 1520 MOWER	30	10,000	4% ENT	15%	1,761	211	100%	1994	11,742	2024			36,323							
STREET/TRAFFIC	1388	CP AIR COMPRESS(	12	7,000	4% ENT	15%	4,674	211	100%	2012	31,160	2024			45,214							
STREET/TRAFFIC	1323	VERMEER BRUSH C	25	4,000	4% ENT	15%	2,970	211	100%	1999	19,800	2024			49,814							
STREET/TRAFFIC	1235	BOBCAT 220 SKIDS'	15	7,000	4% ENT	15%	5,080	211	100%	2009	33,868	2024			55,914							
STREET/TRAFFIC	1119	FORD 1TON SERVIC	27	80,000	4% ENT	15%	3,465	211	100%	1997	23,098	2024			63,135							
STREET/TRAFFIC	1224	IHC DE-ICE UNIT	24	60,000	4% ENT	15%	8,733	211	100%	2000	58,218	2024			140,498							

FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. %	g/p	Salv . %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,022	2,023	2,024	2,025	2,026	2,027	2,028	2,029	2,030	2,031
STREET/TRAFFIC	1233	JOHN DEERE BACK	28	7,000	4%	ENT	15%	10,483	211	100%	1996	69,887	2024			199,087							
STREET/TRAFFIC	1202	KOMATSU 4YD LOA	24	7,000	4%	ENT	15%	14,553	211	100%	2000	97,020	2024			234,139							
STREET/TRAFFIC	1248	FREIGHTLINER/ELG	11	7,000	4%	ENT	15%	30,989	211	100%	2013	206,593	2024			287,051							
STREET/TRAFFIC	1387	LOADTRAIL TRAILEI	15	N/A	4%	ENT	10%	570	211	100%	2010	5,695	2025				9,687						
STREET/TRAFFIC	1319	GRACO LINE LAZEI	10	N/A	5%	ENT	15%	1,078	211	100%	2015	7,188	2025				10,630						
STREET/TRAFFIC	1366	BACKHOE ATTACHM	25	0	4%	ENT	15%	1,307	211	100%	2000	8,716	2025				21,928						
STREET/TRAFFIC	1347	HYDRAULIC BREAK	25	N/A	4%	ENT	1%	86	211	100%	2000	8,590	2025				22,814						
STREET/TRAFFIC	1103	FORD F250 REG CA	15	100,000	4%	ENT	10%	1,727	211	100%	2010	17,272	2025				29,379						
STREET/TRAFFIC	1353	SLIDE IN DE-ICE TA	20	0	4%	ENT	15%	2,376	211	100%	2005	15,840	2025				32,331						
STREET/TRAFFIC	1104	CHEVY 3/4 TON PIC	17	80,000	4%	ENT	15%	2,726	211	100%	2008	18,170	2025				32,668						
STREET/TRAFFIC	1110	FORD F150 4X4 XC	10	100,000	4%	ENT	15%	3,885	211	100%	2015	25,903	2025				34,457						
STREET/TRAFFIC	1107	FORD F350 DUALL	10	100,000	4%	ENT	15%	4,061	211	100%	2015	27,070	2025				36,010						
STREET/TRAFFIC	1127	FORD F250 PICKUP	13	100,000	4%	ENT	10%	2,447	211	100%	2012	24,471	2025				38,299						
STREET/TRAFFIC	1166	FORD F350 4X2 DU	10	100,000	4%	ENT	15%	4,707	211	100%	2015	31,382	2025				41,746						
STREET/TRAFFIC	1168	FORD F350 4X2 DU	10	100,000	4%	ENT	15%	4,707	211	100%	2015	31,382	2025				41,746						
STREET/TRAFFIC	1143	WEILER PAVER	10	100,000	4%	ENT	15%	22,136	211	100%	2015	147,574	2025				196,309						
STREET/TRAFFIC	1211	CASE 721F WHEEL	10	7,000	4%	ENT	15%	23,146	211	100%	2015	154,305	2025				205,263						
STREET/TRAFFIC	1229	FREIGHTLINER 2 TC	25	7,000	4%	ENT	15%	13,131	211	100%	2000	87,542	2025				220,241						
STREET/TRAFFIC	1243	FREIGHTLINER	8	7000	4%	ENT	15%	35,850	211	100%	2017	239,000	2025				291,238						
STREET/TRAFFIC	1238	FREIGHTLINER VA(	10	7,000	4%	ENT	10%	32,056	211	100%	2015	320,556	2025				442,446						
STREET/TRAFFIC	1239	FREIGHTLINER VA(	10	7,000	4%	ENT	10%	32,056	211	100%	2015	320,556	2025				442,446						
STREET/TRAFFIC	1207	FORD STERLING PC	20	10,000	4%	ENT	30%	3,000	211	100%	2006	10,000	2026					18,911					
STREET/TRAFFIC	1111	FORD F350 4X4	10	100,000	4%	ENT	15%	5,640	211	100%	2016	37,598	2026					50,015					
STREET/TRAFFIC	1164	FORD F350 DUMP	10	100,000	4%	ENT	10%	4,062	211	100%	2016	40,620	2026					56,066					
STREET/TRAFFIC	1311	LARUE D50 SNOW	10	7,000	4%	ENT	10%	12,854	211	100%	2016	128,542	2026					177,419					
STREET/TRAFFIC	1122	FREIGHTLINER	10	7,000	4%	ENT	15%	23,195	211	100%	2016	154,635	2026					205,702					
STREET/TRAFFIC	1198	FREIGHTLINER DUI	12	100,000	4%	ENT	10%	15,397	211	100%	2014	153,970	2026					231,114					
STREET/TRAFFIC	1199	FREIGHTLINER DUM	12	100,000	4%	ENT	10%	15,397	211	100%	2014	153,970	2026					231,114					
STREET/TRAFFIC	1244	FREIGHTLINER BRC	7	7,000	4%	ENT	15%	34,028	211	100%	2019	226,850	2026					264,492					
STREET/TRAFFIC	1252	FREIGHTLINER SCH	7	7,000	4%	ENT	10%	24,181	211	100%	2019	241,806	2026					294,020					
STREET/TRAFFIC	1105	FORD F150 XCAB	10	100000	4%	ENT	15%	3,835	211	100%	2017	25,565	2027						34,008				
STREET/TRAFFIC	1162	DODGE 1TON	10	100000	4%	ENT	15%	5,658	211	100%	2017	37,723	2027						50,181				
STREET/TRAFFIC	1155	FREIGHTLINER CRA	15	7,000	4%	ENT	15%	15,658	211	100%	2012	104,384	2027						172,332				
STREET/TRAFFIC	1249	FREIGHTLINER BRC	7	N/A	3%	ENT	10%	24,794	211	100%	2020	247,939	2027						280,140				
STREET/TRAFFIC	1295	WASAU	10	N/A	4%	ENT	15%	1,199	211	100%	2018	7,991	2028							10,630			
STREET/TRAFFIC	1350	SOLAR MESSAGE	10	N/A	4%	ENT	15%	2,003	211	100%	2018	13,355	2028							17,765			
STREET/TRAFFIC	1397	SWENSON	10	N/A	4%	ENT	15%	2,130	211	100%	2018	14,203	2028							18,893			
STREET/TRAFFIC	1398	SWENSON	10	N/A	4%	ENT	15%	2,130	211	100%	2018	14,203	2028							18,893			
STREET/TRAFFIC	1277	SNOW PLOW	10	N/A	4%	ENT	15%	2,268	211	100%	2018	15,120	2028							20,113			
STREET/TRAFFIC	1278	SNOW PLOW	10	N/A	4%	ENT	15%	2,268	211	100%	2018	15,120	2028							20,113			
STREET/TRAFFIC	1354	SANDER - SLIDE-IN	10	N/A	4%	ENT	15%	2,355	211	100%	2018	15,700	2028							20,885			
STREET/TRAFFIC	1285	SCHMIDT/WASAU	10	N/A	4%	ENT	15%	2,717	211	100%	2018	18,114	2028							24,096			
STREET/TRAFFIC	1293	SCHMIDT/WASAU	10	N/A	4%	ENT	15%	2,717	211	100%	2018	18,114	2028							24,096			
STREET/TRAFFIC	1280	SNOW PLOW	10	N/A	4%	ENT	15%	2,994	211	100%	2018	19,960	2028							26,552			
STREET/TRAFFIC	1128	DODGE RAM 3500	10	N/A	4%	ENT	15%	5,548	211	100%	2018	36,986	2028							49,200			
STREET/TRAFFIC	1129	DODGE RAM 3500	10	N/A	4%	ENT	15%	5,548	211	100%	2018	36,986	2028							49,200			
STREET/TRAFFIC	1154	FREIGHTLINER 12YI	10	100,000	4%	ENT	15%	20,151	211	100%	2018	134,340	2028							178,705			
STREET/TRAFFIC	1184	Chevy 1 ton dump tru	10	100,000	4%	ENT	15%	20,457	211	100%	2018	136,380	2028							181,419			
STREET/TRAFFIC	1185	Chevy 1 ton dump tru	10	100,000	4%	ENT	15%	20,457	211	100%	2018	136,380	2028							181,419			
STREET/TRAFFIC	1193	FREIGHTLINER	10	100,000	4%	ENT	15%	22,283	211	100%	2018	148,552	2028							197,610			
STREET/TRAFFIC	1194	FRTLNR TANDEM	10	100,000	4%	ENT	15%	23,481	211	100%	2018	156,543	2028							208,240			
STREET/TRAFFIC	1282	HENKE V-SNOWPLC	10	100,000	4%	ENT	15%	2,688	211	100%	2019	17,919	2029								23,837		
STREET/TRAFFIC	1283	HENKE V-SNOWPLC	10	100,000	4%	ENT	15%	2,688	211	100%	2019	17,919	2029								23,837		
STREET/TRAFFIC	1289	HENKE V-SNOWPLC	10	100,000	4%	ENT	15%	2,688	211	100%	2019	17,919	2029								23,837		
STREET/TRAFFIC	1165	FORD F350 DUMP T	10	100,000	4%	ENT	15%	5,789	211	100%	2019	38,596	2029								51,342		
STREET/TRAFFIC	1346	SCAG ZERO TURN M	10	N/A	4%	ENT	15%	1,709	211	100%	2020	11,390	2030									15,151	
STREET/TRAFFIC	1303	GRAPPLE ATCMT 12	20	N/A	4%	ENT	10%	769	211	100%	2010	7,687	2030									16,074	
STREET/TRAFFIC	1352	VARIABLE MESSAGI	10	N/A	4%	ENT	15%	2,182	211	100%	2020	14,545	2030									19,348	
STREET/TRAFFIC	1353	VARIABLE MESSAGI	10	N/A	4%	ENT	15%	2,182	211	100%	2020	14,545	2030									19,348	
STREET/TRAFFIC	1356	SWENSON SLIDE-IN	10	N/A	3%	ENT	10%	3,100	211	100%	2020	31,000	2030									38,561	
STREET/TRAFFIC	1256	SCHMIDT/WAUSAU	10	N/A	3%	ENT	10%	3,280	211	100%	2020	32,800	2030									40,800	
STREET/TRAFFIC	1112	DODGE RAM 3500 R	10	100,000	4%	ENT	15%	5,394	211	100%	2020	35,961	2030									47,837	
STREET/TRAFFIC	1169	DODGE RAM 3500 D	10	100,000	4%	ENT	15%	6,070	211	100%	2020	40,464	2030									53,827	
STREET/TRAFFIC	1118	DODGE RAM 5500 S	10	100,000	4%	ENT	15%	10,151	211	100%	2020	67,670	2030									90,018	
STREET/TRAFFIC	1182	FREIGHTLINER DUM	10	100,000	4%	ENT	15%	20,919	211	100%	2020	139,463	2030									185,520	
STREET/TRAFFIC	1183	FREIGHTLINER DUM	10	100,000	4%	ENT	15%	20,919	211	100%	2020	139,463	2030									185,520	
STREET/TRAFFIC	1189	FREIGHTLINER DUM	10	100,000	4%	ENT	15%	20,919	211	100%	2020	139,463	2030									185,520	

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Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. %	g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,022	2,023	2,024	2,025	2,026	2,027	2,028	2,029	2,030	2,031
STREET/TRAFFIC	1150	FREIGHTLINER TAN	10	100,000	4%	ENT	15%	20,940	211	100%	2020	139,601	2030									185,703	
STREET/TRAFFIC	1124	FREIGHTLINER ROL	10	100,000	4%	ENT	15%	27,306	211	100%	2020	182,042	2030									242,160	
STREET/TRAFFIC	1228	KENWORTH POTHC	10	100,000	4%	ENT	15%	35,165	211	100%	2020	234,433	2030									311,853	
STREET/TRAFFIC	1212	CAT 140AWP GRAD	10	N/A	4%	ENT	15%	41,400	211	100%	2020	276,000	2030									367,147	
STREET/TRAFFIC	1213	CAT 140AWP GRAD	10	N/A	4%	ENT	15%	41,400	211	100%	2020	276,000	2030									367,147	
STREET/TRAFFIC	1307	PETERBUILT PAINT	10	100,000	4%	ENT	15%	44,464	211	100%	2020	296,424	2030									394,316	
STREET/TRAFFIC	1358	SWENSON SLIDE-IN	10	N/A	3%	ENT	5%	1,550	211	100%	2021	31,000	2031										40,111
STREET/TRAFFIC	1258	SCHMIDT/WAUSAU	10	N/A	3%	ENT	5%	1,640	211	100%	2021	32,800	2031										42,440
STREET/TRAFFIC	1158	FREIGHTLINER TAN	10	N/A	4%	ENT	15%	4,920	211	100%	2021	32,800	2031										43,632
STREET/TRAFFIC	1186	FREIGHTLINER	15	100,000	4%	ENT	15%	20,381	211	100%	2016	135,873	2031										224,319
STREET/TRAFFIC	1187	FREIGHTLINER	15	100,000	4%	ENT	15%	20,381	211	100%	2016	135,873	2031										224,319
STREET/TRAFFIC	1200	CAT 12M3AWD	15	7,000	4%	ENT	15%	37,703	211	100%	2016	251,350	2031										414,965
STREET/TRAFFIC	7421	HENDERSON	20	N/A	4%	ENT	5%	510	211	100%	2012	10,200	2032										
STREET/TRAFFIC	7423	HENDERSON	20	N/A	4%	ENT	5%	510	211	100%	2012	10,200	2032										
STREET/TRAFFIC	1298	MONROE SNOW PL	18	N/A	4%	ENT	15%	2,212	211	100%	2014	14,744	2032										
STREET/TRAFFIC	1299	MONROE SNOW PL	18	N/A	4%	ENT	15%	2,212	211	100%	2014	14,744	2032										
STREET/TRAFFIC	1296	WAUSAU SNOW PL	20	N/A	3%	ENT	5%	1,092	211	100%	2012	21,844	2032										
STREET/TRAFFIC	1297	WASAU SNOW PLO	20	N/A	3%	ENT	5%	1,092	211	100%	2012	21,844	2032										
STREET/TRAFFIC	7420	WAUSAU SNOW	20	100,000	4%	ENT	5%	1,092	211	100%	2012	21,844	2032										
STREET/TRAFFIC	7422	WAUSAU SNOW	20	N/A	4%	ENT	5%	1,092	211	100%	2012	21,844	2032										
STREET/TRAFFIC	1301	LARUE SNOW BLOV	20	7,000	3%	ENT	15%	18,330	211	100%	2012	122,198	2032										
STREET/TRAFFIC	1313	LARUE D60 SNOW E	15	7,000	4%	ENT	15%	27,760	211	100%	2019	185,065	2034										
STREET/TRAFFIC	1204	CAT 950 FRONTEND	15	8,000	4%	ENT	15%	28,947	211	100%	2019	192,983	2034										
STREET/TRAFFIC	1206	CAT 950 FRONTEND	15	8,000	4%	ENT	15%	28,947	211	100%	2019	192,983	2034										
STREET/TRAFFIC	1236	CASE SKID STEER L	40	7,000	4%	ENT	15%	3,394	211	100%	1995	22,629	2035										
STREET/TRAFFIC	1218	HAMM HD13 ROLLE	20	7,000	4%	ENT	15%	9,660	211	100%	2015	64,400	2035										
STREET/TRAFFIC	1171	VOLVO TRUCK/TRA	20	80,000	4%	ENT	15%	15,790	211	100%	2015	105,267	2035										
STREET/TRAFFIC	1286	HENKE V-PLOW	20		4%	ENT	5%	800	211	100%	2016	16,000	2036										
STREET/TRAFFIC	1287	HENKE V-PLOW	20		4%	ENT	5%	800	211	100%	2016	16,000	2036										
STREET/TRAFFIC	1254	FREIGHTLINER	20	N/A	4%	ENT	15%	20,305	211	100%	2016	135,369	2036										
STREET/TRAFFIC	1205	CAT 12M3AWD	20	7,000	4%	ENT	15%	37,703	211	100%	2016	251,350	2036										
STREET/TRAFFIC Total														750,645	2,780,870	1,381,506	2,149,638	1,528,852	536,660	1,247,832	152,178	2,765,854	989,786
Grand Total														5,011,503	15,885,434	9,402,203	14,271,489	10,683,215	10,986,289	7,449,204	8,643,297	10,888,523	5,550,932

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Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. %	g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,032	2,033	2,034	2,035	2,036	2,037	2,038	2,039	2,040	2,041
AIRPORT	E170	WINDSOR FLOOR S	13	N/A	3%	Ent	0%	-	562	100%	2009	11,972	2022				25,819						
AIRPORT	1745	CHEVROLET C1500	32	100,000	3%	Ent	2%	231	562	100%	1990	11,528	2022										
AIRPORT	1740	MASS TRANSIT BUS	32			Ent	5%	250	562	100%	1991	5,000	2023										
AIRPORT	E-174	Voyager Duo Carpet	10		3%	Ent	0%	-	562	100%	2013	10,217	2023		18,453								
AIRPORT	1710	FORD F350 REG CA	12	100,000	3%	Ent	10%	2,432	407	100%	2011	24,322	2023				47,009						
AIRPORT	E-165	TURBOWAY PASSEI	20		3%	Ent	2%	440	405	100%	2003	22,000	2023										
AIRPORT	1776	CHEVY BRUSH/RES	25		5%	Ent	5%	900	562	100%	1998	18,000	2023										
AIRPORT	1770	RUNWAY CLOSURE	17	N/A	4%	Ent	5%	641	562	100%	2007	12,825	2024										48,021
AIRPORT	1771	RUNWAY CLOSURE	17	N/A	4%	Ent	5%	641	562	100%	2007	12,825	2024										48,021
AIRPORT	1718	NEW HOLLAND TRA	22	5,000	3%	Ent	5%	1,020	562	100%	2002	20,400	2024										
AIRPORT	1725	JOHN DEERE SKIDS	17	7,000	4%	Ent	3%	743	562	100%	2007	24,772	2024										93,250
AIRPORT	1738	INGERSOLL-RAND F	39	5,000	3%	Ent	0%	-	562	100%	1985	20,358	2024										
AIRPORT	1705	JOHN DEERE TRAC	21	5,000	3%	Ent	2%	1,758	405	100%	2003	87,900	2024										
AIRPORT	1730	OSHKOSH HB SERIE	20		3%	Ent	8%	30,851	407	100%	2004	385,636	2024										
AIRPORT	1750	OSHKOSH HB-SERI	15		3%	Ent	7%	35,252	407	100%	2009	503,598	2024								1,187,113		
AIRPORT	1746	Ford Paratransit Van	20	90,000	3%	Ent	7%	660	572	100%	2005	9,426	2025										
AIRPORT	E177	RIDING CARPET SW	8		3%	Ent	2%	337	562	100%	2017	16,850	2025		26,702								33,916
AIRPORT	E-139	CLYDE 18' PORTABI	38		3%	Ent	3%	234	562	100%	1987	7,800	2025										
AIRPORT	E-157	1 JLG CM2033 SCIS	30		3%	Ent	3%	404	562	100%	1995	13,467	2025										
AIRPORT	1704	FORD EXPEDITION	15	100,000	3%	Ent	10%	2,881	562	100%	2010	28,806	2025									67,039	
AIRPORT	1708	CHEVY 2500 PICKUI	20	100,000	4%	Ent	10%	2,096	562	100%	2005	20,962	2025										
AIRPORT	1729	FORD ECONOLINE	37	4,000	1%	Ent	1%	698	562	100%	1988	69,799	2025										
AIRPORT	1775	TYMCO SWEEPER/V	15	7,000	4%	Ent	15%	28,099	562	100%	2010	187,329	2025									579,483	
AIRPORT	1733	OSHKOSH H SERIES	22	7,000	7%	Ent	10%	33,560	407	100%	2003	335,603	2025										
AIRPORT	E-146	MILLER 300 SHOP M	32		3%	Ent	0%	-	562	100%	1994	7,000	2026										
AIRPORT	1734	MILLER BIG 40 POR	44	4,000	3%	Ent	0%	-	562	100%	1982	6,500	2026										
AIRPORT	E171	CAT GTX 30" RIDINC	15		3%	Ent	5%	933	562	100%	2011	18,665	2026										44,372
AIRPORT	1716	CHEVY 3/4 TON PIC	20	100,000	4%	Ent	5%	900	562	100%	2006	17,996	2026										
AIRPORT	E172	TERMINAL BUILDIN	15		3%	Ent	3%	886	562	100%	2011	29,547	2026										70,832
AIRPORT	1782	FORD EXPEDITION	10	100,000	4%	Ent	10%	4,113	562	100%	2016	41,125	2026					85,997					
AIRPORT	1783	FORD EXPEDITION	10	100,000	4%	Ent	10%	4,113	562	100%	2016	41,125	2026					85,997					
AIRPORT	1784	FORD EXPEDITION	10	100,000	4%	Ent	10%	4,113	562	100%	2016	41,125	2026					85,997					
AIRPORT	1743	JOHN DEERE TRAC	20	7,000	4%	Ent	2%	1,672	562	100%	2006	83,591	2026										
AIRPORT	1779	OSHKOSH 4X4 20' B	15	7,000	3%	Ent	7%	36,610	562	100%	2011	523,000	2026										1,232,848
AIRPORT	1760	16' HOMEMADE TAN	30		3%	Ent	2%	100	562	100%	1997	5,000	2027										
AIRPORT	E176	CARPET EXTRACTC	10		3%	Ent	2%	207	562	100%	2017	10,340	2027						18,468				
AIRPORT	E-147	OPS CENTER HYDR	35		3%	Ent	5%	359	562	100%	1992	7,185	2027										
AIRPORT	E-168	Escalator Tread Clea	19		3%	Ent	5%	680	562	100%	2008	13,595	2027										
AIRPORT	1763	AMIDA LT760D POR	30	4,000	3%	Ent	5%	750	562	100%	1997	15,000	2027										
AIRPORT	1755	DEEP VAC 850	15	N/A	4%	ent	5%	1,248	407	100%	2012	24,968	2027										
AIRPORT	1702	FORD CROWN VICT	20	100,000	4%	ent	10%	2,191	562	100%	2007	21,908	2027										
AIRPORT	1709	SKID STEER 320D L	15	7,000	4%	ent	3%	949	407	100%	2012	31,645	2027										
AIRPORT	1741	BAUER SCBA COMP	20	N/A	4%	Ent	3%	1,104	562	100%	2007	36,785	2027										
AIRPORT	1715	E-ONE TITAN AIRCR	30	N/A	3%	Ent	3%	9,040	407	100%	1997	301,343	2027										
AIRPORT	1736	OSHKOSH P SERIES	23	7,000	5%	Ent	10%	24,490	405	100%	2004	244,896	2027										
AIRPORT	1772	ROSENBAUER AIRC	20		3%	Ent	8%	50,726	407	100%	2007	634,075	2027										
AIRPORT	1773	ROSENBAUER AIRC	20		3%	Ent	8%	50,726	407	100%	2007	634,075	2027										
AIRPORT	1732	OSHKOSH P SERIES	24	7,000	7%	Ent	10%	23,205	405	100%	2003	232,048	2027										
AIRPORT	1744	ASPHALT CRACK R(	20	N/A	2%	Ent	5%	418	562	100%	2008	8,350	2028										
AIRPORT	1703	CHEVY 1 TON 4X4 P	20	100,000	5%	Ent	5%	1,131	562	100%	2008	22,622	2028										
AIRPORT	1706	CHEVY 1 TON 4x4 P	20	100,000	5%	Ent	5%	1,131	562	100%	2008	22,622	2028										
AIRPORT	1724	HENDERSON RUNW	25	7,000	5%	Ent	0%	-	407	100%	2003	56,942	2028										
AIRPORT	1720	IHC TANDEM DUMP	25	60,000	5%	Ent	5%	4,153	407	100%	2003	83,058	2028										
AIRPORT	1728	JOHN DEERE MOTC	25	7,000	3%	Ent	5%	6,978	407	100%	2003	139,563	2028										
AIRPORT	1764	CRAFCO 200 ASPHA	30	4,000	3%	Ent	5%	295	562	100%	1999	5,894	2029										
AIRPORT	1711	FORD F350 4X4 PIC	15	100,000	3%	Ent	15%	3,836	562	100%	2014	25,576	2029										
AIRPORT	1713	FORD F350 4X4 EXT	20	100,000	4%	Ent	10%	2,392	562	100%	2009	23,916	2029										
AIRPORT	1751	BOBCAT TOOLCAT	10		3%	Ent	5%	2,552	562	100%	2019	51,044	2029								89,639		
AIRPORT	1712	FORD F350 4X4 WIT	20	100,000	4%	Ent	10%	3,391	562	100%	2009	33,911	2029										
AIRPORT	E-169	BOOM LIFT AERIAL	20		3%	Ent	10%	4,167	405	100%	2009	41,665	2029										
AIRPORT	1768	JOHN DEERE WHEE	24	7,000	4%	Ent	7%	9,450	562	100%	2005	135,000	2029										
AIRPORT	1737	MB SNOW BLOWER	15	7,000	4%	Ent	7%	40,601	562	100%	2014	580,012	2029										
AIRPORT	1777	SULLAIR COMPRES	20	7,000	3%	Ent	10%	1,671	562	100%	2010	16,705	2030										
AIRPORT	1765	CRAFTCO SS250 AS	30	4,000	3%	Ent	10%	3,503	562	100%	2000	35,030	2030										
AIRPORT	1774	INTERNATIONAL 6X	20		4%	Ent	10%	11,869	407	100%	2010	118,687	2030										
AIRPORT	1749	TEREX PORTABLE L	20	7,000	3%	Ent	10%	1,791	562	100%	2011	17,907	2031										
AIRPORT	1778	MEDICAL SUPPORT	20		5%	Ent	10%	3,500	407	100%	2011	35,000	2031										

FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. %	g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,032	2,033	2,034	2,035	2,036	2,037	2,038	2,039	2,040	2,041
AIRPORT	1785	FORD F350 4X4 PICI	15	100,000	4%	Ent	15%	4,356	562	100%	2017	29,039	2032	47,942									
AIRPORT	1786	FORD F350 4X4 PICI	15	100,000	4%	Ent	15%	4,356	562	100%	2017	29,039	2032	47,942									
AIRPORT	1727	JOHN DEERE 644 LC	20	7,000	4%	Ent	20%	48,330	407	100%	2013	241,650	2033		481,155								
AIRPORT	1780	IHC DUMP TRUCK/S	20	7,000	4%	Ent	20%	58,159	407	100%	2013	290,793	2033		579,005								
AIRPORT	1781	IHC DUMP TRUCK/S	20	7,000	4%	Ent	20%	65,178	407	100%	2013	325,889	2033		648,885								
AIRPORT	1721	MULTI-TASK SNOW	15	100,000	4%	Ent	15%	114,912	562	100%	2018	766,080	2033		1,264,755								
AIRPORT	1722	MULTI-TASK SNOW	15	100,000	4%	Ent	15%	114,912	562	100%	2018	766,080	2033		1,264,755								
AIRPORT Total														95,883	4,283,710	-	72,828	257,992	18,468	-	1,276,752	646,522	1,571,259
ANIMAL SHELTER	1001	CHEVY 3/4 TON EXT	10	100,000	4%	Gov	15%	4,043	150-211	100%	2013	26,951	2023		55,010								
ANIMAL SHELTER	1002	CHEVY 3/4 TON EXT	10	100,000	4%	Gov	15%	4,043	150-211	100%	2013	26,951	2023		55,010								
ANIMAL SHELTER	1004	FORD F250 4X4 EXT	15	100,000	1%	Gov	20%	1,120	150-211	100%	2009	5,600	2024								6,428		
ANIMAL SHELTER	1010	FORD F250 4X4 SU	10	100,000	3%	Gov	10%	2,725	150-211	100%	2014	27,245	2024			46,483							
ANIMAL SHELTER	AS1002	ANIMAL CONTROL U	24		4%	Gov	10%	1,259	150-211	100%	2001	12,585	2025										
ANIMAL SHELTER	1011	FORD F250 4WD X(	10	100,000	3%	Gov	10%	2,620	150-	100%	2015	26,195	2025				44,692						
ANIMAL SHELTER	AS1006	Animal control Box m	25	N/A	5%	Gov	5%	629	150-211	100%	2003	12,583	2028										
ANIMAL SHELTER	1005	CHEVY 2500 4X4 EX	10	100,000	4%	Gov	15%	4,888	150-211	100%	2020	32,589	2030									66,518	
ANIMAL SHELTER	AS1004	SCHWAB ANIMAL C(	22		4%	Gov	10%	-	150-211	100%	2009		2031										
ANIMAL SHELTER	S10021	ANIMAL TRANSPOR	20	N/A	4%	Gov	15%	2,073	150-211	100%	2013	13,820	2033		28,208								
ANIMAL SHELTER Total														-	138,229	46,483	44,692	-	-	-	6,428	66,518	-
BUILDING	1054	CHEVY MALIBU SED	15	100,000	4%	Ent	15%	2,440	209	100%	2008	16,264	2023							50,311			
BUILDING	1055	FORD FUSION 4DR	10	100,000	3%	Ent	10%	1,806	209	100%	2015	18,060	2025				30,812						
BUILDING	1056	FORD FUSION	10	100,000	4%	Ent	15%	2,826	209	100%	2016	18,840	2026					38,455					
BUILDING	1060	DODGE 1500 4X4	10	100000	4%	ENT	15%	3,947	209	100%	2017	26,313	2027						53,708				
BUILDING	1061	DODGE 1500 4X4	10	100000	4%	ENT	15%	3,947	209	100%	2017	26,313	2027						53,708				
BUILDING	1062	DODGE 1500 4X4	10	100000	4%	ENT	15%	3,947	209	100%	2017	26,313	2027						53,708				
BUILDING	1063	DODGE 1500 4X4	10	100000	4%	ENT	15%	3,947	209	100%	2017	26,313	2027						53,708				
BUILDING	1064	DODGE 1500 4X4	10	100000	4%	ENT	15%	3,947	209	100%	2017	26,313	2027						53,708				
BUILDING	1057	DODGE 1500 4X4	10	100,000	4%	Ent	15%	2,440	209	100%	2018	26,706	2028							54,510			
BUILDING Total														-	-	-	30,812	38,455	268,540	104,821	-	-	-
CITY COUNTY PLA	5102	CHEVY EQUINOX A	15	100,000	3%	Gov	10%	2,392	240	100%	2014	23,918	2029										
CITY COUNTY PLA	5101	DODGE 1500 4X4	10	100,000	3%	Gov	10%	2,507	240	100%	2020	25,072	2030									42,776	
CITY COUNTY PLANNING Total														-	-	-	-	-	-	-	-	42,776	-
CODE ENFORCEM	1955	FORD F150 4X2 XC/	10	100,000	5%	GOV	15%	3,543	010-4321	100%	2016	23,622	2026					59,133					
CODE ENFORCEM	1953	DODGE 1500 4X4	10	100000	4%	GOV	15%	3,947	010 432	100%	2017	26,313	2027						53,708				
CODE ENFORCEM	1950	DODGE 1500 4X4	10	100,000	5%	GOV	15%	3,761	010-4321	100%	2020	25,072	2030									62,763	
CODE ENFORCEM	1952	DODGE 1500 4X4	10	100,000	5%	GOV	15%	3,761	010-4321	100%	2020	25,072	2030									62,763	
CODE ENFORCEMENT Total														-	-	-	-	59,133	53,708	-	-	125,525	-
DEVELOPMENT SE	1954	FORD FUSION 4 DO	17	90,000	4%	Gov	15%	910	282	33%	2011	6,069	2028										
DEVELOPMENT SE	1954	FORD FUSION 4 DO	17	90,000	4%	Gov	15%	1,848	290	67%	2011	12,321	2028										
DEVELOPMENT SERVICES Total														-	-	-	-	-	-	-	-	-	-
ENGINEERING	1087	GMC SONOMA S-15	28	80,000	4%	Ent	10%	830	010-3141	100%	1994	8,299	2022										
ENGINEERING	1085	FORD FUSION 4 DO	14	100,000	4%	Ent	10%	1,885	010-3141	100%	2009	18,850	2023						54,641				
ENGINEERING	1082	FORD F150 EXT CAI	13	80,000	4%	Ent	15%	3,051	010-3141	100%	2010	20,341	2023					53,344					
ENGINEERING	1095	FORD E150 CARGO	23	80,000	4%	Ent	15%	2,927	010-3141	100%	2000	19,513	2023										
ENGINEERING	1083	FORD RANGER X-C/	13	80,000	4%	Ent	10%	1,477	010-3141	100%	2011	14,771	2024						39,475				
ENGINEERING	1094	Chevy Colorado Ext (	12	80,000	4%	ent	15%	2,677	010-3141	100%	2012	17,849	2024					43,075					
ENGINEERING	1084	FORD FUSION 4 DO	13	80,000	4%	Ent	10%	1,815	010-3141	100%	2011	18,150	2024						48,505				
ENGINEERING	1099	FORD TRANSIT CON	13	100,000	4%	Ent	10%	2,069	010-3141	100%	2011	20,685	2024						55,280				
ENGINEERING	1091	Chevy Colorado Ext (	13	80,000	4%	ent	15%	2,677	010-3141	100%	2012	17,849	2025							46,808			
ENGINEERING	1092	Chevy Colorado Ext (	13	80,000	4%	ent	15%	2,677	010-3141	100%	2012	17,849	2025							46,808			
ENGINEERING	1088	ADDCO MESSAGE B	15	N/A	4%	Ent	10%	1,700	010-3141	100%	2011	17,000	2026										53,438
ENGINEERING	1098	ADDCO MESSAGE B	15	N/A	4%	Ent	10%	1,700	010-3141	100%	2011	17,000	2026										53,438
ENGINEERING	1086	FORD F150 EXT CA	12	100,000	4%	Ent	15%	3,514	010-3141	100%	2014	23,425	2026							56,532			
ENGINEERING	1080	DODGE 1500 2WD	10	100000	4%	ENT	15%	3,540	01 3141	100%	2017	23,602	2027						48,175				
ENGINEERING	1089	DODGE 1500 2WD	10	100000	4%	ENT	15%	3,540	01 3141	100%	2017	23,602	2027						48,175				
ENGINEERING	1096	DODGE 1500 2WD	10	100000	4%	ENT	15%	3,540	01 3141	100%	2017	23,602	2027						48,175				
ENGINEERING	1093	DODGE 1500 4X4	10	100,000	4%	Ent	15%	1,686	513	100%	2018	26,706	2028							54,510			
ENGINEERING	1081	DODGE RAM1500 4)	10	100,000	4%	Ent	10%	2,575	010-3141	100%	2019	25,754	2029								53,855		
ENGINEERING Total														-	-	-	-	96,419	342,425	204,659	53,855	-	106,876
FACILITIES	1076	JOHN DEERE LAWN	24		4%	ENT	15%	900	650	100%	1998	6,000	2022										
FACILITIES	1077	WALKER 52" MOWE	12	3,000	4%	ENT	15%	450	650	100%	2011	3,000	2023				7,240						
FACILITIES	1072	JOHN DEERE GATO	23		4%	ENT	25%	625	650	100%	2000	2,500	2023										
FACILITIES	1975	GMC CANYON PICK	14	100,000	4%	ENT	10%	726	650	100%	2009	7,264	2023						21,056				
FACILITIES	1075	TENNANT SWEEPE	8	3,000	3%	ENT	10%	6,900	650	100%	2015	69,000	2023								133,363		
FACILITIES	1073	GENIE SISSOR LIFT	18	7,000	4%	ENT	10%	1,500	650	100%	2006	15,000	2024										
FACILITIES	1071	FORD FUSION 4 DO	15	100,000	4%	ENT	15%	2,723	650	100%	2011	18,150	2026										56,145
FACILITIES Total														-	-	-	7,240	-	21,056	-	133,363	-	56,145

FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. %	g/p	Salv . %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,032	2,033	2,034	2,035	2,036	2,037	2,038	2,039	2,040	2,041
FIRE	4060	FIRE TRUCK SUTPH	18		4%	Gov	4%	21,924	150-22	100%	2004	548,102	2022									2,227,450	
FIRE	4082	FORD EXPLORER 4	16	80,000	4%	Gov	10%	2,480	150-22	100%	2007	24,800	2023								84,520		
FIRE	4083	FORD F550 BRUSH	16		5%	Gov	10%	4,337	150-22	100%	2007	43,367	2023								202,305		
FIRE	4057	FORD F550 4X4 BRU	21	80,000	5%	Gov	10%	4,274	150-22	100%	2002	42,737	2023										
FIRE	4088	WATER TENDER 25(	26		5%	Gov	10%	8,677	150-22	100%	1997	86,770	2023										
FIRE	4080	CHEVY MALIBU	17	80,000	5%	Gov	10%	1,538	150-22	100%	2007	15,379	2024										79,253
FIRE	4081	CHEVY MALIBU	17	80,000	5%	Gov	10%	1,538	150-22	100%	2007	15,379	2024										79,253
FIRE	4074	GMC 1/2 TON 4X4 PI	15	80,000	4%	Gov	10%	2,063	150-22	100%	2009	20,625	2024								64,833		
FIRE	4070	FORD 4X4 BRUSH T	20		5%	Gov	10%	5,470	150-22	100%	2004	54,698	2024										
FIRE	4065	HAZMAT TRAILER	20		4%	Gov	0%	-	150-22	100%	2004	87,820	2024										
FIRE	4068	FREIGHTLINER HAZ	20		5%	Gov	10%	8,782	150-22	100%	2004	87,820	2024										
FIRE	4089	GMC TOPKICK 4DR	15		5%	Gov	10%	12,769	150-22	100%	2009	127,686	2024								539,083		
FIRE	4048	SUTPHEN FIRE PUM	15		5%	Gov	4%	16,168	150-22	100%	2009	404,194	2024								1,497,667		
FIRE	4049	SUTPHEN FIRE PUM	15		5%	Gov	4%	16,168	150-22	100%	2009	404,194	2024								1,497,667		
FIRE	4098	CHEVY MALIBU	17	100,000	4%	Gov	15%	2,440	150-2	100%	2008	16,264	2025										
FIRE	4093	S2 RESCUE PMPER	18		5%	Gov	4%	11,437	150-22	100%	2007	285,937	2025										
FIRE	4073	HAZMAT TRAILER	35	N/A	2%	Gov	15%	2,100	150-22	100%	1991	14,000	2026										
FIRE	4087	FORD F250 PICKUP	15	80,000	5%	Gov	10%	2,998	150-22	100%	2011	29,984	2026										126,591
FIRE	4096	FORD F550 QRV	15	100,000	5%	Gov	10%	11,695	150-22	100%	2011	116,953	2026										493,769
FIRE	4097	FORD F550 QRV	15	100,000	5%	Gov	10%	11,695	150-22	100%	2011	116,953	2026										493,769
FIRE	4050	SUTPHEN PUMPER	18		5%	Gov	4%	14,939	150-22	100%	2008	373,477	2026										
FIRE	4051	SUTPHEN PUMPER	18		5%	Gov	4%	14,939	150-22	100%	2008	373,477	2026										
FIRE	4075	FORD FUSION 4DR	12	80,000	5%	Gov	10%	1,806	150-22	100%	2015	18,060	2027								56,439		
FIRE	4053	SUTPHEN AERIAL L	30		4%	Gov	3%	360	150-22	100%	1997	12,000	2027										
FIRE	4067	H&H TECHNICAL RE	20		4%	Gov	10%	695	150-22	100%	2009	6,950	2029										
FIRE	4041	FORD INTERCEPTC	10	110000	4%	GOV	10%	3,162	150-22	100%	2019	31,624	2029								66,130		
FIRE	4042	FORD INTERCEPTC	10	110000	4%	GOV	10%	3,162	150-22	100%	2019	31,624	2029								66,130		
FIRE	4077	DODGE 2500 4X4 CI	10	100,000	4%	Gov	10%	3,614	150-22	100%	2019	36,139	2029								75,571		
FIRE	4094	DODGE 2500 4X4 CI	10	100,000	4%	Gov	10%	3,614	150-22	100%	2019	36,139	2029								75,571		
FIRE	4066	FORD F350 4X4 UTI	15	100,000	3.0%	Gov	15%	6,058	150-22	100%	2014	40,385	2029										
FIRE	4069	FREIGHTLINER TO\	15	7,000	4.0%	Gov	10%	19,540	150-22	100%	2014	195,395	2029										
FIRE	4064	FREIGHTLINER WA	25		5%	Gov	10%	11,587	150-22	100%	2004	115,868	2029										
FIRE	4076	DODGE RAM 2500 4	10	100,000	4%	Gov	15%	4,581	150-22	100%	2020	30,542	2030									62,340	
FIRE	4086	FORD F250 4X4 CR	15	100,000	4%	Gov	15%	4,294	150-22	100%	2015	28,625	2030										
FIRE	4054	PIERCE AERIAL	15	100,000	3%	Gov	10%	91,649	150-22	100%	2016	916,487	2031										
FIRE	4072	FREIGHTLINER AIR	20	N/A	4%	Gov	5%	4,868	150-22	100%	2012	97,360	2032	208,460									
FIRE	4055	PIERCE FIRE PUMPI	15	100,000	5%	Gov	4%	24,435	150-22	100%	2020	610,879	2035				1,157,788						
FIRE	4056	PIERCE FIRE PUMPI	15	100,000	5%	Gov	4%	24,435	150-22	100%	2020	610,879	2035				1,157,788						
FIRE	4027	BREATHING AIR CC	20	0	4%	GOV	10%	13,384	150-22	100%	2018	133,835	2038							279,865			
FIRE Total														208,460	-	-	2,315,576	-	-	279,865	4,225,915	2,289,790	1,272,635
FLEET SERVICES	1047	FORD 3/4T W/UTILIT	14	100,000	4%	ENT	25%	1,781	601	100%	2008	7,125	2022					19,585					
FLEET SERVICES	1038	FORD 3/4 TON PICK	14	80,000	4%	ENT	20%	1,425	601	100%	2008	7,125	2022					19,941					
FLEET SERVICES	1039	FORD F250 2WD W/	15	100,000	4%	ENT	15%	750	601	100%	2008	5,000	2023							15,467			
FLEET SERVICES	1045	FORD 3/4T EXT CAB	13	100,000	3%	ENT	15%	975	503	100%	2010	6,500	2023					13,043					
FLEET SERVICES	1036	FORD RANGER 1/2	16	80,000	4%	ENT	10%	1,400	601	100%	2007	14,000	2023								47,713		
FLEET SERVICES	1033	FORD F150 2WD PIC	15	80,000	4%	ENT	10%	1,575	601	100%	2008	15,750	2023							49,509			
FLEET SERVICES	1048	FORD ESCAPE AWD	10	100,000	4%	ENT	10%	2,600	601	100%	2013	26,002	2023		54,373								
FLEET SERVICES	1034	TOYOTA FORKLIFT	24	8,000	4%	ENT	15%	3,794	601	100%	1999	25,290	2023										
FLEET SERVICES	1032	FORD F550 W/SERV	12	80,000	4%	ENT	10%	5,195	601	100%	2011	51,954	2023				127,979						
FLEET SERVICES	1044	FORD 1T 4X4 W/UTI	16	100,000	6%	ENT	25%	2,469	601	100%	2008	9,875	2024									57,521	
FLEET SERVICES	7901	FORD F250 EX CAB	13	100,000	3%	Ent	15%	3,475	513	100%	2011	23,165	2024						46,483				
FLEET SERVICES	7902	FORD F250 EX CAB	13	100,000	3%	Ent	15%	3,475	513	100%	2011	23,165	2024						46,483				
FLEET SERVICES	1114	FORD F350 4X4 WIT	15	100,000	4%	ENT	15%	4,409	211	100%	2009	29,394	2024								90,927		
FLEET SERVICES	1035	FORD F150 4X4 EXT	10	100,000	4%	ENT	15%	4,060	601	100%	2017	27,065	2027						55,242				
FLEET SERVICES	1030	DODGE 1500 4X4	10	100,000	5%	ENT	35%	8,775	601	100%	2020	25,072	2030									61,655	
FLEET SERVICES Total														-	54,373	-	127,979	52,568	148,207	64,975	138,640	119,176	-
ITD	1984	FORD TAURUS	18	80,000	4%	ENT	25%	500	150-2	100%	2005	2,000	2023										7,708
ITD	1983	FORD RANGER EXT	17	80,000	4%	ENT	10%	250	010-3141	100%	2006	2,500	2023									9,236	
ITD	1982	CHEVY ASTRO VAN	21	80,000	5%	ENT	15%	623	150-22	100%	2002	4,150	2023										
ITD Total														-	-	-	-	-	-	-	-	9,236	7,708
LIBRARY	5006	FORD E350 12 PSGI	25	80,000	3%	Gov	10%	250	260	100%	1998	2,500	2023										
LIBRARY	5004	FORD CUTAWAY VA	16	80,000	4%	Gov	10%	4,406	260	100%	2007	44,058	2023								150,152		
LIBRARY	5005	FREIGHTLINER BOC	11	150,000	3%	Gov	10%	27,337	260	100%	2013	273,372	2024				496,472						
LIBRARY Total														-	-	-	496,472	-	-	-	150,152	-	-
MET TRANSIT	1866	FORD WINDSTAR V.	22	81,900	5%	Ent	5%	1,009	572	100%	2000	20,170	2022										
MET TRANSIT	1816	GILLIG TRANSIT BU	17	300,000	3.5%	Ent	1%	6	572	20%	2006	560	2023									1,798	
MET TRANSIT	1809	GILLIG TRANSIT BU	18	300,000	3.5%	Ent	1%	5	572	20%	2005	543	2023										1,868

FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. %	g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,032	2,033	2,034	2,035	2,036	2,037	2,038	2,039	2,040	2,041
MET TRANSIT	1868	TANDEM FLAT BED	31	0	2%	Ent	6%	110	572	100%	1992	1,828	2023										
MET TRANSIT	1809	GILLIG TRANSIT BU	18	300,000	3.5%	Ent	1%	21	412	80%	2005	2,107	2023										7,249
MET TRANSIT	1816	GILLIG TRANSIT BU	17	300,000	3.5%	Ent	1%	22	412	80%	2006	2,239	2023									7,189	
MET TRANSIT	1892	FORD F450	6	100000	3%	Ent	5%	791	572	20%	2017	15,816	2023				26,135						31,360
MET TRANSIT	1893	FORD F450	6	100000	3%	Ent	5%	791	572	20%	2017	15,816	2023				26,135						31,360
MET TRANSIT	1872	FORD F450	5	100000	3%	Ent	5%	882	572	20%	2018	17,637	2023		26,596					30,973			
MET TRANSIT	1873	FORD F450	5	100000	3%	Ent	5%	882	572	20%	2018	17,637	2023		26,596					30,973			
MET TRANSIT	1874	FORD F450	5	100000	3%	Ent	5%	882	572	20%	2018	17,637	2023		26,596					30,973			
MET TRANSIT	1875	FORD F450	5	100000	3%	Ent	5%	882	572	20%	2018	17,637	2023		26,596					30,973			
MET TRANSIT	1876	FORD F450	5	100000	3%	Ent	5%	882	572	20%	2018	17,637	2023		26,596					30,973			
MET TRANSIT	1865	FORD TAURUS	18	100,000	3%	Ent	10%	1,460	572	100%	2005	14,600	2023										40,855
MET TRANSIT	1867	CHEVY MALIBU 4DR	23	53,000	5%	Ent	5%	766	572	100%	2000	15,324	2023										
MET TRANSIT	1820	FORD F550 31'	7	200,000	3%	Ent	5%	2,156	572	20%	2016	43,111	2023						78,044				
MET TRANSIT	1821	FORD F550 31'	7	200,000	3%	Ent	5%	2,156	572	20%	2016	43,111	2023						78,044				
MET TRANSIT	1822	FORD F550 31'	7	200,000	3%	Ent	5%	2,156	572	20%	2016	43,111	2023						78,044				
MET TRANSIT	1823	FORD F550 31'	7	200,000	3%	Ent	5%	2,156	572	20%	2016	43,111	2023						78,044				
MET TRANSIT	1824	FORD F550 31'	7	200,000	3%	Ent	5%	2,156	572	20%	2016	43,111	2023						78,044				
MET TRANSIT	1825	FORD F550 31'	7	200,000	3%	Ent	5%	2,156	572	20%	2016	43,111	2023						78,044				
MET TRANSIT	1870	NILFISK ADVANCE S	19		3%	Ent	10%	3,241	572	100%	2004	32,412	2023										
MET TRANSIT	1862	FORKLIFT	33	700	3%	Ent	5%	1,198	572	100%	1990	23,963	2023										
MET TRANSIT	1892	FORD F450	6	100000	3%	Ent	5%	3,163	572	80%	2017	63,260	2023				104,533						125,432
MET TRANSIT	1893	FORD F450	6	100000	3%	Ent	5%	3,163	572	80%	2017	63,260	2023				104,533						125,432
MET TRANSIT	1861	FORD F350 4X4 TRU	24	32,000	5%	Ent	5%	1,226	572	100%	1999	24,517	2023										
MET TRANSIT	1872	FORD F450	5	100000	3%	Ent	5%	3,527	572	80%	2018	70,548	2023		106,384					123,890			
MET TRANSIT	1873	FORD F450	5	100000	3%	Ent	5%	3,527	572	80%	2018	70,548	2023		106,384					123,890			
MET TRANSIT	1874	FORD F450	5	100000	3%	Ent	5%	3,527	572	80%	2018	70,548	2023		106,384					123,890			
MET TRANSIT	1875	FORD F450	5	100000	3%	Ent	5%	3,527	572	80%	2018	70,548	2023		106,384					123,890			
MET TRANSIT	1876	FORD F450	5	100000	3%	Ent	5%	3,527	572	80%	2018	70,548	2023		106,384					123,890			
MET TRANSIT	1818	GILLIG TRANSIT BU	12	300,000	3.5%	Ent	1%	768	412	20%	2011	76,818	2023				174,633						
MET TRANSIT	1819	GILLIG TRANSIT BU	12	300,000	3.5%	Ent	1%	768	412	20%	2011	76,818	2023				174,633						
MET TRANSIT	1820	FORD F550 31'	7	200,000	3%	Ent	5%	8,622	572	80%	2016	172,443	2023						312,173				
MET TRANSIT	1821	FORD F550 31'	7	200,000	3%	Ent	5%	8,622	572	80%	2016	172,443	2023						312,173				
MET TRANSIT	1822	FORD F550 31'	7	200,000	3%	Ent	5%	8,622	572	80%	2016	172,443	2023						312,173				
MET TRANSIT	1823	FORD F550 31'	7	200,000	3%	Ent	5%	8,622	572	80%	2016	172,443	2023						312,173				
MET TRANSIT	1824	FORD F550 31'	7	200,000	3%	Ent	5%	8,622	572	80%	2016	172,443	2023						312,173				
MET TRANSIT	1825	FORD F550 31'	7	200,000	3%	Ent	5%	8,622	572	80%	2016	172,443	2023						312,173				
MET TRANSIT	1818	GILLIG TRANSIT BU	12	300,000	3.5%	Ent	1%	3,073	412	80%	2011	307,274	2023				698,535						
MET TRANSIT	1819	GILLIG TRANSIT BU	12	300,000	3.5%	Ent	1%	3,073	412	80%	2011	307,274	2023				698,535						
MET TRANSIT	1877	Ford Paratransit Van	5	90,000	3%	Ent	5%	882	572	20%	2019	17,637	2024			26,596					30,973		
MET TRANSIT	1869	FORD F350 4X4 EXT	15	100,000	4%	Ent	10%	3,398	572	100%	2009	33,984	2024								106,825		
MET TRANSIT	1877	Ford Paratransit Van	5	90,000	3%	Ent	5%	3,527	572	80%	2019	70,548	2024			106,384					123,890		
MET TRANSIT	1859	MASSY 4WD TRACT	15	7,000	3%	Ent	10%	2,041		100%	2010	20,406	2025									47,490	
MET TRANSIT	1878	MET PARATRANSIT	6	9,000	3%	Ent	5%	4,028	572	20%	2019	80,555	2025						133,112				
MET TRANSIT	1879	MET PARATRANSIT	6	9,000	3%	Ent	5%	4,028	572	20%	2019	80,555	2025						133,112				
MET TRANSIT	1889	MET PARATRANSIT	10	9,000	4%	Ent	5%	3,752	572	20%	2015	75,046	2025				160,683						
MET TRANSIT	1889	MET PARATRANSIT	10	9,000	4%	Ent	5%	3,752	412	80%	2015	75,046	2025				160,683						
MET TRANSIT	1890	MET PARATRANSIT	10	9,000	4%	Ent	5%	3,752	572	20%	2015	75,046	2025				160,683						
MET TRANSIT	1890	MET PARATRANSIT	10	9,000	4%	Ent	5%	3,752	412	80%	2015	75,046	2025				160,683						
MET TRANSIT	1891	MET PARATRANSIT	10	9,000	4%	Ent	5%	3,752	572	20%	2015	75,046	2025				160,683						
MET TRANSIT	1891	MET PARATRANSIT	10	9,000	4%	Ent	5%	3,752	412	80%	2015	75,046	2025				160,683						
MET TRANSIT	1857	GENIE SCISSOR LIF	10	N/A	3.0%	Ent	15%	2,468	572	100%	2020	16,450	2030									27,243	
MET TRANSIT	1858	FLATBED TRAILER	20	N/A	3.0%	Ent	10%	580	572	100%	2020	5,800	2040									9,895	
MET TRANSIT Total														-	664,901	132,980	2,971,767	-	2,607,521	774,313	261,688	93,616	363,554
PARK DIVISION	1603	FORD HI-CUBE VAN	28	60,000	4%	Gov	50%	1,113	150-112	100%	1994	2,225	2022										
PARK DIVISION	1620	JOHN DEERE Z997 F	14	3,000	5%	Gov	15%	1,785	010-5112	100%	2008	11,900	2022					44,865					
PARK DIVISION	1611	CHEVY 1500 2WD P	17	80,000	4%	Gov	10%	1,347	110-511	100%	2005	13,470	2022								49,762		
PARK DIVISION	1026	FORD 1/2 TON PICK	25	80,000	4%	Gov	15%	2,160	010-5114	100%	1997	14,397	2022										
PARK DIVISION	1687	TURF SWEEPER	28	3,000	4%	Gov	15%	1,969	010-5112	100%	1994	13,125	2022										
PARK DIVISION	1614	FORD F250 PICKUP	10	80,000	4%	Gov	15%	4,868	010-5112	100%	2012	32,453	2022	66,241									
PARK DIVISION	1907	CHEVY 1T DUMP TR	23	70,000	3%	Gov	14%	3,517	010-5141	100%	1999	25,123	2022										
PARK DIVISION	1631	JOHN DEERE 5420 T	20	10,000	3%	Gov	10%	2,938	010-5112	100%	2002	29,381	2022										
PARK DIVISION	1607	FORD RANGER 4X4	22	100,000	1%	Gov	40%	1,105	240	100%	2001	2,762	2023										
PARK DIVISION	1692	FORD RANGER EXT	16	100,000	1%	Gov	30%	1,200	010-4321	100%	2007	4,000	2023								4,300		
PARK DIVISION	1637	COMPRESSOR	33	5,000	3%	Gov	10%	300	010-5112	100%	1990	3,000	2023										
PARK DIVISION	1674	Ditch Witch Tilt-bed t	20	N/A	4%	Gov	10%	316	010-5112	100%	2003	3,161	2023										
PARK DIVISION	1613	FORD F250 W/SERV	13	100,000	4%	Gov	15%	900	010-5112	100%	2010	6,000	2023					15,735					
PARK DIVISION	1604	FORD F250 2WD W/	15	100,000	4%	Gov	25%	1,500	150-112	100%	2008	6,000	2023							17,960			

FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. %	g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,032	2,033	2,034	2,035	2,036	2,037	2,038	2,039	2,040	2,041
PARK DIVISION	1629	HOLLAND AERWAY	23	N/A	4%	Gov	15%	715	010-5112	100%	2000	4,765	2023										
PARK DIVISION	1938	TORO TURF SWEEF	28	2,000	3%	Gov	15%	1,500	010-5141	100%	1995	9,999	2023										
PARK DIVISION	1609	FORD F150 2WD RE	10	80,000	4%	Gov	10%	1,869	010-5112	100%	2013	18,686	2023		39,075								
PARK DIVISION	1610	CHEVY 1500 2WD P	18	80,000	4%	Gov	10%	1,347	110-511	100%	2005	13,470	2023										53,933
PARK DIVISION	1903	SUL AIR AIR COMPF	37	1,700	3%	Gov	14%	1,587	010-5141	100%	1986	11,339	2023										
PARK DIVISION	1622	FORD F150 EXT CAI	10	80,000	4%	Gov	10%	2,101	010-5112	100%	2013	21,010	2023		43,934								
PARK DIVISION	1928	WALKER MOWER	8	3,000	4%	Gov	15%	4,098	010-	100%	2015	27,321	2023								65,934		
PARK DIVISION	1624	TORO SPRAYER	15	7,000	5%	Gov	10%	1,700	010-5112	100%	2008	17,000	2023							71,773			
PARK DIVISION	1675	Ditch Witch	20	7,000	4%	Gov	10%	1,830	010-5112	100%	2003	18,299	2023										
PARK DIVISION	1625	FORD F350 STAKE E	12	80,000	4%	Gov	10%	2,935	010-5112	100%	2011	29,345	2023				72,286						
PARK DIVISION	1630	FORD F350 W/SERV	12	80,000	4%	Gov	10%	2,961	010-5112	100%	2011	29,613	2023				72,946						
PARK DIVISION	1632	JOHN DEERE TRAC	29	5,000	4%	Gov	15%	2,813	010-5112	100%	1994	18,750	2023										
PARK DIVISION	1640	JOHN DEERE 5420 T	21	10,000	3%	Gov	10%	4,218	010-5112	100%	2002	42,184	2023										
PARK DIVISION	1671	TORO 5900 16' MOW	10	3,000	4%	Gov	15%	11,947	010-5112	100%	2013	79,649	2023		162,573								
PARK DIVISION	1676	TORO 5900 16' MOW	10	7,000	4%	Gov	15%	11,947	010-5112	100%	2013	79,649	2023		162,573								
PARK DIVISION	1906	JCB BACKHOE / LOA	26	7,000	5%	Gov	14%	4,830	010-5141	100%	1997	34,500	2023										
PARK DIVISION	1618	IHC 4700 W/VERSAL	23	8,000	4%	Gov	15%	14,285	010-5111	100%	2000	95,233	2023										
PARK DIVISION	1693	FORD RANGER EXT	16	100,000	1%	Gov	30%	1,200	010-4321	100%	2008	4,000	2024									4,300	
PARK DIVISION	1642	BOBCAT UTILITY VI	10	3,000	3%	Gov	10%	739	010-5112	100%	2014	7,386	2024			12,601							
PARK DIVISION	1930	WALKER 52" MOWE	6	3,000	4%	Gov	10%	2,727	010-5141	100%	2018	27,267	2024					52,511					
PARK DIVISION	1929	TORO WORKMAN	8	3,000	4%	Gov	10%	2,574	010-5141	100%	2016	25,741	2024	45,638								63,408	
PARK DIVISION	1020	FORD E450 PASSEN	15	100,000	4%	Gov	10%	5,985	010-	100%	2009	59,853	2024								188,142		
PARK DIVISION	1023	FORD E450 PASSEN	15	100,000	4%	Gov	10%	5,985	010-	100%	2009	59,853	2024								188,142		
PARK DIVISION	3606	BOBCAT UTV 4X2 3	10	3,000	3%	Gov	15%	1,119	150-	100%	2015	7,462	2025				12,358						
PARK DIVISION	1680	TORO WORKMAN A	15	N/A	3%	Gov	5%	353	010-5112	100%	2010	7,064	2025									16,793	
PARK DIVISION	3610	BOBCAT UTV 4X4 V	10	3,000	3%	Gov	15%	3,205	150-	100%	2015	21,365	2025				35,383						
PARK DIVISION	3601	CHEVY 1500 2WD F	10	100,000	4%	Gov	15%	3,329	150-	100%	2015	22,193	2025				45,299						
PARK DIVISION	3602	CHEVY 1500 2WD F	10	100,000	4%	Gov	15%	3,329	150-	100%	2015	22,193	2025				45,299						
PARK DIVISION	3618	FORD F150 X-CAB 2	10	100,000	4%	Gov	10%	2,580	150-	100%	2015	25,803	2025				53,957						
PARK DIVISION	1633	TURFTENDER TOP I	26	N/A	4%	Gov	15%	2,505	010-5112	100%	1999	16,700	2025										
PARK DIVISION	1641	CASE TRACTOR W/I	20	7,000	4%	Gov	5%	1,446	110-511	100%	2005	28,925	2025										
PARK DIVISION	3617	TORO 4100D TRIM	10	6,000	4%	Gov	5%	2,737	150-	100%	2015	54,742	2025				117,209						
PARK DIVISION	3615	TORO 5900 MOWEI	10	6,000	4%	Gov	5%	4,037	150-	100%	2015	80,749	2025				172,894						
PARK DIVISION	3616	TORO 5900 MOWEI	10	6,000	4%	Gov	5%	4,037	150-	100%	2015	80,749	2025				172,894						
PARK DIVISION	1612	CHEVY 3/4 TON PIC	20	80,000	1%	Gov	15%	675	010-5112	100%	2006	4,500	2026										
PARK DIVISION	1634	PJ TILT BED TRAILE	15	N/A	3%	Gov	10%	788	010-5112	100%	2011	7,876	2026										18,330
PARK DIVISION	1914	JOHN DEERE GATO	12	2,000	4%	Gov	12%	1,319	010-5141	100%	2014	10,995	2026							26,864			
PARK DIVISION	1697	CHEVY 1500 4X4 W	12	100,000	3%	Gov	15%	4,857	010-5112	100%	2014	32,383	2026							60,971			
PARK DIVISION	1905	Chevy Colorado Ext c	15	100,000	4%	Gov	15%	2,677	010-5141	100%	2012	17,849	2027										
PARK DIVISION	1638	DODGE 1500 2WD	10	100000	4%	Gov	15%	3,376	010 514	100%	2017	22,506	2027						45,938				
PARK DIVISION	1639	DODGE 1500 2WD	10	100000	4%	Gov	15%	3,376	010 514	100%	2017	22,506	2027						45,938				
PARK DIVISION	1024	FORD RANGER 1/2 T	20	80,000	4%	Gov	15%	2,248	010-5114	100%	2007	14,989	2027										
PARK DIVISION	1605	FORD F250 4X4 W S	10	100,000	4%	Gov	15%	3,835	150-	100%	2017	25,565	2027						52,181				
PARK DIVISION	1651	DODGE 1500 4X4	10	100000	4%	Gov	15%	3,947	010 514	100%	2017	26,313	2027						53,708				
PARK DIVISION	3603	FORD F250 4X4 W S	12	100,000	4%	Gov	15%	5,387	150-	100%	2015	35,911	2027								86,664		
PARK DIVISION	1691	FREIGHTLINER DUM	15	80,000	4%	Gov	15%	11,974	010-5112	100%	2012	79,825	2027										
PARK DIVISION	1694	FREIGHTLINER DUM	15	80,000	4%	Gov	15%	11,974	010-5112	100%	2012	79,825	2027										
PARK DIVISION	1654	Vermeer Stump Grinc	25	2,500	4%	Gov	10%	15	010-5111	100%	2003	150	2028										
PARK DIVISION	3622	POLARIS RANGER 4	10	5,000	4%	Gov	10%	948	010-5114	100%	2018	9,482	2028							19,828			
PARK DIVISION	3623	POLARIS RANGER 4	10	5,000	4%	Gov	10%	948	010-5114	100%	2018	9,482	2028							19,828			
PARK DIVISION	3624	POLARIS RANGER 4	10	5,000	4%	Gov	10%	948	010-5114	100%	2018	9,482	2028							19,828			
PARK DIVISION	3631	DODGE RAM 1500 2	10	100,000	3%	Gov	15%	3,717	010-5114	100%	2018	24,780	2028							41,038			
PARK DIVISION	1664	JOHN DEERE 72"	8	5000	4%	Gov	15%	3,875	010 514	100%	2020	25,835	2028					44,513					
PARK DIVISION		FUEL STORAGE TAI	25		4%	Gov	1%	120	010-5141	100%	2003	11,962	2028										
PARK DIVISION	3628	FORD F250 W/UTILI	10	100,000	4%	Gov	10%	3,410	010-5114	100%	2018	34,101	2028							71,309			
PARK DIVISION	3629	JEEP WRANGLER 4	10	100,000	4%	Gov	10%	3,410	010-5114	100%	2018	34,101	2028							71,309			
PARK DIVISION	3625	JEEP WRANGLER 4	10	100,000	4%	Gov	10%	4,105	010-5114	100%	2018	41,050	2028							85,841			
PARK DIVISION	3626	JEEP WRANGLER 4	10	100,000	4%	Gov	10%	4,105	010-5114	100%	2018	41,050	2028							85,841			
PARK DIVISION	1649	TORO 4100D 16' MO	10	3,000	4%	Gov	15%	8,965	010-5112	100%	2018	59,767	2028							121,992			
PARK DIVISION	1647	TORO 5900 16' MOW	10	3,000	4%	Gov	15%	12,748	010-5112	100%	2018	84,984	2028							173,463			
PARK DIVISION	1924	WALKER MOWER/S	9	3,000	4%	Gov	15%	3,156	010-5141	100%	2020	21,043	2029							39,473			
PARK DIVISION	1636	DODGE RAM 1500 2	10	100,000	4%	Gov	10%	2,322	010-5112	100%	2019	23,220	2029								48,556		
PARK DIVISION	1919	WALKER 52" RIDING	9	3,000	4%	Gov	15%	3,916	010-5141	100%	2020	26,106	2029							48,970			
PARK DIVISION	3634	DODGE 1500 4X4	10	100000	4%	Gov	15%	3,761	010 514	100%	2020	25,072	2030									51,175	
PARK DIVISION	3612	TRU BURROW BLO	15	N/A	4%	Gov	10%	1,990	150-	100%	2015	19,895	2030										
PARK DIVISION	1602	DODGE 1500 4X4	10	100000	4%	Gov	15%	4,832	010 514	100%	2020	32,216	2030									65,757	
PARK DIVISION	1627	IHC PACMAC	10	10000	4%	Gov	10%	13,203	010 514	100%	2020	132,033	2030									276,097	

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Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. %	g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,032	2,033	2,034	2,035	2,036	2,037	2,038	2,039	2,040	2,041
PARK DIVISION	3621	NORTHSTAR	15	N/A	3%	Gov	10%	740	010-5112	100%	2016	7,400	2031										
PARK DIVISION	1678	TORO MOWER	21	3,000	3%	Gov	10%	1,796	010-5112	100%	2011	17,964	2032	28,376									
PARK DIVISION	1644	TORO PROCORE	15	100000	4%	Gov	10%	3,454	010 514	100%	2017	34,538	2032	58,747									
PARK DIVISION	1660	DODGE RAM 5500	12	100000	4%	Gov	15%	6,793	010 514	100%	2020	45,287	2032	65,713									
PARK DIVISION	1643	WIEDENMAN	15	100000	4%	Gov	10%	4,218	010 514	100%	2017	42,175	2032	71,737									
PARK DIVISION	1684	CAT 908H WHEEL L	20	7,000	4%	Gov	15%	12,939	010-5112	100%	2012	86,258	2032	176,063									
PARK DIVISION	1635	BOBCAT TRACK LO/	15	7,000	4%	Gov	15%	8,570	010-5114	100%	2018	57,133	2033		94,323								
PARK DIVISION	1617	FREIGHTLINER SER	15	7,000	4%	Gov	15%	21,932	010-5114	100%	2019	146,213	2034			241,389							
PARK DIVISION	1028	MOBIL SOUND STA(	30	N/A	4%	Gov	10%	8,183	640	100%	2004	81,829	2034			257,221							
PARK DIVISION	3608	PJ TILT BED TRAILI	20	N/A	3%	Gov	15%	774	150-	100%	2015	5,161	2035				8,547						
PARK DIVISION	3609	PJ TILT BED TRAILI	20	N/A	3%	Gov	15%	774	150-	100%	2015	5,161	2035				8,547						
PARK DIVISION	3613	VERMEER BRUSH (	20	7,000	4%	Gov	10%	3,878	150-	100%	2015	38,779	2035				81,092						
PARK DIVISION	3630	B-B 20' Tiltbed Traile	20	N/A	3%	Gov	15%	1,254	010-5114	100%	2018	8,363	2038							13,850			
PARK DIVISION	1650	IHC TRUCK WITH B(	40	80,000	5%	Gov	10%	4,269	010-5111	100%	2001	42,685	2041										296,233
PARK DIVISION Total														512,515	502,479	511,212	898,709	157,624	197,764	990,138	631,500	477,530	368,496
PARKING	1962	GO-4 PARKING VEH	15	40,000	1%	Ent	10%	2,492	521	100%	2007	24,923	2022						31,100				
PARKING	1964	BOBCAT UTV W/PL	8	3,000	4%	Ent	15%	3,723	521	100%	2015	24,819	2023								59,896		
PARKING	1965	BOBCAT UTV W/PL	8	3,000	4%	Ent	15%	3,723	521	100%	2015	24,819	2023								59,896		
PARKING	1960	ADVANCE SWEEPEI	14	7,000	5%	Ent	10%	3,440	524	100%	2010	34,395	2024							131,393			
PARKING	1967	CY-CORP TRAILER	37	0	3%	Ent	20%	110	524	25%	1988	548	2025										
PARKING	1967	CY-CORP TRAILER	37	0	3%	Ent	20%	110	522	25%	1988	548	2025										
PARKING	1967	CY-CORP TRAILER	37	0	3%	Ent	20%	110	523	25%	1988	548	2025										
PARKING	1967	CY-CORP TRAILER	37	0	3%	Ent	20%	110	524	25%	1988	548	2025										
PARKING	1961	JOHN DEERE X700 (	19		3%	Ent	15%	774	522	33%	2006	5,162	2025										
PARKING	1961	JOHN DEERE X700 (	19		3%	Ent	15%	774	523	33%	2006	5,162	2025										
PARKING	1961	JOHN DEERE X700 (	19		3%	Ent	15%	798	524	34%	2006	5,318	2025										
PARKING	1969	GMC SONOMA 4X4 I	29	80,000	3%	Ent	15%	2,380	521	100%	1996	15,868	2025										
PARKING	1972	FORD F150 4X4 PIC	16	100,000	4%	Ent	10%	2,128	522	100%	2011	21,275	2027										
PARKING Total														-	-	-	-	-	31,100	131,393	119,792	-	-
PARKS DIVISION	7808	IR COMPRESSOR	15		3%	Ent	15%	2,835	513	100%	2010	18,900	2025									43,040	
PARKS DIVISION Total														-	-	-	-	-	-	-	-	43,040	-
POLICE DEPT	1496	CHEVY MALIBU	14	100,000	5%	Gov	15%	2,440	150-2	100%	2008	16,264	2022					61,317					
POLICE DEPT	1404	FORD INTERCEPTC	8	100,000	3%	Gov	6%	1,632	150-21	100%	2014	27,207	2022							58,920			
POLICE DEPT	1406	FORD INTERCEPTC	8	100,000	3%	Gov	6%	1,632	150-21	100%	2014	27,207	2022							58,920			
POLICE DEPT	1407	FORD INTERCEPTC	8	100,000	3%	Gov	6%	1,632	150-21	100%	2014	27,207	2022							58,920			
POLICE DEPT	1572	FORD POLICE INTEI	9	100,000	4%	gov	10%	2,662	150-21	100%	2013	26,615	2022									66,278	
POLICE DEPT	1411	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,721	150-21	100%	2015	27,207	2022					63,573					
POLICE DEPT	1412	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,721	150-21	100%	2015	27,207	2022					63,573					
POLICE DEPT	1413	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,721	150-21	100%	2015	27,207	2022					63,573					
POLICE DEPT	1414	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,721	150-21	100%	2015	27,207	2022					63,573					
POLICE DEPT	1416	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,721	150-21	100%	2015	27,207	2022					63,573					
POLICE DEPT	1417	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,721	150-21	100%	2015	27,207	2022					63,573					
POLICE DEPT	1420	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,721	150-21	100%	2015	27,207	2022					63,573					
POLICE DEPT	1422	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,721	150-21	100%	2015	27,207	2022					63,573					
POLICE DEPT	1532	FORD F350 4X4 4DF	15	100,000	4%	Gov	15%	-	150-2	100%	2008	0	2023							-			
POLICE DEPT	3417	CHEVY SUBURBAN	21	80,000	5%	Gov	15%	780	150-21	100%	2002	5,200	2023										
POLICE DEPT	1512	FORD FUSION 4 DO	13	100,000	4%	Gov	10%	1,524	150-21	100%	2010	15,242	2023					40,734					
POLICE DEPT	1435	FORD INTERCEPTC	6	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2023				51,699						66,513
POLICE DEPT	1441	FORD INTERCEPTC	6	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2023				51,699						66,513
POLICE DEPT	1533	FORD FUSION 4 DO	14	100,000	4%	Gov	10%	1,885	150-21	100%	2009	18,850	2023						54,641				
POLICE DEPT	1495	CHEVY MALIBU	15	100,000	5%	Gov	15%	2,440	150-2	100%	2008	16,264	2023							67,852			
POLICE DEPT	3414	FORD INTERCEPTC	8	100,000	3%	Gov	15%	4,245	150-21	100%	2015	28,299	2023								53,281		
POLICE DEPT	1498	CHEVY MALIBU	16	80,000	5%	Gov	10%	1,538	150-21	100%	2007	15,379	2023								71,742		
POLICE DEPT	1500	CHEVY MALIBU	16	80,000	5%	Gov	10%	1,538	150-21	100%	2007	15,379	2023								71,742		
POLICE DEPT	1492	FORD TAURUS	17	100,000	5%	Gov	15%	2,273	150-21	100%	2006	15,150	2023									77,316	
POLICE DEPT	1494	FORD TAURUS	17	100,000	5%	Gov	15%	2,273	150-21	100%	2006	15,150	2023									77,316	
POLICE DEPT	1528	FORD E250 PRISON	12	100,000	4%	Gov	10%	2,194	150-21	100%	2011	21,937	2023				54,038						
POLICE DEPT	1423	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,749	150-21	100%	2016	27,488	2023						59,890				
POLICE DEPT	1426	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,749	150-21	100%	2016	27,488	2023						59,890				
POLICE DEPT	1428	FORD INTERCEPTC	7	100,000	4%	Gov	10%	2,749	150-21	100%	2016	27,488	2023						59,890				
POLICE DEPT	1567	Ford F150 4x4 crew c	12	100,000	4%	Gov	10%	2,751	150-21	100%	2011	27,512	2023				67,770						
POLICE DEPT	1569	Ford F150 4x4 crew c	12	100,000	4%	Gov	10%	2,751	150-21	100%	2011	27,512	2023				67,770						
POLICE DEPT	3415	F150 CREW MARSH	10	100,000	4%	Gov		-	150-21	100%	2014	0	2024			-							
POLICE DEPT	1589	FORD F150 4X4 CRE	13	100,000	0%	Gov	0%	-	150-21	100%	2011	0	2024						-				
POLICE DEPT	1529	GMC 1/2 TON EXT C	26	100,000	0%	Gov	15%	-	150-21	100%	1998	0	2024										
POLICE DEPT	1530	TOYOTA 4X4 EXT C/	27	100,000	5%	Gov	15%	-	150-21	100%	1997	0	2024										
POLICE DEPT	1531	FORD EXPEDITION	26	100,000	4%	Gov	13%	-	150-21	100%	1998	0	2024										

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Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. %	g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,032	2,033	2,034	2,035	2,036	2,037	2,038	2,039	2,040	2,041
POLICE DEPT	1595	Meth Lab Trailer	21	N/A	5%	Gov	10%	-	150-21	100%	2003	0	2024										
POLICE DEPT	1510	FORD FUSION 4 DO	13	100,000	4%	Gov	10%	1,815	150-21	100%	2011	18,150	2024						48,505				
POLICE DEPT	1511	FORD FUSION 4 DO	15	100,000	4%	Gov	10%	1,885	150-21	100%	2009	18,850	2024								59,253		
POLICE DEPT	1434	FORD INTERCEPTO	7	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2024							58,671			
POLICE DEPT	1436	FORD INTERCEPTO	7	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2024							58,671			
POLICE DEPT	1438	FORD INTERCEPTO	7	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2024							58,671			
POLICE DEPT	1424	FORD INTERCEPTO	8	100,000	4%	Gov	10%	2,749	150-21	100%	2016	27,488	2024	48,736								67,711	
POLICE DEPT	1427	FORD INTERCEPTO	8	100,000	4%	Gov	10%	2,749	150-21	100%	2016	27,488	2024	48,736								67,711	
POLICE DEPT	1429	FORD INTERCEPTO	8	100,000	4%	Gov	10%	2,749	150-21	100%	2016	27,488	2024	48,736								67,711	
POLICE DEPT	1504	FORD FUSION 4 DO	15	100,000	5%	Gov	10%	1,885	150-21	100%	2009	18,850	2024								79,584		
POLICE DEPT	1568	Ford F150 4x4 crew c	13	100,000	4%	Gov	10%	2,751	150-21	100%	2011	27,512	2024						73,525				
POLICE DEPT	1593	HURD BOMB TRAILE	30	N/A	3%	Gov	20%	-	150-21	100%	1995	0	2025										
POLICE DEPT	1501	CHEVY MALIBU	12	100,000	4%	Gov	10%	2,043	150-21	100%	2013	20,429	2025						50,323				
POLICE DEPT	1508	CHEVY MALIBU	12	100,000	4%	Gov	10%	2,043	150-21	100%	2013	20,429	2025						50,323				
POLICE DEPT	1514	CHEVY MALIBU	12	100,000	4%	Gov	10%	2,043	150-21	100%	2013	20,429	2025						50,323				
POLICE DEPT	1437	FORD INTERCEPTO	8	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2025		47,487								66,513
POLICE DEPT	1440	FORD INTERCEPTO	8	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2025		47,487								66,513
POLICE DEPT	1442	FORD INTERCEPTO	8	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2025		47,487								66,513
POLICE DEPT	1443	FORD INTERCEPTO	8	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2025		47,487								66,513
POLICE DEPT	1444	FORD INTERCEPTO	8	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2025		47,487								66,513
POLICE DEPT	1445	FORD INTERCEPTO	8	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2025		47,487								66,513
POLICE DEPT	1446	FORD INTERCEPTO	8	100000	4%	GOV	15%	4,192	150 2	100%	2017	27,946	2025		48,150								67,442
POLICE DEPT	1450	FORD	7	100,000	4%	Gov	6%	1,652	150-21	100%	2018	27,533	2025	46,026							61,089		
POLICE DEPT	1451	FORD	7	100,000	4%	Gov	6%	1,652	150-21	100%	2018	27,533	2025	46,026							61,089		
POLICE DEPT	1452	FORD	7	100,000	4%	Gov	6%	1,652	150-21	100%	2018	27,533	2025	46,026							61,089		
POLICE DEPT	1453	FORD	7	100,000	4%	Gov	6%	1,652	150-21	100%	2018	27,533	2025	46,026							61,089		
POLICE DEPT	1454	FORD	7	100,000	4%	Gov	6%	1,652	150-21	100%	2018	27,533	2025	46,026							61,089		
POLICE DEPT	1456	FORD	7	100,000	4%	Gov	6%	1,652	150-21	100%	2018	27,533	2025	46,026							61,089		
POLICE DEPT	1425	FORD INTERCEPTO	9	100,000	4%	Gov	10%	2,749	150-21	100%	2016	27,488	2025			52,937							
POLICE DEPT	1430	FORD INTERCEPTO	9	100,000	4%	Gov	10%	2,749	150-21	100%	2016	27,488	2025			52,937							
POLICE DEPT	1431	FORD INTERCEPTO	9	100,000	4%	Gov	10%	2,756	150-21	100%	2016	27,561	2025			53,077							
POLICE DEPT	1433	FORD INTERCEPTO	9	100,000	4%	Gov	10%	2,756	150-21	100%	2016	27,561	2025			53,077							
POLICE DEPT	1455	FORD	7	100,000	4%	Gov	6%	1,902	150-21	100%	2018	31,706	2025	53,002							70,348		
POLICE DEPT	1408	FORD F150 4X4 SU	11	100,000	4%	Gov	15%	4,553	150-21	100%	2014	30,350	2025					67,375					
POLICE DEPT	1410	FORD F150 4X4 SU	11	100,000	4%	Gov	15%	4,553	150-21	100%	2014	30,350	2025					67,375					
POLICE DEPT	1497	FORD FUSION	10	100,000	4%	Gov	15%	2,826	150-21	100%	2016	18,840	2026					38,455					
POLICE DEPT	1457	FORD INTERCEPTO	7	110000	4%	GOV	10%	2,753	150 2	100%	2019	27,533	2026		44,925							59,988	
POLICE DEPT	1458	FORD INTERCEPTO	7	110000	4%	GOV	10%	2,753	150 2	100%	2019	27,533	2026		44,925							59,988	
POLICE DEPT	1459	FORD INTERCEPTO	7	110000	4%	GOV	10%	2,753	150 2	100%	2019	27,533	2026		44,925							59,988	
POLICE DEPT	1460	FORD INTERCEPTO	7	110000	4%	GOV	10%	2,753	150 2	100%	2019	27,533	2026		44,925							59,988	
POLICE DEPT	1461	FORD INTERCEPTO	7	110000	4%	GOV	10%	2,753	150 2	100%	2019	27,533	2026		44,925							59,988	
POLICE DEPT	1462	FORD INTERCEPTO	7	110000	4%	GOV	10%	2,753	150 2	100%	2019	27,533	2026		44,925							59,988	
POLICE DEPT	1439	FORD INTERCEPTO	9	100000	4%	GOV	15%	4,134	150 2	100%	2017	27,561	2026				51,699						
POLICE DEPT	1448	FORD	8	100,000	4%	Gov	6%	1,737	150-21	100%	2018	28,944	2026			52,475							
POLICE DEPT	1463	FORD INTERCEPTO	7	110000	4%	GOV	10%	3,171	150 2	100%	2019	31,706	2026		51,734							69,080	
POLICE DEPT	1542	FORD INTERCEPTO	7	110000	4%	GOV	10%	3,171	150 2	100%	2019	31,706	2026		51,734							69,080	
POLICE DEPT	1547	FORD INTERCEPTO	7	110000	4%	GOV	10%	3,171	150 2	100%	2019	31,706	2026		51,734							69,080	
POLICE DEPT	1409	FORD F150 4X4 SU	12	100,000	4%	Gov	15%	4,553	150-21	100%	2014	30,350	2026							73,244			
POLICE DEPT	1506	FORD FUSION SILV	12	100,000	3%	Gov	10%	1,806	150-21	100%	2015	18,060	2027								34,906		
POLICE DEPT	1516	FORD FUSION BLU	12	100,000	3%	Gov	10%	1,806	150-21	100%	2015	18,060	2027								34,906		
POLICE DEPT	1518	FORD FUSION BLA	12	100,000	3%	Gov	10%	1,806	150-21	100%	2015	18,060	2027								34,906		
POLICE DEPT	1520	FORD FUSION WHI	12	100,000	3%	Gov	10%	1,806	150-21	100%	2015	18,060	2027								34,906		
POLICE DEPT	PD2003	Luma Light	30	N/A	3%	Gov	0%	-	150-21	100%	1997	10,000	2027										
POLICE DEPT	1539	FORD F150	10	100000	4%	GOV	15%	4,663	150 2	100%	2017	31,089	2027						63,456				
POLICE DEPT	1464	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,382	150-2	100%	2020	35,882	2027			56,754							76,384
POLICE DEPT	1465	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,382	150-2	100%	2020	35,882	2027			56,754							76,384
POLICE DEPT	1466	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,382	150-2	100%	2020	35,882	2027			56,754							76,384
POLICE DEPT	1467	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,382	150-2	100%	2020	35,882	2027			56,754							76,384
POLICE DEPT	1468	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027			56,880							76,555
POLICE DEPT	1469	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027			56,880							76,555
POLICE DEPT	1470	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027			56,880							76,555
POLICE DEPT	1471	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027			56,880							76,555
POLICE DEPT	1472	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027			56,880							76,555
POLICE DEPT	1473	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027			56,880							76,555
POLICE DEPT	1474	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027			56,880							76,555
POLICE DEPT	1475	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027			56,880							76,555
POLICE DEPT	1476	FORD INTERCEPTO	7	100,000	4%	Gov	15%	5,394	150-2	100%	2020	35,962	2027			56,880							76,555

FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. % g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,032	2,033	2,034	2,035	2,036	2,037	2,038	2,039	2,040	2,041
POLICE DEPT	1477	FORD INTERCEPTO	7	100,000	4% Gov	15%	5,394	150-2	100%	2020	35,962	2027			56,880							76,555
POLICE DEPT	1478	FORD INTERCEPTO	7	100,000	4% Gov	15%	5,394	150-2	100%	2020	35,962	2027			56,880							76,555
POLICE DEPT	1519	FORD F150	10	100,000	4% Gov	6%	1,865	150-21	100%	2018	31,091	2028							66,259			
POLICE DEPT	1502	NISSAN ALTIMA 4DF	10	100,000	4% Gov	15%	3,285	150-2	100%	2020	21,903	2030									44,707	
POLICE DEPT	1507	NISSAN ALTIMA 4DF	10	100,000	4% Gov	15%	3,285	150-2	100%	2020	21,903	2030									44,707	
POLICE DEPT	1513	NISSAN ALTIMA 4DF	10	100,000	4% Gov	15%	3,285	150-2	100%	2020	21,903	2030									44,707	
POLICE DEPT	1517	NISSAN ALTIMA 4DF	10	100,000	4% Gov	15%	3,285	150-2	100%	2020	21,903	2030									44,707	
POLICE DEPT	1521	NISSAN ALTIMA 4DF	10	100,000	4% Gov	15%	3,285	150-2	100%	2020	21,903	2030									44,707	
POLICE DEPT	PD2004	Cyvac	30	N/A	3% Gov	0%	-	150-21	100%	2000	22,195	2030										
POLICE DEPT	1537	RADAR TRAILER	30	N/A	4% Gov	13%	1,932	150-21	100%	2001	14,860	2031										
POLICE DEPT	1538	RADAR TRAILER	30	N/A	4% Gov	13%	-	150-21	100%	2003	0	2033		-								
POLICE DEPT	1596	FORD TRANSIT	15	100,000	4% Gov	6%	2,296	150-21	100%	2018	38,265	2033		66,617								
POLICE DEPT	1535	GMC TOPKICK BOM	25	100,000	4% Gov	10%	-	150-21	100%	2009	0	2034			-							
POLICE DEPT	1590	NABCO BOMB TRAII	30	N/A	5% Gov	13%	-	150-21	100%	2004	0	2034			-							
POLICE DEPT	1597	KENWORTH CSI VAI	25	100,000	4% Gov	10%	-	150-21	100%	2009	0	2034			-							
POLICE DEPT	1598	CHARMAC ROBOT T	30	N/A	4% Gov	13%	-	150-21	100%	2004	0	2034			-							
POLICE DEPT Total													475,367	824,442	1,117,201	344,676	783,839	570,766	560,127	912,111	1,214,745	1,747,187
PW ADMIN	3091	FORD FUSION	10	100,000	4% Ent	15%	2,826	660	100%	2016	18,840	2026					38,455					
PW ADMIN	1090	FORD FUSION 4 DO	12	100,000	4% Ent	15%	2,741	010-3141	100%	2014	18,274	2026							44,101			
PW ADMIN Total													-	-	-	-	38,455	-	44,101	-	-	-
PW BELKNAP	7312	KUBOTA FRONT DE	15	3,000	4% Ent	15%	2,385	503	100%	2007	15,900	2022						49,185				
PW BELKNAP	7409	FORD F250 EXT CAI	11	100,000	3% Ent	15%	3,763	513	100%	2011	25,084	2022		44,301								
PW BELKNAP	7412	FORD F250 W/SERV	12	100,000	4% Ent	15%	3,297	503	100%	2010	21,977	2022			53,037							
PW BELKNAP	7842	TOYOTA FORKLIFT	22	7,000	4% Ent	10%	1,798	513	100%	2000	17,975	2022										
PW BELKNAP	7360	TOYOTA FORKLIFT	24	1,000	4% Ent	10%	2,138	503	100%	1998	21,375	2022										
PW BELKNAP	7365	FORD F450XL 1 TON	23	80,000	4% Ent	15%	3,614	503	100%	1999	24,091	2022										
PW BELKNAP	7350	FORD F150 4X2 SUF	23	80,000	2% Ent	15%	383	503	100%	2000	2,552	2023										
PW BELKNAP	7345	30' DREDGE TRAILE	20	N/A	4% Ent	5%	150	503	100%	2003	3,000	2023										
PW BELKNAP	7908	TRAILER	10	N/A	4% Ent	10%	545	513	100%	2013	5,450	2023		11,397								
PW BELKNAP	7106	FORD RANGER REC	12	100,000	3% Ent	15%	2,187	513	100%	2011	14,577	2023				27,445						
PW BELKNAP	7201	FORD FUSION 4 DO	12	100,000	3% Ent	15%	2,723	513	100%	2011	18,150	2023				34,173						
PW BELKNAP	7405	CHEVY COLORADO	11	100,000	4% Ent	15%	2,677	503	100%	2012	17,849	2023			39,623							
PW BELKNAP	7417	FORD F150 2WD EX	10	100,000	4% Ent	15%	3,152	513	100%	2013	21,010	2023		42,884								
PW BELKNAP	7111	FORD TRANSIT CON	10	100,000	4% Ent	10%	2,070	513	100%	2013	20,696	2023		43,278								
PW BELKNAP	7101	FORD F250 PICKUP	14	100,000	4% Ent	15%	3,605	503	100%	2009	24,035	2023						68,469				
PW BELKNAP	7353	FORD F150 4X2 SUF	23	80,000	4% Ent	15%	2,706	513	100%	2000	18,040	2023										
PW BELKNAP	7322	FORD F250 4X4 W/S	14	100,000	4% Ent	15%	4,573	503	100%	2009	30,485	2023						86,843				
PW BELKNAP	7810	CHEVY 3/4T 4X4 EX	10	100,000	4% Ent	15%	7,453	513	100%	2013	49,686	2023		101,415								
PW BELKNAP	7925	CUMMINS POWER G	20		4% Ent	5%	1,582	513	100%	2003	31,635	2023										
PW BELKNAP	7476	CAT SKID STEER LO	23	2,000	4% Ent	15%	4,901	503	50%	2000	32,675	2023										
PW BELKNAP	7476	CAT SKID STEER LO	23	2,000	4% Ent	15%	4,901	513	50%	2000	32,675	2023										
PW BELKNAP	7414	IHC 8 YD TANDEM D	11	7,000	4% ent	15%	16,451	503	100%	2012	109,674	2023			243,467							
PW BELKNAP	7436	JOHN DEERE 710D I	24	7,000	4% Ent	15%	18,222	503	100%	1999	121,480	2023										
PW BELKNAP	7351	FLOATING DREDGE	20	7,000	5% Ent	5%	10,331	503	100%	2003	206,620	2023										
PW BELKNAP	7120	CHEVY MALIBU	16	100,000	4% ENT	15%	383	150-2	100%	2008	2,550	2024									8,563	
PW BELKNAP	7530	TOWMASTER 20' TR	17		4% Ent	15%	1,613	503	100%	2007	10,750	2024										39,176
PW BELKNAP	7303	JOHN DEERE 60" LA	21	5,000	4% Ent	15%	2,154	503	100%	2003	14,363	2024										
PW BELKNAP	7431	IR COMPRESSOR	26	7,000	4% Ent	15%	1,875	513	100%	1998	12,500	2024										
PW BELKNAP	7418	FORD F350 2WD W	10	100,000	3% Ent	10%	3,151	503	100%	2014	31,509	2024			53,758							
PW BELKNAP	7440	AIR COMPRESSOR	30	7,000	4% Ent	5%	1,125	503	100%	1994	22,500	2024										
PW BELKNAP	7304	CUMMINS POWER G	12	7,000	4% Ent	15%	15,911	503	100%	2012	106,075	2024					255,991					
PW BELKNAP	7437	FORD F900	33	7,000	4% Ent	10%	4,595	503	100%	1991	45,946	2024										
PW BELKNAP	7904	VACTOR SEWER JE	16	7,000	4% Ent	10%	40,000	513	100%	2008	266,014	2024									906,591	
PW BELKNAP	7370	SULLIVAN AIR COMI	25	7,000	4% Ent	10%	912	513	100%	2000	9,115	2025										
PW BELKNAP	7202	FORD FUSION 4 DO	14	100,000	3% Ent	15%	2,723	513	100%	2011	18,150	2025								38,803		
PW BELKNAP	7104	FORD F250 PICKUP	14	100,000	3% Ent	15%	3,475	513	100%	2011	23,165	2025								49,525		
PW BELKNAP	7324	FORD F150 4X4 XC	10	100,000	4% Ent	15%	3,885	502	100%	2015	25,903	2025				52,871						
PW BELKNAP	7502	FORD F350 4X2 FL/	10	100,000	4% Ent	15%	4,077	502	100%	2015	27,183	2025				55,484						
PW BELKNAP	7108	FORD F250 SRW 4)	10	100,000	4% Ent	15%	4,439	502	100%	2015	29,592	2025				60,401						
PW BELKNAP	7109	FORD F250 SRW 4)	10	100,000	4% Ent	15%	4,439	502	100%	2015	29,592	2025				60,401						
PW BELKNAP	7501	FORD F350 4X4 RE	10	100,000	4% Ent	15%	5,244	502	100%	2015	34,958	2025				71,354						
PW BELKNAP	7520	INGERSOL RAND AI	18	7,000	4% Ent	15%	3,959	503	100%	2007	26,393	2025										
PW BELKNAP	7411	WACHS VAC & VALV	13	N/A	4% ent	5%	1,558	503	100%	2012	31,168	2025							84,854			
PW BELKNAP	7424	FORD F350 4X4 XC	10	100,000	4% Ent	15%	6,338	502	100%	2015	42,252	2025				86,242						
PW BELKNAP	7907	BOBCAT S650 SKID	13	7,000	4% Ent	15%	6,141	512	100%	2012	40,939	2025							107,361			
PW BELKNAP	7905	POWER PRIME PUM	18	7,000	4% Ent	15%	5,535	513	100%	2007	36,898	2025										
PW BELKNAP	7515	TRAC STAR FUSION	19	7,000	4% Ent	15%	5,712	503	100%	2006	38,080	2025										

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PW BELKNAP	7510	NEW HOLLAND EXC	19	7,000	4% Ent	15%	8,364	503	100%	2006	55,763	2025										
PW BELKNAP	7313	CUMMINS GENERAT	16	7,000	4% Ent	10%	8,281	503	100%	2009	82,810	2025										282,221
PW BELKNAP	7413	IHC 8 YD TANDEM D	13	7,000	4% ent	15%	16,451	503	100%	2012	109,674	2025							287,617			
PW BELKNAP	7430	JOHN DEERE 710G	22	7,000	5% Ent	15%	13,871	513	100%	2003	92,470	2025										
PW BELKNAP	7450	JOHN DEERE 710G	22	7,000	5% Ent	15%	13,871	503	100%	2003	92,470	2025										
PW BELKNAP	7505	HAMMERHEAD HG1	19		4% Ent	15%	21,000	503	100%	2006	140,000	2025										
PW BELKNAP	7555	HAMMERHEAD POW	15	N/A	4% Ent	10%	18,600	513	100%	2010	186,000	2025									584,672	
PW BELKNAP	7116	WACHS	10		4% Ent	15%	2,441	502	100%	2016	16,270	2026					33,209					
PW BELKNAP	7323	FORD TRANSIT	10	100,000	4% Ent	15%	3,238	503	100%	2016	21,586	2026					44,061					
PW BELKNAP	7316	DODGE RAM 1500	10	100,000	4% Ent	15%	3,968	503	100%	2016	26,451	2026					53,990					
PW BELKNAP	7317	DODGE RAM 1500	10	100,000	4% Ent	15%	3,968	503	100%	2016	26,451	2026					53,990					
PW BELKNAP	7112	FORD F250 SRW 4)	10	100,000	4% Ent	15%	5,415	502	100%	2016	36,099	2026					73,683					
PW BELKNAP	7113	FORD F250 SRW 4)	10	100,000	4% Ent	15%	5,415	502	100%	2016	36,099	2026					73,683					
PW BELKNAP	7318	FORD F250 4X4	10	100,000	4% Ent	15%	5,736	503	100%	2016	38,241	2026					78,055					
PW BELKNAP	7340	JOHN DEERE TRAC	21	7,000	4% Ent	15%	5,529	503	100%	2005	36,858	2026										
PW BELKNAP	7373	ONAN GENERATOR	26	7,000	4% Ent	10%	3,250	503	100%	2000	32,500	2026										
PW BELKNAP	7565	MCELROY FUSION	10	N/A	4% Ent	15%	9,926	503	100%	2016	66,170	2026					135,061					
PW BELKNAP	7912	FREIGHTLINER VA(	10	7,000	4% Ent	15%	53,974	503	100%	2016	359,828	2026					734,453					
PW BELKNAP	7997	FREIGHTLINER VA(	10	7,000	4% Ent	11%	40,027	512	100%	2016	363,885	2026					757,289					
PW BELKNAP	7426	FORD F250 4X4	10	100000	4% ENT	15%	4,715	503	100%	2017	31,431	2027						64,155				
PW BELKNAP	7117	FORD F250 4X4	10	100000	4% ENT	15%	5,055	503	100%	2017	33,703	2027						68,792				
PW BELKNAP	7118	FORD F350 4X4	10	100000	4% ENT	15%	5,358	503	100%	2017	35,721	2027						72,911				
PW BELKNAP	7916	VOLVO 8YD DUMP	10	100000	4% ENT	15%	16,508	503	100%	2017	110,050	2027						224,626				
PW BELKNAP	7121	KUBOTA UTV	10	100,000	4% Ent	15%	1,571	513	100%	2018	10,475	2028							21,381			
PW BELKNAP	7326	KUBOTA UTV	10	100,000	4% Ent	15%	1,571	513	100%	2018	10,475	2028							21,381			
PW BELKNAP	7813	JD GATOR UTV	10	5,000	4% Ent	15%	2,819	513	100%	2018	18,792	2028							38,357			
PW BELKNAP	7814	JD GATOR UTV	10	5,000	4% Ent	15%	2,819	513	100%	2018	18,792	2028							38,357			
PW BELKNAP	7327	KUBOTA RTV	10	5,000	4% Ent	15%	2,864	513	100%	2018	19,095	2028							38,975			
PW BELKNAP	7149	FORD F250 W/SERV	10	100,000	4% Ent	15%	5,421	513	100%	2018	36,139	2028							73,764			
PW BELKNAP	7305	JD 1575 TERRAIN	10	7,000	4% Ent	15%	5,447	513	100%	2018	36,314	2028							74,121			
PW BELKNAP	7446	FORD F350 W/SERV	10	100,000	4% Ent	15%	5,505	513	100%	2018	36,699	2028							74,907			
PW BELKNAP	7344	FORD F350 W/SERV	10	100,000	4% Ent	15%	5,761	513	100%	2018	38,407	2028							78,394			
PW BELKNAP	7546	FORD F250 W/SERV	10	100,000	4% Ent	15%	5,761	513	100%	2018	38,407	2028							78,394			
PW BELKNAP	7486	FREIGHTLINER	10	7000	4% ENT	15%	27,069	503	100%	2018	180,462	2028							368,345			
PW BELKNAP	7995	RAPID VIEW	10	5,000	4% Ent	15%	29,517	513	100%	2018	196,781	2028							401,654			
PW BELKNAP	7917	FRTLINR VACTOR	10	7000	4% ENT	15%	54,794	503	100%	2018	365,290	2028							745,602			
PW BELKNAP	7802	KUBOTA F2690	10	3,000	4% Ent	15%	2,535	513	100%	2019	16,900	2029								34,495		
PW BELKNAP	7815	KUBOTA F2690	10	3,000	4% Ent	15%	2,535	513	100%	2019	16,900	2029								34,495		
PW BELKNAP	7550	KIEFER BUILT 45' TF	20		4% Ent	10%	1,298	502	100%	2009	12,980	2029										
PW BELKNAP	7143	DODGE RAM1500 4)	10	100,000	4% Ent	10%	2,575	502	100%	2019	25,754	2029								53,855		
PW BELKNAP	7320	DODGE RAM1500 4)	10	100,000	4% Ent	10%	2,575	502	100%	2019	25,754	2029								53,855		
PW BELKNAP	7811	SMITHCO	10	3,000	4% Ent	15%	5,708	513	100%	2019	38,055	2029								77,676		
PW BELKNAP	7114	FORD F250 4X4 PICI	10	100,000	4% Ent	10%	3,749	502	100%	2019	37,487	2029								78,390		
PW BELKNAP	7415	FORD F350 4X4 PICI	10	100,000	4% Ent	10%	3,955	512	100%	2019	39,551	2029								82,706		
PW BELKNAP	7851	FORD F250 4X4 EXT	10	100,000	4% Ent	10%	3,978	512	100%	2019	39,777	2029								83,179		
PW BELKNAP	7177	FORD F250 4X4 EXT	10	100,000	4% Ent	10%	4,011	502	100%	2019	40,113	2029								83,881		
PW BELKNAP	7909	FORD F250 4X4 EXT	10	100,000	4% Ent	10%	5,489	502	100%	2019	54,893	2029								114,788		
PW BELKNAP	7540	FORD F250 4X4 EXT	10	100,000	4% Ent	10%	6,599	502	100%	2019	65,987	2029								137,987		
PW BELKNAP	7484	FREIGHTLINER	10	100,000	4% Ent	15%	22,092	513	100%	2019	147,277	2029								300,610		
PW BELKNAP	7801	JOHN DEERE GATO	10		4% Ent	15%	1,500	513	100%	2020	10,000	2030									20,411	
PW BELKNAP	7115	NISSAN ALTIMA 4DF	10	100,000	4% Ent	15%	3,285	513	100%	2020	21,903	2030									44,707	
PW BELKNAP	3090	FORD TRANSIT CO	15	100,000	3% Ent	15%	3,268	660	100%	2015	21,784	2030										
PW BELKNAP	7846	DODGE 1500 4X4	10	100,000	5% ENT	35%	8,775	601	100%	2020	25,072	2030									61,655	
PW BELKNAP	7319	CHEVY MALIBU 4DR	30	80,000	4% Ent	15%	2,299	660	100%	2000	15,324	2030										
PW BELKNAP	7355	DODGE 3500 2WD V	10	100,000	4% Ent	15%	5,522	513	100%	2020	36,812	2030									75,138	
PW BELKNAP	7352	CHEVY 3500 4X4 EX	10	100,000	4% Ent	15%	6,290	513	100%	2020	41,932	2030									85,588	
PW BELKNAP	7408	CHEVY 3500 4X4 EX	10	100,000	4% Ent	15%	6,290	513	100%	2020	41,932	2030									85,588	
PW BELKNAP	7107	GENRAC GENERAT(	20	N/A	4% Ent	15%	5,220	513	100%	2012	34,800	2032	71,031									
PW BELKNAP	7812	HANCO GENERATC	20	7,000	4% Ent	15%	3,547	512	100%	2014	23,645	2034			48,262							
PW BELKNAP	7930	CAT 950 FRONTENI	15	8,000	4% Ent	15%	28,947	503	100%	2019	192,983	2034			318,604							
PW BELKNAP	7342	PJ DECKOVER	20	100,000	3% Ent	15%	1,199	513	100%	2018	7,993	2038							13,237			
PW BELKNAP Total													71,031	243,275	756,752	448,370	2,293,464	634,979	2,546,702	1,224,245	1,872,913	321,398
SOLID WASTE	0038	FORD F250 2WD W/	14	100,000	5% Ent	25%	1,781	601	100%	2008	7,125	2022					25,339					
SOLID WASTE	0141	AUTOCAR WATER T	18	15,000	3% Ent	5%	750	541	100%	2004	15,000	2022									42,724	
SOLID WASTE	0189	FREIGHTLINER ROL	8	7,000	4% Ent	15%	23,162	541	100%	2014	154,410	2022							372,638			
SOLID WASTE	0190	FREIGHTLINER ROL	8	7,000	4% Ent	15%	23,162	541	100%	2014	154,410	2022							372,638			
SOLID WASTE	0192	PTRBLT NEWAY FF	7	7,000	4% Ent	20%	45,034	541	100%	2015	225,169	2022					468,074					

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SOLID WASTE	0193	PTRBLT CURBTENI	7	7,000	4%	Ent	20%	53,040	541	100%	2015	265,202	2022					551,293					
SOLID WASTE	0195	AUTOCAR CNG HEI	7	10,000	3%	Ent	10%	26,464	541	100%	2015	264,638	2022					465,841					
SOLID WASTE	0261	CAT 836K COMPACT	3	10,000	4%	Ent	40%	431,273	541	100%	2019	1,078,183	2022			1,510,473			781,536				
SOLID WASTE	1392	SWENSON SLIDE-IN	12	N/A	3%	Ent	10%	240	211	100%	2011	2,400	2023				4,639						
SOLID WASTE	1292	SCHMIDT/WAUSAU	12	N/A	3%	Ent	10%	350	211	100%	2011	3,500	2023				6,765						
SOLID WASTE	1192	FRTLINER 10YD DUI	12	80,000	3%	Ent	10%	2,500	211	100%	2011	25,000	2023				48,320						
SOLID WASTE	0027	CHEVY 3/4 TON 4X4	10	100,000	4%	Ent	15%	3,830	541	100%	2013	25,533	2023		52,116								
SOLID WASTE	0250	KINCAID PRO HYDR	10	7,000	4%	Ent	15%	6,876	541	100%	2013	45,843	2023		93,571								
SOLID WASTE	0264	CAT SKIDSTEER	3	7500	4%	Ent	17%	14,044	541	100%	2020	82,610	2023	118,218			134,732			78,881			
SOLID WASTE	0265	CAT SKIDSTEER	3	7500	4%	Ent	17%	14,044	541	100%	2020	82,610	2023	118,218			134,732			78,881			
SOLID WASTE	0266	CAT SKIDSTEER	3	7500	4%	Ent	17%	14,044	541	100%	2020	82,610	2023	118,218			134,732			78,881			
SOLID WASTE	0058	PETERBUILT REARL	7	10,000	4%	Ent	10%	25,737	541	100%	2016	257,374	2023						560,758				
SOLID WASTE	0050	PETERBUILT NEWA	7	10,000	4%	Ent	10%	27,719	541	100%	2016	277,192	2023						603,937				
SOLID WASTE	0051	PETERBUILT NEW/	7	10,000	4%	Ent	10%	27,719	541	100%	2016	277,192	2023						603,937				
SOLID WASTE	0197	PETERBUILT CNG S	7	10,000	3%	Ent	10%	30,380	541	100%	2016	303,795	2023						534,769				
SOLID WASTE	0198	PETERBUILT CNG S	7	10,000	3%	Ent	10%	30,380	541	100%	2016	303,795	2023						534,769				
SOLID WASTE	0057	PETERBUILT NEWA	7	10,000	4%	Ent	10%	29,235	541	100%	2016	292,346	2023						636,954				
SOLID WASTE	0263	JOHN DEERE 950K I	3	10,000	4%	Ent	40%	200,843	541	100%	2020	502,107	2023	603,047			703,424			363,959			
SOLID WASTE	0254	CAT 966M	6	10000	4%	ENT	10%	38,712	541	100%	2017	387,118	2023				745,518						953,589
SOLID WASTE	0262	CAT 836K COMPACT	3	10,000	4%	Ent	40%	410,840	541	100%	2020	1,027,100	2023	1,233,580			1,438,909			744,508			
SOLID WASTE	0243	CAT 327G TWIN EN(	14	8,000	4%	Ent	20%	127,888	541	100%	2009	639,438	2023						1,789,597				
SOLID WASTE	0249	MONROE TRIPEDGE	30	0	4%	Ent	15%	75	802	100%	1994	500	2024										
SOLID WASTE	1391	SWENSON SLIDE-IN	13	N/A	3%	ENT	10%	1,200	211	100%	2011	12,000	2024						24,679				
SOLID WASTE	1291	SCHMIDT/WAUSAU	13	N/A	3%	ENT	10%	1,723	211	100%	2011	17,225	2024						35,425				
SOLID WASTE	0256	CAT SKIDSTEER	7	7500	4%	Ent	17%	8,411	541	100%	2017	49,475	2024							104,331			
SOLID WASTE	1191	FRTLINER 10YD DUI	13	80,000	3%	ENT	10%	13,384	211	100%	2011	133,839	2024						275,252				
SOLID WASTE	0260	CAT 938M LOADER	5	8,000	4%	Ent	10%	26,353	541	100%	2019	263,533	2024			448,255					551,080		
SOLID WASTE	0055	ATC	7	10000	4%	Ent	20%	63,111	541	100%	2017	315,556	2024							655,968			
SOLID WASTE	0056	AUTO CAR CURBTE	7	10,000	4%	Ent	10%	31,556	541	100%	2017	315,557	2024							687,526			
SOLID WASTE	0030	FORD F250 4X4 PIC	10	100,000	4%	Ent	10%	2,402	541	100%	2015	24,024	2025				50,237						
SOLID WASTE	0063	PETERBUILT	7	10000	4%	Ent	10%	24,712	541	100%	2018	247,122	2025	403,223							538,422		
SOLID WASTE	0074	AUTOCAR BRIDGEP	7	10,000	4%	Ent	10%	25,465	541	100%	2018	254,648	2025	415,503							554,819		
SOLID WASTE	0075	AUTOCAR BRIDGEP	7	10,000	4%	Ent	10%	25,465	541	100%	2018	254,648	2025	415,503							554,819		
SOLID WASTE	0194	AUTOCAR CNG HEI	10	10,000	3%	Ent	10%	25,013	541	100%	2015	250,126	2025				426,743						
SOLID WASTE	0070	PETERBUILT NEWA	7	10,000	4%	Ent	10%	26,006	541	100%	2018	260,060	2025	424,334							566,610		
SOLID WASTE	0071	PETERBUILT NEWA	7	10,000	4%	Ent	10%	26,006	541	100%	2018	260,060	2025	424,334							566,610		
SOLID WASTE	0072	PETERBUILT NEWA	7	10,000	4%	Ent	10%	26,006	541	100%	2018	260,060	2025	424,334							566,610		
SOLID WASTE	0073	PETERBUILT NEWA	7	10,000	4%	Ent	10%	26,006	541	100%	2018	260,060	2025	424,334							566,610		
SOLID WASTE	0066	PETERBUILT HEIL	7	10000	4%	Ent	8%	20,906	541	100%	2018	261,324	2025	431,623							574,591		
SOLID WASTE	0067	PETERBUILT HEIL	7	10000	4%	Ent	8%	20,906	541	100%	2018	261,324	2025	431,623							574,591		
SOLID WASTE	0068	PETERBUILT HEIL	7	10000	4%	Ent	8%	20,906	541	100%	2018	261,324	2025	431,623							574,591		
SOLID WASTE	0206	CHAMPION GRADEF	30	10,000	4%	Ent	15%	15,975	541	100%	1995	106,498	2025										
SOLID WASTE	0028	FORD F250 4X4 PIC	12	100,000	3.0%	Ent	15%	3,783	541	100%	2014	25,217	2026							47,478			
SOLID WASTE	0033	CHEVY 2500HD 4X4	10	100,000	4%	Ent	15%	4,330	541	100%	2016	28,869	2026					58,925					
SOLID WASTE	0069	PETERBUILT/HEIL	8	8,000	4%	Ent	15%	39,328	541	100%	2018	262,186	2026			451,742							
SOLID WASTE	0059	PETERBUILT REARL	10	10,000	4%	Ent	5%	12,525	541	100%	2016	250,490	2026					536,330					
SOLID WASTE	0060	PETERBUILT REARL	10	10,000	4%	Ent	5%	12,525	541	100%	2016	250,490	2026					536,330					
SOLID WASTE	0052	PETERBUILT REAR	10	12,000	4%	Ent	5%	12,882	541	100%	2016	257,648	2026					551,656					
SOLID WASTE	0053	PETERBUILT REAR	10	12,000	4%	Ent	5%	12,882	541	100%	2016	257,648	2026					551,656					
SOLID WASTE	0036	FORD F250 4X4 PIC	10	100,000	4%	Ent	5%	1,366	541	100%	2017	27,329	2027						58,515				
SOLID WASTE	0037	FORD F250 4X4 PIC	10	100,000	4%	Ent	5%	1,366	541	100%	2017	27,329	2027						58,515				
SOLID WASTE	0054	FREIGHTLINER	10	10000	4%	ENT	20%	32,830	541	100%	2017	164,151	2027						326,845				
SOLID WASTE	0258	CAT 316 EXCAVATO	10	12,000	4%	Ent	15%	32,212	541	100%	2017	214,745	2027						438,321				
SOLID WASTE	0191	PTRBLT LEACH RE/	12	12,000	4%	Ent	10%	20,443	541	100%	2015	204,432	2027								503,578		
SOLID WASTE	0076	PETERBUILT.CURBT	7	10,000	4%	Ent	10%	28,420	541	100%	2020	284,200	2027			463,722							619,206
SOLID WASTE	0077	PETERBUILT.CURBT	7	10,000	4%	Ent	10%	28,420	541	100%	2020	284,200	2027			463,722							619,206
SOLID WASTE	0078	PETERBUILT.CURBT	7	10,000	4%	Ent	10%	28,420	541	100%	2020	284,200	2027			463,722							619,206
SOLID WASTE	0079	PETERBUILT.CURBT	7	10,000	4%	Ent	10%	28,420	541	100%	2020	284,200	2027			463,722							619,206
SOLID WASTE	0080	PETERBUILT.CURBT	7	10,000	4%	Ent	10%	28,420	541	100%	2020	284,200	2027			463,722							619,206
SOLID WASTE	0081	PETERBUILT.CURBT	7	10,000	4%	Ent	10%	28,420	541	100%	2020	284,200	2027			463,722							619,206
SOLID WASTE	0082	PETERBUILT.CURBT	7	10,000	4%	Ent	10%	28,844	541	100%	2020	288,441	2027			470,642							628,446
SOLID WASTE	0219	HYDRAULIC SLIDE I	44	N/A	4%	Ent	5%	240	541	100%	1984	4,800	2028										
SOLID WASTE	0202	SWENSON SANDER	39	N/A	4%	Ent	10%	633	541	100%	1989	6,328	2028										
SOLID WASTE	90205	TWO STATION HIGH	29		4%	Ent	0%	-	541	100%	1999	10,661	2028										
SOLID WASTE	90209	REFUSE CONTAINE	29		4%	Ent	5%	622	541	100%	1999	12,430	2028										
SOLID WASTE	0026	CHEVY 4X4 CREW C	15	100,000	4%	Ent	15%	4,351	541	100%	2013	29,008	2028										
SOLID WASTE	0231	5YD DUMP TRUCK	36	70,000	4%	Ent	5%	750	541	100%	1992	15,000	2028										

FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. % g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,032	2,033	2,034	2,035	2,036	2,037	2,038	2,039	2,040	2,041
SOLID WASTE	0196	FREIGHTLINER GR.	15	10,000	3% Ent	20%	29,367	541	100%	2013	146,833	2028										
SOLID WASTE	0061	FREIGHTLINER	10	10000	4% Ent	10%	16,572	541	100%	2018	165,720	2028							346,541			
SOLID WASTE	0062	FREIGHTLINER	10	10000	4% Ent	10%	16,572	541	100%	2018	165,720	2028							346,541			
SOLID WASTE	0064	AUTOCAR HEIL	10	10000	4% Ent	8%	19,688	541	100%	2018	246,098	2028							519,543			
SOLID WASTE	0065	AUTOCAR HEIL	10	10000	4% Ent	8%	19,688	541	100%	2018	246,098	2028							519,543			
SOLID WASTE	0029	FORD FUSION SED	15	100,000	3.0% Ent	10%	1,872	541	100%	2014	18,724	2029										
SOLID WASTE	90208	ROTARY BROOM FC	30		4% Ent	10%	889	541	100%	1999	8,890	2029										
SOLID WASTE	0039	FORD F250 4X4 PIC	10	100,000	4% Ent	15%	4,356	541	100%	2019	29,038	2029								59,270		
SOLID WASTE	0020	FORD F550 SERVIC	10	10,000	4% Ent	10%	8,123	541	100%	2019	81,227	2029								169,856		
SOLID WASTE	0024	DODGE RAM 2500 4	10	100,000	4% Ent	10%	3,054	541	100%	2020	30,542	2030									63,867	
SOLID WASTE	0084	FREIGHTLINER ROL	10	10,000	4% Ent	5%	9,110	541	100%	2020	182,200	2030									390,113	
SOLID WASTE	0220	FREIGHTLINER 400(	10	10,000	4% Ent	10%	19,175	541	100%	2020	191,750	2030									400,973	
SOLID WASTE	0083	PETERBUILT HEIL R	10	10,000	4% Ent	10%	20,861	541	100%	2020	208,605	2030									436,219	
SOLID WASTE	0229	VOLVO EXCAVATOF	30	12,000	4% Ent	15%	20,380	541	100%	2000	135,868	2030										
SOLID WASTE	2067	LOADTRAIL TILT	15	N/A	4% Ent	5%	323	541	100%	2020	6,450	2035				11,294						
SOLID WASTE	0035	TOYOTA FORKLIFT	20	7,000	4% Ent	10%	4,679	541	100%	2016	46,786	2036					97,835					
SOLID WASTE	0025	DODGE RAM 5500 T	20	100,000	4% Ent	5%	4,120	541	100%	2019	82,408	2039								176,446		
SOLID WASTE	0217	TANK ROLLOFF 400	50	7,000	4% Ent	5%	1,152	541	100%	1995	23,040	2045										
SOLID WASTE Total													6,417,712	145,687	5,663,447	3,840,044	3,843,280	7,263,809	5,317,859	7,098,503	1,333,896	5,297,271
STREET/TRAFFIC	1365	GRACO LINE LAZER	10	N/A	4% ENT	15%	998	211	100%	2012	6,650	2022	13,573									
STREET/TRAFFIC	1227	FORD 3430 TRACTC	26	10,000	4% ENT	15%	1,394	211	100%	1996	9,296	2022										
STREET/TRAFFIC	1309	JOHN DEERE MOWI	13	7,000	4% ENT	15%	4,283	211	100%	2009	28,550	2022				74,872						
STREET/TRAFFIC	1170	Freightliner Roll Off	10	7,000	4% ENT	15%	24,375	211	100%	2012	162,501	2022	331,685									
STREET/TRAFFIC	1123	IHC AERIAL LIFT TR	10	7,000	5% ENT	4%	5,629	211	100%	2012	140,732	2022	367,775									
STREET/TRAFFIC	1222	FREIGHTLINER DE-I	25	60,000	4% ENT	15%	13,975	211	100%	1997	93,166	2022										
STREET/TRAFFIC	1317	GRACO	6	N/A	3% ENT	10%	752	211	100%	2017	7,520	2023				12,050						14,535
STREET/TRAFFIC	1360	GRACO GRIND &	6	N/A	3% ENT	10%	1,460	211	100%	2017	14,600	2023				23,396						28,219
STREET/TRAFFIC	1351	VARIABLE MESSAGI	12	N/A	4% ENT	15%	1,941	211	100%	2011	12,940	2023				31,228						
STREET/TRAFFIC	13001	VARIABLE MESSAGI	12	N/A	4% ENT	15%	1,941	211	100%	2011	12,940	2023				31,228						
STREET/TRAFFIC	1223	TRAILER W/ 1998 ST	35	0	4% ENT	15%	1,125	211	100%	1988	7,500	2023										
STREET/TRAFFIC	1318	AIR COMPRESSOR	31	4,000	4% ENT	15%	1,359	211	100%	1992	9,060	2023										
STREET/TRAFFIC	1101	FORD 3/4 TON W/LI	10	100,000	4% ENT	15%	3,704	211	100%	2013	24,691	2023		50,397								
STREET/TRAFFIC	1305	INGERSALL RAND A	34	4,000	4% ENT	15%	1,398	211	100%	1989	9,320	2023										
STREET/TRAFFIC	1109	GMC VAN	18		6% ENT	15%	1,931	211	100%	2005	12,870	2023										102,925
STREET/TRAFFIC	1113	CHEVY 2500 4X4 W/	10	100,000	4% ENT	15%	4,701	211	100%	2013	31,338	2023		63,965								
STREET/TRAFFIC	1115	FORD F350 4X4 W/F	12	100,000	4% ENT	15%	4,499	211	100%	2011	29,995	2023				72,387						
STREET/TRAFFIC	1116	FORD F350 4X4 W/F	12	100,000	4% ENT	15%	4,574	211	100%	2011	30,495	2023				73,594						
STREET/TRAFFIC	1230	NEW HOLLAND TL9(	23	10,000	4% ENT	15%	2,882	211	100%	2000	19,216	2023										
STREET/TRAFFIC	1396	OSHKOSH H SERIES	40		4% ENT	10%	1,000	211	100%	1983	10,000	2023										
STREET/TRAFFIC	1201	CASE 721E LOADER	13	8,000	4% ENT	15%	20,524	211	100%	2010	136,828	2023					358,827					
STREET/TRAFFIC	1203	ASPHALT ROLLER,	28	6,000	4% ENT	15%	3,491	211	100%	1995	23,275	2023										
STREET/TRAFFIC	1232	FREIGHTLINER DE-I	22	60,000	4% ENT	15%	13,050	211	100%	2001	87,000	2023										
STREET/TRAFFIC	1196	FORD F750 DOUBLE	12	80,000	4% ENT	15%	20,195	211	100%	2011	134,633	2023				324,910						
STREET/TRAFFIC	1197	FORD F750 DOUBLE	12	80,000	4% ENT	15%	20,195	211	100%	2011	134,633	2023				324,910						
STREET/TRAFFIC	1121	FREIGHTLINER/VER	21	7,000	4% ENT	15%	16,736	211	100%	2002	111,576	2023										
STREET/TRAFFIC	1250	FREIGHTLINER/ELC	9	7,000	4% ENT	10%	20,244	211	100%	2014	202,443	2023	389,868									563,473
STREET/TRAFFIC	1246	Freightliner/Elgin Bro	11	7,000	4% ENT	15%	29,275	211	100%	2012	195,167	2023			433,255							
STREET/TRAFFIC	1245	FREIGHTLINER.ELG	12	7,000	4% ENT	15%	28,693	211	100%	2011	191,289	2023				461,639						
STREET/TRAFFIC	1234	BOMAG MILLING MA	12	7,000	4% ENT	15%	44,169	211	100%	2011	294,458	2023				710,617						
STREET/TRAFFIC	1315	HI-WAY SLIDE-IN PI(	14	N/A	4% ENT	10%	-	211	100%	2010		2024							-			
STREET/TRAFFIC	1344	PORTABLE SOLAR /	25	N/A	4% ENT	15%	823	211	100%	1999	5,485	2024										
STREET/TRAFFIC	1337	HOTSY STEAMER	14	N/A	4% ENT	5%	425	211	100%	2010	8,495	2024							25,049			
STREET/TRAFFIC	1386	TREE SPADE SKIDS	17	N/A	4% ENT	15%	1,760	211	100%	2007	11,736	2024										42,770
STREET/TRAFFIC	1324	ISUZU PAINT STRIP	20	4,000	5% ENT	50%	5,000	211	100%	2004	10,000	2024										
STREET/TRAFFIC	1343	TORO 7200 ZERO TI	13	4,000	4% ENT	15%	2,518	211	100%	2011	16,784	2024						44,016				
STREET/TRAFFIC	1237	BOBCAT UTV 3400	13		4% ENT	15%	2,723	211	100%	2011	18,150	2024						47,598				
STREET/TRAFFIC	1393	TORO 7210 MOWEI	10	3,000	4% ENT	10%	2,046	211	100%	2014	20,464	2024			42,793							
STREET/TRAFFIC	1385	ROCK WHEEL SKID!	17	N/A	4% ENT	15%	2,384	211	100%	2007	15,890	2024										57,908
STREET/TRAFFIC	1333	EAGER BEAVER PA'	22	7,000	4% ENT	15%	1,931	211	100%	2002	12,870	2024										
STREET/TRAFFIC	1210	BOBCAT MINI TRAC	10	7,000	4% ENT	15%	3,311	211	100%	2014	22,071	2024			45,050							
STREET/TRAFFIC	1226	FLAIL MOWER	16		4% ENT	10%	1,802	211	100%	2008	18,015	2024									61,396	
STREET/TRAFFIC	1220	FORD 1520 MOWER	30	10,000	4% ENT	15%	1,761	211	100%	1994	11,742	2024										
STREET/TRAFFIC	1388	CP AIR COMPRESS(	12	7,000	4% ENT	15%	4,674	211	100%	2012	31,160	2024					75,199					
STREET/TRAFFIC	1323	VERMEER BRUSH C	25	4,000	4% ENT	15%	2,970	211	100%	1999	19,800	2024										
STREET/TRAFFIC	1235	BOBCAT 220 SKIDS'	15	7,000	4% ENT	15%	5,080	211	100%	2009	33,868	2024								104,767		
STREET/TRAFFIC	1119	FORD 1TON SERVIC	27	80,000	4% ENT	15%	3,465	211	100%	1997	23,098	2024										
STREET/TRAFFIC	1224	IHC DE-ICE UNIT	24	60,000	4% ENT	15%	8,733	211	100%	2000	58,218	2024										

FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. %	g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,032	2,033	2,034	2,035	2,036	2,037	2,038	2,039	2,040	2,041
STREET/TRAFFIC	1233	JOHN DEERE BACK	28	7,000	4%	ENT	15%	10,483	211	100%	1996	69,887	2024										
STREET/TRAFFIC	1202	KOMATSU 4YD LOA	24	7,000	4%	ENT	15%	14,553	211	100%	2000	97,020	2024										
STREET/TRAFFIC	1248	FREIGHTLINER/ELG	11	7,000	4%	ENT	15%	30,989	211	100%	2013	206,593	2024				458,620						
STREET/TRAFFIC	1387	LOADTRAIL TRAILEI	15	N/A	4%	ENT	10%	570	211	100%	2010	5,695	2025									17,902	
STREET/TRAFFIC	1319	GRACO LINE LAZEI	10	N/A	5%	ENT	15%	1,078	211	100%	2015	7,188	2025				17,994						
STREET/TRAFFIC	1366	BACKHOE ATTACHM	25	0	4%	ENT	15%	1,307	211	100%	2000	8,716	2025										
STREET/TRAFFIC	1347	HYDRAULIC BREAK	25	N/A	4%	ENT	1%	86	211	100%	2000	8,590	2025										
STREET/TRAFFIC	1103	FORD F250 REG CA	15	100,000	4%	ENT	10%	1,727	211	100%	2010	17,272	2025									54,293	
STREET/TRAFFIC	1353	SLIDE IN DE-ICE TA	20	0	4%	ENT	15%	2,376	211	100%	2005	15,840	2025										
STREET/TRAFFIC	1104	CHEVY 3/4 TON PIC	17	80,000	4%	ENT	15%	2,726	211	100%	2008	18,170	2025										
STREET/TRAFFIC	1110	FORD F150 4X4 XC	10	100,000	4%	ENT	15%	3,885	211	100%	2015	25,903	2025				52,871						
STREET/TRAFFIC	1107	FORD F350 DUALL	10	100,000	4%	ENT	15%	4,061	211	100%	2015	27,070	2025				55,253						
STREET/TRAFFIC	1127	FORD F250 PICKUP	13	100,000	4%	ENT	10%	2,447	211	100%	2012	24,471	2025							65,398			
STREET/TRAFFIC	1166	FORD F350 4X2 DU	10	100,000	4%	ENT	15%	4,707	211	100%	2015	31,382	2025				64,055						
STREET/TRAFFIC	1168	FORD F350 4X2 DU	10	100,000	4%	ENT	15%	4,707	211	100%	2015	31,382	2025				64,055						
STREET/TRAFFIC	1143	WEILER PAVER	10	100,000	4%	ENT	15%	22,136	211	100%	2015	147,574	2025				301,217						
STREET/TRAFFIC	1211	CASE 721F WHEEL	10	7,000	4%	ENT	15%	23,146	211	100%	2015	154,305	2025				314,956						
STREET/TRAFFIC	1229	FREIGHTLINER 2 TC	25	7,000	4%	ENT	15%	13,131	211	100%	2000	87,542	2025										
STREET/TRAFFIC	1243	FREIGHTLINER	8	7000	4%	ENT	15%	35,850	211	100%	2017	239,000	2025		411,793								576,780
STREET/TRAFFIC	1238	FREIGHTLINER VA(	10	7,000	4%	ENT	10%	32,056	211	100%	2015	320,556	2025				670,322						
STREET/TRAFFIC	1239	FREIGHTLINER VA(	10	7,000	4%	ENT	10%	32,056	211	100%	2015	320,556	2025				670,322						
STREET/TRAFFIC	1207	FORD STERLING PC	20	10,000	4%	ENT	30%	3,000	211	100%	2006	10,000	2026										
STREET/TRAFFIC	1111	FORD F350 4X4	10	100,000	4%	ENT	15%	5,640	211	100%	2016	37,598	2026					76,742					
STREET/TRAFFIC	1164	FORD F350 DUMP	10	100,000	4%	ENT	10%	4,062	211	100%	2016	40,620	2026					84,941					
STREET/TRAFFIC	1311	LARUE D50 SNOW	10	7,000	4%	ENT	10%	12,854	211	100%	2016	128,542	2026					268,797					
STREET/TRAFFIC	1122	FREIGHTLINER	10	7,000	4%	ENT	15%	23,195	211	100%	2016	154,635	2026					315,629					
STREET/TRAFFIC	1198	FREIGHTLINER DUI	12	100,000	4%	ENT	10%	15,397	211	100%	2014	153,970	2026							379,275			
STREET/TRAFFIC	1199	FREIGHTLINER DUM	12	100,000	4%	ENT	10%	15,397	211	100%	2014	153,970	2026							379,275			
STREET/TRAFFIC	1244	FREIGHTLINER BRC	7	7,000	4%	ENT	15%	34,028	211	100%	2019	226,850	2026		358,803							482,911	
STREET/TRAFFIC	1252	FREIGHTLINER SCH	7	7,000	4%	ENT	10%	24,181	211	100%	2019	241,806	2026		394,549							526,839	
STREET/TRAFFIC	1105	FORD F150 XCAB	10	100000	4%	ENT	15%	3,835	211	100%	2017	25,565	2027						52,181				
STREET/TRAFFIC	1162	DODGE 1TON	10	100000	4%	ENT	15%	5,658	211	100%	2017	37,723	2027						76,997				
STREET/TRAFFIC	1155	FREIGHTLINER CRA	15	7,000	4%	ENT	15%	15,658	211	100%	2012	104,384	2027										
STREET/TRAFFIC	1249	FREIGHTLINER BRC	7	N/A	3%	ENT	10%	24,794	211	100%	2020	247,939	2027			350,236							436,446
STREET/TRAFFIC	1295	WASAU	10	N/A	4%	ENT	15%	1,199	211	100%	2018	7,991	2028							16,311			
STREET/TRAFFIC	1350	SOLAR MESSAGE	10	N/A	4%	ENT	15%	2,003	211	100%	2018	13,355	2028							27,259			
STREET/TRAFFIC	1397	SWENSON	10	N/A	4%	ENT	15%	2,130	211	100%	2018	14,203	2028							28,990			
STREET/TRAFFIC	1398	SWENSON	10	N/A	4%	ENT	15%	2,130	211	100%	2018	14,203	2028							28,990			
STREET/TRAFFIC	1277	SNOW PLOW	10	N/A	4%	ENT	15%	2,268	211	100%	2018	15,120	2028							30,862			
STREET/TRAFFIC	1278	SNOW PLOW	10	N/A	4%	ENT	15%	2,268	211	100%	2018	15,120	2028							30,862			
STREET/TRAFFIC	1354	SANDER - SLIDE-IN	10	N/A	4%	ENT	15%	2,355	211	100%	2018	15,700	2028							32,046			
STREET/TRAFFIC	1285	SCHMIDT/WASAU	10	N/A	4%	ENT	15%	2,717	211	100%	2018	18,114	2028							36,973			
STREET/TRAFFIC	1293	SCHMIDT/WASAU	10	N/A	4%	ENT	15%	2,717	211	100%	2018	18,114	2028							36,973			
STREET/TRAFFIC	1280	SNOW PLOW	10	N/A	4%	ENT	15%	2,994	211	100%	2018	19,960	2028							40,741			
STREET/TRAFFIC	1128	DODGE RAM 3500	10	N/A	4%	ENT	15%	5,548	211	100%	2018	36,986	2028							75,493			
STREET/TRAFFIC	1129	DODGE RAM 3500	10	N/A	4%	ENT	15%	5,548	211	100%	2018	36,986	2028							75,493			
STREET/TRAFFIC	1154	FREIGHTLINER 12YI	10	100,000	4%	ENT	15%	20,151	211	100%	2018	134,340	2028							274,204			
STREET/TRAFFIC	1184	Chevy 1 ton dump tru	10	100,000	4%	ENT	15%	20,457	211	100%	2018	136,380	2028							278,368			
STREET/TRAFFIC	1185	Chevy 1 ton dump tru	10	100,000	4%	ENT	15%	20,457	211	100%	2018	136,380	2028							278,368			
STREET/TRAFFIC	1193	FREIGHTLINER	10	100,000	4%	ENT	15%	22,283	211	100%	2018	148,552	2028							303,213			
STREET/TRAFFIC	1194	FRTLNR TANDEM	10	100,000	4%	ENT	15%	23,481	211	100%	2018	156,543	2028							319,524			
STREET/TRAFFIC	1282	HENKE V-SNOWPLC	10	100,000	4%	ENT	15%	2,688	211	100%	2019	17,919	2029								36,575		
STREET/TRAFFIC	1283	HENKE V-SNOWPLC	10	100,000	4%	ENT	15%	2,688	211	100%	2019	17,919	2029								36,575		
STREET/TRAFFIC	1289	HENKE V-SNOWPLC	10	100,000	4%	ENT	15%	2,688	211	100%	2019	17,919	2029								36,575		
STREET/TRAFFIC	1165	FORD F350 DUMP T	10	100,000	4%	ENT	15%	5,789	211	100%	2019	38,596	2029								78,779		
STREET/TRAFFIC	1346	SCAG ZERO TURN M	10	N/A	4%	ENT	15%	1,709	211	100%	2020	11,390	2030									23,248	
STREET/TRAFFIC	1303	GRAPPLE ATCMT 12	20	N/A	4%	ENT	10%	769	211	100%	2010	7,687	2030										
STREET/TRAFFIC	1352	VARIABLE MESSAGI	10	N/A	4%	ENT	15%	2,182	211	100%	2020	14,545	2030									29,688	
STREET/TRAFFIC	1353	VARIABLE MESSAGI	10	N/A	4%	ENT	15%	2,182	211	100%	2020	14,545	2030									29,688	
STREET/TRAFFIC	1356	SWENSON SLIDE-IN	10	N/A	3%	ENT	10%	3,100	211	100%	2020	31,000	2030									52,889	
STREET/TRAFFIC	1256	SCHMIDT/WAUSAU	10	N/A	3%	ENT	10%	3,280	211	100%	2020	32,800	2030									55,960	
STREET/TRAFFIC	1112	DODGE RAM 3500 R	10	100,000	4%	ENT	15%	5,394	211	100%	2020	35,961	2030									73,401	
STREET/TRAFFIC	1169	DODGE RAM 3500 D	10	100,000	4%	ENT	15%	6,070	211	100%	2020	40,464	2030									82,592	
STREET/TRAFFIC	1118	DODGE RAM 5500 S	10	100,000	4%	ENT	15%	10,151	211	100%	2020	67,670	2030									138,123	
STREET/TRAFFIC	1182	FREIGHTLINER DUM	10	100,000	4%	ENT	15%	20,919	211	100%	2020	139,463	2030									284,661	
STREET/TRAFFIC	1183	FREIGHTLINER DUM	10	100,000	4%	ENT	15%	20,919	211	100%	2020	139,463	2030									284,661	
STREET/TRAFFIC	1189	FREIGHTLINER DUM	10	100,000	4%	ENT	15%	20,919	211	100%	2020	139,463	2030									284,661	

FY 2021 Equipment Replacement Worksheets

Sub-totaled by Department

Department Name	Unit.	Description	Est. Life	Repl. Meter	Repl. %	g/p	Salv. %	Salv. Amt	Fund	Fund %	Year	Purch. Cost	Repl. Year	2,032	2,033	2,034	2,035	2,036	2,037	2,038	2,039	2,040	2,041
STREET/TRAFFIC	1150	FREIGHTLINER TAN	10	100,000	4%	ENT	15%	20,940	211	100%	2020	139,601	2030									284,943	
STREET/TRAFFIC	1124	FREIGHTLINER ROL	10	100,000	4%	ENT	15%	27,306	211	100%	2020	182,042	2030									371,570	
STREET/TRAFFIC	1228	KENWORTH POTHC	10	100,000	4%	ENT	15%	35,165	211	100%	2020	234,433	2030									478,507	
STREET/TRAFFIC	1212	CAT 140AWP GRAD	10	N/A	4%	ENT	15%	41,400	211	100%	2020	276,000	2030									563,350	
STREET/TRAFFIC	1213	CAT 140AWP GRAD	10	N/A	4%	ENT	15%	41,400	211	100%	2020	276,000	2030									563,350	
STREET/TRAFFIC	1307	PETERBUILT PAINT	10	100,000	4%	ENT	15%	44,464	211	100%	2020	296,424	2030									605,038	
STREET/TRAFFIC	1358	SWENSON SLIDE-IN	10	N/A	3%	ENT	5%	1,550	211	100%	2021	31,000	2031										54,439
STREET/TRAFFIC	1258	SCHMIDT/WAUSAU	10	N/A	3%	ENT	5%	1,640	211	100%	2021	32,800	2031										57,600
STREET/TRAFFIC	1158	FREIGHTLINER TAN	10	N/A	4%	ENT	15%	4,920	211	100%	2021	32,800	2031										66,949
STREET/TRAFFIC	1186	FREIGHTLINER	15	100,000	4%	ENT	15%	20,381	211	100%	2016	135,873	2031										
STREET/TRAFFIC	1187	FREIGHTLINER	15	100,000	4%	ENT	15%	20,381	211	100%	2016	135,873	2031										
STREET/TRAFFIC	1200	CAT 12M3AWD	15	7,000	4%	ENT	15%	37,703	211	100%	2016	251,350	2031										
STREET/TRAFFIC	7421	HENDERSON	20	N/A	4%	ENT	5%	510	211	100%	2012	10,200	2032	21,839									
STREET/TRAFFIC	7423	HENDERSON	20	N/A	4%	ENT	5%	510	211	100%	2012	10,200	2032	21,839									
STREET/TRAFFIC	1298	MONROE SNOW PL	18	N/A	4%	ENT	15%	2,212	211	100%	2014	14,744	2032	27,657									
STREET/TRAFFIC	1299	MONROE SNOW PL	18	N/A	4%	ENT	15%	2,212	211	100%	2014	14,744	2032	27,657									
STREET/TRAFFIC	1296	WAUSAU SNOW PL	20	N/A	3%	ENT	5%	1,092	211	100%	2012	21,844	2032	38,360									
STREET/TRAFFIC	1297	WASAU SNOW PLO	20	N/A	3%	ENT	5%	1,092	211	100%	2012	21,844	2032	38,360									
STREET/TRAFFIC	7420	WAUSAU SNOW	20	100,000	4%	ENT	5%	1,092	211	100%	2012	21,844	2032	46,771									
STREET/TRAFFIC	7422	WAUSAU SNOW	20	N/A	4%	ENT	5%	1,092	211	100%	2012	21,844	2032	46,771									
STREET/TRAFFIC	1301	LARUE SNOW BLOV	20	7,000	3%	ENT	15%	18,330	211	100%	2012	122,198	2032	202,373									
STREET/TRAFFIC	1313	LARUE D60 SNOW E	15	7,000	4%	ENT	15%	27,760	211	100%	2019	185,065	2034			305,532							
STREET/TRAFFIC	1204	CAT 950 FRONTEND	15	8,000	4%	ENT	15%	28,947	211	100%	2019	192,983	2034			318,604							
STREET/TRAFFIC	1206	CAT 950 FRONTEND	15	8,000	4%	ENT	15%	28,947	211	100%	2019	192,983	2034			318,604							
STREET/TRAFFIC	1236	CASE SKID STEER L	40	7,000	4%	ENT	15%	3,394	211	100%	1995	22,629	2035				105,250						
STREET/TRAFFIC	1218	HAMM HD13 ROLLE	20	7,000	4%	ENT	15%	9,660	211	100%	2015	64,400	2035				131,448						
STREET/TRAFFIC	1171	VOLVO TRUCK/TRA	20	80,000	4%	ENT	15%	15,790	211	100%	2015	105,267	2035				214,863						
STREET/TRAFFIC	1286	HENKE V-PLOW	20		4%	ENT	5%	800	211	100%	2016	16,000	2036					34,258					
STREET/TRAFFIC	1287	HENKE V-PLOW	20		4%	ENT	5%	800	211	100%	2016	16,000	2036					34,258					
STREET/TRAFFIC	1254	FREIGHTLINER	20	N/A	4%	ENT	15%	20,305	211	100%	2016	135,369	2036					276,305					
STREET/TRAFFIC	1205	CAT 12M3AWD	20	7,000	4%	ENT	15%	37,703	211	100%	2016	251,350	2036					513,036					
STREET/TRAFFIC Total														1,574,530	1,279,507	1,814,073	5,262,054	2,037,993	220,792	2,763,667	293,271	5,349,672	2,002,044
Grand Total														9,355,498	8,136,603	10,042,148	16,861,220	9,659,221	12,379,136	13,782,621	16,526,215	13,684,955	13,114,572

Governmental Funds
Equipment Replacement 20-Year Funding Estimate Worksheet

Est. 640 Balance as of 06/30/21 **5,900,000**

	20 Yr. Total	2022	2023	2024	2025	2026	2027	2028	2029
Est. Expense	44,323,768	1,790,072	2,292,198	3,456,534	2,129,151	2,735,695	1,398,788	651,693	1,550,890

	2,022	2,023	2,024	2,025	2,026	2,027	2,028	2,029
Est. Beg Balance	5,900,000	5,666,178	4,968,242	3,140,501	2,666,201	1,621,565	1,945,766	3,059,261
Est. Transfers in	1,512,000	1,551,766	1,591,531	1,631,297	1,671,062	1,710,828	1,750,594	1,790,359
Est. Interest	44,250	42,496	37,262	23,554	19,997	12,162	14,593	22,944
Est. Yearly Expense	(1,790,072)	(2,292,198)	(3,456,534)	(2,129,151)	(2,735,695)	(1,398,788)	(651,693)	(1,550,890)
Est. Ending Balance	5,666,178	4,968,242	3,140,501	2,666,201	1,621,565	1,945,766	3,059,261	3,321,674

Estimated Contributions by Fund

Fund	2022	2023	2024	2025	2026	2027	2028	2029
010/871&2 Parks/Rec	306,800	314,869	322,938	331,006	339,075	347,144	355,213	363,282
010-4300 Code Enforcement	13,047	13,390	13,733	14,076	14,420	14,763	15,106	15,449
General Fund Total	**319,847**	**328,259**	**336,671**	**345,083**	**353,495**	**361,907**	**370,319**	**378,731**
150 Animal Shelter	19,180	19,684	20,189	20,693	21,197	21,702	22,206	22,711
150 Fire	682,673	700,627	718,581	736,535	754,490	772,444	790,398	808,353
150 Police	448,592	460,390	472,188	483,986	495,784	507,582	519,380	531,178
Public Safety Total	**1,150,445**	**1,180,701**	**1,210,958**	**1,241,215**	**1,271,471**	**1,301,728**	**1,331,985**	**1,362,241**
240 Planning	3,712	3,810	3,907	4,005	4,102	4,200	4,298	4,395
260 Library	36,869	37,838	38,808	39,778	40,747	41,717	42,686	43,656
290 CDBG	1,128	1,158	1,187	1,217	1,247	1,276	1,306	1,336
Total Governmental	**1,512,000**	**1,551,766**	**1,591,531**	**1,631,297**	**1,671,062**	**1,710,828**	**1,750,594**	**1,790,359**

Governmental Funds
Equipment Replacement 20-Year Funding Estimate Worksheet

Est. 640 Balance as of 06/30/21 **5,900,000**

	20 Yr. Total	2030	2031
Est. Expense	44,323,768	1,038,143	1,659,817

	2,030	2,031
Est. Beg Balance	3,321,674	4,138,568
Est. Transfers in	1,830,125	1,869,890
Est. Interest	24,913	31,039
Est. Yearly Expense	(1,038,143)	(1,659,817)
Est. Ending Balance	4,138,568	4,379,681

Estimated Contributions by Fund

Fund	2030	2031
010/871&2 Parks/Rec	371,351	379,419
010-4300 Code Enforcement	15,792	16,135
General Fund Total	**387,143**	**395,555**
150 Animal Shelter	23,215	23,720
150 Fire	826,307	844,261
150 Police	542,976	554,774
Public Safety Total	**1,392,498**	**1,422,755**
240 Planning	4,493	4,591
260 Library	44,626	45,595
290 CDBG	1,365	1,395
Total Governmental	**1,830,125**	**1,869,890**

Governmental Funds
Equipment Replacement 20-Year Funding Estimate Worksheet

Est. 640 Balance as of 06/30/21 **5,900,000**

	20 Yr. Total	2032	2033	2034	2035	2036	2037	2038	2039
Est. Expense	44,323,768	1,196,342	1,465,150	1,674,896	4,100,126	1,000,596	822,238	1,830,131	5,926,107

	2,032	2,033	2,034	2,035	2,036	2,037	2,038	2,039
Est. Beg Balance	4,379,681	5,125,843	5,648,558	6,005,214	3,979,080	5,077,046	6,401,369	6,767,498
Est. Transfers in	1,909,656	1,949,422	1,989,187	2,028,953	2,068,718	2,108,484	2,148,250	2,188,015
Est. Interest	32,848	38,444	42,364	45,039	29,843	38,078	48,010	50,756
Est. Yearly Expense	(1,196,342)	(1,465,150)	(1,674,896)	(4,100,126)	(1,000,596)	(822,238)	(1,830,131)	(5,926,107)
Est. Ending Balance	5,125,843	5,648,558	6,005,214	3,979,080	5,077,046	6,401,369	6,767,498	3,080,163

Estimated Contributions by Fund

Fund	2032	2033	2034	2035	2036	2037	2038	2039
010/871&2 Parks/Rec	387,488	395,557	403,626	411,695	419,764	427,832	435,901	443,970
010-4300 Code Enforcement	16,478	16,822	17,165	17,508	17,851	18,194	18,537	18,880
General Fund Total	**403,967**	**412,379**	**420,791**	**429,203**	**437,615**	**446,027**	**454,439**	**462,851**
150 Animal Shelter	24,224	24,728	25,233	25,737	26,242	26,746	27,251	27,755
150 Fire	862,215	880,170	898,124	916,078	934,033	951,987	969,941	987,895
150 Police	566,572	578,370	590,168	601,966	613,764	625,562	637,360	649,158
Public Safety Total	**1,453,011**	**1,483,268**	**1,513,525**	**1,543,781**	**1,574,038**	**1,604,295**	**1,634,552**	**1,664,808**
240 Planning	4,688	4,786	4,883	4,981	5,079	5,176	5,274	5,372
260 Library	46,565	47,535	48,504	49,474	50,444	51,413	52,383	53,353
290 CDBG	1,425	1,454	1,484	1,514	1,543	1,573	1,603	1,632
Total Governmental	**1,909,656**	**1,949,422**	**1,989,187**	**2,028,953**	**2,068,718**	**2,108,484**	**2,148,250**	**2,188,015**

Governmental Funds
Equipment Replacement 20-Year Funding Estimate Worksheet

Est. 640 Balance as of 06/30/21	**5,900,000**

	20 Yr. Total	2040	2041
Est. Expense	44,323,768	4,216,884	3,388,318

	2,040	2,041
Est. Beg Balance	3,080,163	1,114,161
Est. Transfers in	2,227,781	2,271,326
Est. Interest	23,101	8,356
Est. Yearly Expense	(4,216,884)	(3,388,318)
Est. Ending Balance	1,114,161	5,525

Estimated Contributions by Fund

Fund	2040	2041
010/871&2 Parks/Rec	452,039	460,875
010-4300 Code Enforcement	19,224	19,599
General Fund Total	**471,263**	**480,474**
150 Animal Shelter	28,259	28,812
150 Fire	1,005,850	1,025,511
150 Police	660,956	673,875
Public Safety Total	**1,695,065**	**1,728,198**
240 Planning	5,469	5,576
260 Library	54,322	55,384
290 CDBG	1,662	1,694
Total Governmental	**2,227,781**	**2,271,326**

Governemental Contributions Comparison

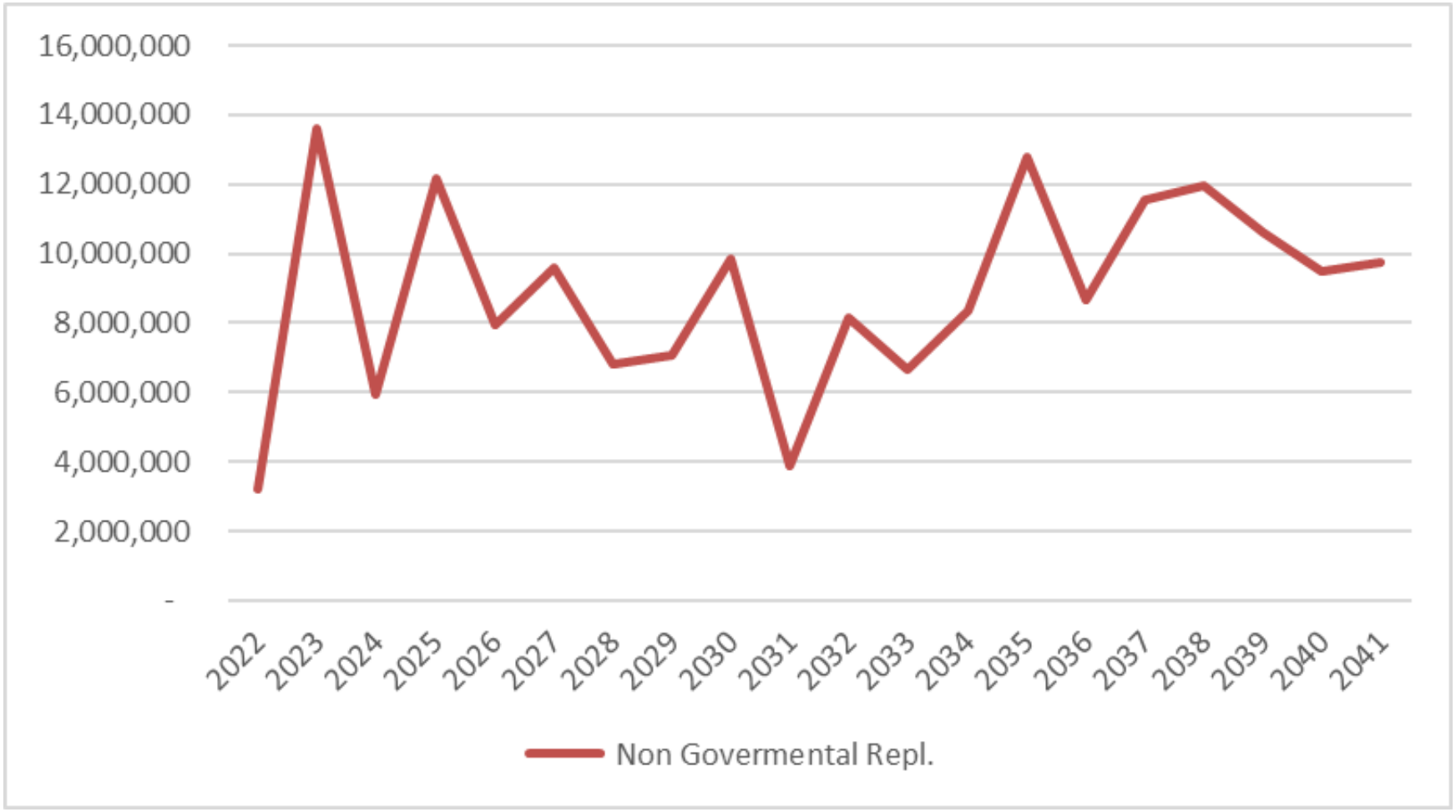
Estimated Contributions by Fund

Fund	2021	2022	Difference
010/873 Parks/Rec	270,884	306,800	35,916
0100-4300 Code Enforcement	5,972	13,047	7,075
General Fund Total	**268,402**	**319,847**	**51,445**
1500 Animal Shelter	14,782	19,180	4,398
1500 Fire	607,661	682,673	75,012
1500 Police	397,536	448,592	51,056
Public Safety Total	**983,462**	**1,150,445**	**166,983**
2400 Planning	1,139	3,712	2,573
2600 Library	40,945	36,869	(4,076)
Total Governmental	**1,297,739**	**1,510,872**	**216,924**

Governmental Fund Replacement
Estimated Equipment Funding/Expense FY 22- FY 41



Non-Governmental
Estimated Equipment Expense FY 22 – FY 41



EQUIPMENT REPLACEMENT PLAN

SBR FUNDING SOURCE

FY2020

Department	Replace / Upgrade Unit #	Description	Request	Supplementals Approved	Grant	Local	Original $ In Plan	Additional $	FUNDING SOURCE Grant	PS Levy	Operating	In Plan Cap Repl	Additional Cap Repl
POLICE	1404	TRANSITION TO SUV PATROL VEHICLES	36,890	Y		100%	33,890	3,000	-	3,000	-	33,890	-
POLICE	1406	TRANSITION TO SUV PATROL VEHICLES	36,890	Y		100%	33,890	3,000	-	3,000	-	33,890	-
POLICE	1407	TRANSITION TO SUV PATROL VEHICLES	36,890	Y		100%	33,890	3,000	-	3,000	-	33,890	-
POLICE	1411	TRANSITION TO SUV PATROL VEHICLES	36,890	Y		100%	33,890	3,000	-	3,000	-	33,890	-
POLICE	1412	TRANSITION TO SUV PATROL VEHICLES	36,890	Y		100%	33,890	3,000	-	3,000	-	33,890	-
POLICE	1413	TRANSITION TO SUV PATROL VEHICLES	36,890	Y		100%	33,890	3,000	-	3,000	-	33,890	-
POLICE	1414	TRANSITION TO SUV PATROL VEHICLES	36,890	Y		100%	33,890	3,000	-	3,000	-	33,890	-
POLICE	1416	TRANSITION TO SUV PATROL VEHICLES	36,890	Y		100%	33,890	3,000	-	3,000	-	33,890	-
POLICE	1417	TRANSITION TO SUV PATROL VEHICLES	36,890	Y		100%	33,890	3,000	-	3,000	-	33,890	-
POLICE	1420	TRANSITION TO SUV PATROL VEHICLES	36,890	Y		100%	33,890	3,000	-	3,000	-	33,890	-
POLICE	1422	TRANSITION TO SUV PATROL VEHICLES	36,890	Y		100%	33,890	3,000	-	3,000	-	33,890	-
POLICE	1572	TRANSITION TO SUV PATROL VEHICLES	36,890	Y		100%	33,890	3,000	-	3,000	-	33,890	-
POLICE	7842	TRANSFER FORKLIFT FROM PUD	8,000	Y		100%	-	8,000	-	-	8,000	-	-
STREET/TRAFFIC	1227	UPGRADE TO LARGER TRACTOR/MOWER	86,000	Y		100%	24,378	61,622	-	-	86,000	-	-
STREET/TRAFFIC	ADDITION	MINI EXCAVATOR	80,000	Y		100%	-	80,000	-	-	80,000	-	-
PARKS	4079	TRANSFER SUV FROM FIRE DEPT.	6,950	Y		100%	-	6,950	-	-	6,950	-	-
PARKS	ADDITION	LOAN OF 2 RETIRED POLICE VEHICLES	600	Y		100%	-	600	-	-	600	-	-
MET TRANSIT	ADDITION	ADDITIONAL SUPPORT VEHICLE	50,000	Y	100%	0%	-	50,000	50,000	-	-	-	-
		TOTALS	**$ 674,230**				**$ 431,058**	**$ 243,172**	**$ 50,000**	**$ 36,000**	**$ 181,550**	**$ 406,680**	**$ -**

CITY OF BILLINGS
SUPPLEMENTAL BUDGET REQUEST DECISION PACKAGE

DIVISION Aviation/Transit DEPARTMENT PRIORITY _____ TOTAL COST $50,000

$ AMOUNT IN PLAN $50,000

REQUEST TITLE Add additional Support Vehicle for management use

DESCRIBE THIS REQUEST

Additional support vehicle for supervisor and management use in the field. MET Transit intends to purchase an all-wheel drive or 4-wheel drive vehicle to ensure the vehicle can be utilized in all seasons and weather conditions.

IF THIS REQUEST WILL GENERATE ADDITIONAL REVENUE, HOW MUCH? $ 0

WHAT IS THE JUSTIFICATION FOR THIS REQUEST?

An additional support vehicle is necessary for the MET Transit Division to adhere to the federally mandated Transit Safety Plan for field supervision and driver review. MET Transit currently utilizes all available service vehicles in support of transit operator route trade outs at scheduled times through out the day. The addition of a service vehicle designated for supervisors will allow the management team to utilize the vehicle at all times of the day while performing on-road and in the field observations mandated by the Federal Transit Administration Public Transit Agency Safety Plan final rule. The vehicle cost will most likely remain well below the budget amount available.

LIST THE INDIVIDUAL LINE ITEM ACCOUNTS IMPACTED BY THIS REQUEST.

ACCOUNT #	ACCOUNT NAME	AMOUNT
4120-71560-409440	Transportation Equipment	$50,000.00

Note: Division requests should be prioritized with 1 being highest priority project.
Attach Personnel request form for added positions and put account totals above.
Additional justification may be sent to finance, be sure to put request title on additional information. If added lines for account numbers are needed, use a second form and mark "continued" in Total Cost space on second sheet, filling in division, priority & title.

CITY OF BILLINGS
SUPPLEMENTAL BUDGET REQUEST DECISION PACKAGE

DIVISION PRPL DEPARTMENT PRIORITY 1 TOTAL COST $ 6950

$ AMOUNT IN PLAN $

REQUEST TITLE PRPL purchase of retired Fire suburban

DESCRIBE THIS REQUEST

Request to purchase a retired suburban from the Fire Dept.

IF THIS REQUEST WILL GENERATE ADDITIONAL REVENUE, HOW MUCH? $ 0

WHAT IS THE JUSTIFICATION FOR THIS REQUEST?

In cooperation with Larry Deschene at Motor Pool, we have identified a solution to the shortage of vehicles for full-time employees in the Recreation Division. A suburban from the Fire Department was scheduled for replacement in FY21. This would be a very beneficial addition for providing transportation for staff and equipment in the Recreation Division. Previous requests for a new vehicle have been denied, therefore finding a vehicle scheduled for replacement becomes the logical option.

LIST THE INDIVIDUAL LINE ITEM ACCOUNTS IMPACTED BY THIS REQUEST.

ACCOUNT #	ACCOUNT NAME	AMOUNT
0100-51210-402290	Other Operating Supplies	$6950

Note: Division requests should be prioritized with 1 being highest priority project.
Attach Personnel request form for added positions and put account totals above.
Additional justification may be sent to finance, be sure to put request title on additional information. If added lines for account numbers are needed, use a second form and mark "continued" in Total Cost space on second sheet, filling in division, priority & title.

CITY OF BILLINGS
SUPPLEMENTAL BUDGET REQUEST DECISION PACKAGE

DIVISION PRPL DEPARTMENT PRIORITY 1 TOTAL COST $ 600

$ AMOUNT IN PLAN $

REQUEST TITLE PRPL Utilization of Retired Police Cars during summer months

DESCRIBE THIS REQUEST

Request to utilize 2 retired police cruiser for the summer months at the PRPL Administrative Office.

IF THIS REQUEST WILL GENERATE ADDITIONAL REVENUE, HOW MUCH? $ 0

WHAT IS THE JUSTIFICATION FOR THIS REQUEST?

With the lack of vehicles for PRPL interns, seasonal supervisors and VISTA volunteers – we are requesting the authorizations for the continued use of 2 retired police cruisers for the months of May through September.

LIST THE INDIVIDUAL LINE ITEM ACCOUNTS IMPACTED BY THIS REQUEST.

ACCOUNT #	ACCOUNT NAME	AMOUNT
0100-51210-402290	Other Operating Supplies	$600

Note: Division requests should be prioritized with 1 being highest priority project.
Attach Personnel request form for added positions and put account totals above.
Additional justification may be sent to finance, be sure to put request title on additional information. If added lines for account numbers are needed, use a second form and mark "continued" in Total Cost space on second sheet, filling in division, priority & title.

CITY OF BILLINGS
SUPPLEMENTAL BUDGET REQUEST DECISION PACKAGE

DIVISION **POLICE** DEPARTMENT PRIORITY **1** TOTAL COST **$ 3000.**

$ AMOUNT IN PLAN **$ 33,890.**

REQUEST TITLE **Patrol Car 1404**

DESCRIBE THIS REQUEST

This vehicle replacement request is for the 2022 ERP. The replacement will be an SUV style vehicle.

IF THIS REQUEST WILL GENERATE ADDITIONAL REVENUE, HOW MUCH? $ **0**

WHAT IS THE JUSTIFICATION FOR THIS REQUEST?

Ford has scaled back the production of cars worldwide. We will be converting to the Ford SUV patrol vehicle (Explorer size vehicle)

LIST THE INDIVIDUAL LINE ITEM ACCOUNTS IMPACTED BY THIS REQUEST.

ACCOUNT #	ACCOUNT NAME	AMOUNT
1500-21120-402120	**Operational Small Items**	**$ 3,000.**

Note: Division requests should be prioritized with 1 being highest priority project.
Attach Personnel request form for added positions and put account totals above.
Additional justification may be sent to finance, be sure to put request title on additional information. If added lines for account numbers are needed, use a second form and mark "continued" in Total Cost space on second sheet, filling in division, priority & title.

CITY OF BILLINGS
SUPPLEMENTAL BUDGET REQUEST DECISION PACKAGE

DIVISION **POLICE** DEPARTMENT PRIORITY **1** TOTAL COST **$ 3000.**

$ AMOUNT IN PLAN **$ 33,890.**

REQUEST TITLE **Patrol Car 1406**

DESCRIBE THIS REQUEST

This vehicle replacement request is for the 2022 ERP. The replacement will be an SUV style vehicle.

IF THIS REQUEST WILL GENERATE ADDITIONAL REVENUE, HOW MUCH? $ **0**

WHAT IS THE JUSTIFICATION FOR THIS REQUEST?

Ford has scaled back the production of cars worldwide. We will be converting to the Ford SUV patrol vehicle (Explorer size vehicle)

LIST THE INDIVIDUAL LINE ITEM ACCOUNTS IMPACTED BY THIS REQUEST.

ACCOUNT #	ACCOUNT NAME	AMOUNT
1500-21120-402120	**Operational Small Items**	**$ 3,000.**

Note: Division requests should be prioritized with 1 being highest priority project.
Attach Personnel request form for added positions and put account totals above.
Additional justification may be sent to finance, be sure to put request title on additional information. If added lines for account numbers are needed, use a second form and mark "continued" in Total Cost space on second sheet, filling in division, priority & title.

CITY OF BILLINGS
SUPPLEMENTAL BUDGET REQUEST DECISION PACKAGE

DIVISION **POLICE** DEPARTMENT PRIORITY **1** TOTAL COST **$ 3000.**

$ AMOUNT IN PLAN **$ 33,890.**

REQUEST TITLE **Patrol Car 1407**

DESCRIBE THIS REQUEST

This vehicle replacement request is for the 2022 ERP. The replacement will be an SUV style vehicle.

IF THIS REQUEST WILL GENERATE ADDITIONAL REVENUE, HOW MUCH? $ **0**

WHAT IS THE JUSTIFICATION FOR THIS REQUEST?

Ford has scaled back the production of cars worldwide. We will be converting to the Ford SUV patrol vehicle (Explorer size vehicle)

LIST THE INDIVIDUAL LINE ITEM ACCOUNTS IMPACTED BY THIS REQUEST.

ACCOUNT #	ACCOUNT NAME	AMOUNT
1500-21120-402120	**Operational Small Items**	**$ 3,000.**

Note: Division requests should be prioritized with 1 being highest priority project.
Attach Personnel request form for added positions and put account totals above.
Additional justification may be sent to finance, be sure to put request title on additional information. If added lines for account numbers are needed, use a second form and mark "continued" in Total Cost space on second sheet, filling in division, priority & title.

CITY OF BILLINGS
SUPPLEMENTAL BUDGET REQUEST DECISION PACKAGE

DIVISION **POLICE** DEPARTMENT PRIORITY **1** TOTAL COST **$ 3000.**

$ AMOUNT IN PLAN **$ 33,890.**

REQUEST TITLE **Patrol Car 1411**

DESCRIBE THIS REQUEST

This vehicle replacement request is for the 2022 ERP. The replacement will be an SUV style vehicle.

IF THIS REQUEST WILL GENERATE ADDITIONAL REVENUE, HOW MUCH? $ **0**

WHAT IS THE JUSTIFICATION FOR THIS REQUEST?

Ford has scaled back the production of cars worldwide. We will be converting to the Ford SUV patrol vehicle (Explorer size vehicle)

LIST THE INDIVIDUAL LINE ITEM ACCOUNTS IMPACTED BY THIS REQUEST.

ACCOUNT #	ACCOUNT NAME	AMOUNT
1500-21120-402120	**Operational Small Items**	**$ 3,000.**

Note: Division requests should be prioritized with 1 being highest priority project.
Attach Personnel request form for added positions and put account totals above.
Additional justification may be sent to finance, be sure to put request title on additional information. If added lines for account numbers are needed, use a second form and mark "continued" in Total Cost space on second sheet, filling in division, priority & title.

CITY OF BILLINGS
SUPPLEMENTAL BUDGET REQUEST DECISION PACKAGE

DIVISION **POLICE** DEPARTMENT PRIORITY **1** TOTAL COST **$ 3000.**

$ AMOUNT IN PLAN **$ 33,890.**

REQUEST TITLE **Patrol Car 1412**

DESCRIBE THIS REQUEST

This vehicle replacement request is for the 2022 ERP. The replacement will be an SUV style vehicle.

IF THIS REQUEST WILL GENERATE ADDITIONAL REVENUE, HOW MUCH? $ **0**

WHAT IS THE JUSTIFICATION FOR THIS REQUEST?

Ford has scaled back the production of cars worldwide. We will be converting to the Ford SUV patrol vehicle (Explorer size vehicle)

LIST THE INDIVIDUAL LINE ITEM ACCOUNTS IMPACTED BY THIS REQUEST.

ACCOUNT #	ACCOUNT NAME	AMOUNT
1500-21120-402120	**Operational Small Items**	**$ 3,000.**

Note: Division requests should be prioritized with 1 being highest priority project.
Attach Personnel request form for added positions and put account totals above.
Additional justification may be sent to finance, be sure to put request title on additional information. If added lines for account numbers are needed, use a second form and mark "continued" in Total Cost space on second sheet, filling in division, priority & title.

CITY OF BILLINGS
SUPPLEMENTAL BUDGET REQUEST DECISION PACKAGE

DIVISION **POLICE** DEPARTMENT PRIORITY **1** TOTAL COST **$ 3000.**

$ AMOUNT IN PLAN **$ 33,890.**

REQUEST TITLE **Patrol Car 1413**

DESCRIBE THIS REQUEST

This vehicle replacement request is for the 2022 ERP. The replacement will be an SUV style vehicle.

IF THIS REQUEST WILL GENERATE ADDITIONAL REVENUE, HOW MUCH? $ **0**

WHAT IS THE JUSTIFICATION FOR THIS REQUEST?

Ford has scaled back the production of cars worldwide. We will be converting to the Ford SUV patrol vehicle (Explorer size vehicle)

LIST THE INDIVIDUAL LINE ITEM ACCOUNTS IMPACTED BY THIS REQUEST.

ACCOUNT #	ACCOUNT NAME	AMOUNT
1500-21120-402120	**Operational Small Items**	**$ 3,000.**

Note: Division requests should be prioritized with 1 being highest priority project.
Attach Personnel request form for added positions and put account totals above.
Additional justification may be sent to finance, be sure to put request title on additional information. If added lines for account numbers are needed, use a second form and mark "continued" in Total Cost space on second sheet, filling in division, priority & title.

CITY OF BILLINGS
SUPPLEMENTAL BUDGET REQUEST DECISION PACKAGE

DIVISION **POLICE** DEPARTMENT PRIORITY **1** TOTAL COST **$ 3000.**

$ AMOUNT IN PLAN **$ 33,890.**

REQUEST TITLE **Patrol Car 1414**

DESCRIBE THIS REQUEST

This vehicle replacement request is for the 2022 ERP. The replacement will be an SUV style vehicle.

IF THIS REQUEST WILL GENERATE ADDITIONAL REVENUE, HOW MUCH? $ **0**

WHAT IS THE JUSTIFICATION FOR THIS REQUEST?

Ford has scaled back the production of cars worldwide. We will be converting to the Ford SUV patrol vehicle (Explorer size vehicle)

LIST THE INDIVIDUAL LINE ITEM ACCOUNTS IMPACTED BY THIS REQUEST.

ACCOUNT #	ACCOUNT NAME	AMOUNT
1500-21120-402120	**Operational Small Items**	**$ 3,000.**

Note: Division requests should be prioritized with 1 being highest priority project.
Attach Personnel request form for added positions and put account totals above.
Additional justification may be sent to finance, be sure to put request title on additional information. If added lines for account numbers are needed, use a second form and mark "continued" in Total Cost space on second sheet, filling in division, priority & title.

CITY OF BILLINGS
SUPPLEMENTAL BUDGET REQUEST DECISION PACKAGE

DIVISION **POLICE** DEPARTMENT PRIORITY **1** TOTAL COST **$ 3000.**

$ AMOUNT IN PLAN **$ 33,890.**

REQUEST TITLE **Patrol Car 1416**

DESCRIBE THIS REQUEST

This vehicle replacement request is for the 2022 ERP. The replacement will be an SUV style vehicle.

IF THIS REQUEST WILL GENERATE ADDITIONAL REVENUE, HOW MUCH? $ **0**

WHAT IS THE JUSTIFICATION FOR THIS REQUEST?

Ford has scaled back the production of cars worldwide. We will be converting to the Ford SUV patrol vehicle (Explorer size vehicle)

LIST THE INDIVIDUAL LINE ITEM ACCOUNTS IMPACTED BY THIS REQUEST.

ACCOUNT #	ACCOUNT NAME	AMOUNT
1500-21120-402120	**Operational Small Items**	**$ 3,000.**

Note: Division requests should be prioritized with 1 being highest priority project.
Attach Personnel request form for added positions and put account totals above.
Additional justification may be sent to finance, be sure to put request title on additional information. If added lines for account numbers are needed, use a second form and mark "continued" in Total Cost space on second sheet, filling in division, priority & title.

CITY OF BILLINGS
SUPPLEMENTAL BUDGET REQUEST DECISION PACKAGE

DIVISION **POLICE** DEPARTMENT PRIORITY **1** TOTAL COST **$ 3000.**

$ AMOUNT IN PLAN **$ 33,890.**

REQUEST TITLE **Patrol Car 1417**

DESCRIBE THIS REQUEST

This vehicle replacement request is for the 2022 ERP. The replacement will be an SUV style vehicle.

IF THIS REQUEST WILL GENERATE ADDITIONAL REVENUE, HOW MUCH? $ **0**

WHAT IS THE JUSTIFICATION FOR THIS REQUEST?

Ford has scaled back the production of cars worldwide. We will be converting to the Ford SUV patrol vehicle (Explorer size vehicle)

LIST THE INDIVIDUAL LINE ITEM ACCOUNTS IMPACTED BY THIS REQUEST.

ACCOUNT #	ACCOUNT NAME	AMOUNT
1500-21120-402120	**Operational Small Items**	**$ 3,000.**

Note: Division requests should be prioritized with 1 being highest priority project.
Attach Personnel request form for added positions and put account totals above.
Additional justification may be sent to finance, be sure to put request title on additional information. If added lines for account numbers are needed, use a second form and mark "continued" in Total Cost space on second sheet, filling in division, priority & title.

CITY OF BILLINGS
SUPPLEMENTAL BUDGET REQUEST DECISION PACKAGE

DIVISION **POLICE** DEPARTMENT PRIORITY **1** TOTAL COST **$ 3000.**

$ AMOUNT IN PLAN **$ 33,890.**

REQUEST TITLE **Patrol Car 1420**

DESCRIBE THIS REQUEST

This vehicle replacement request is for the 2022 ERP. The replacement will be an SUV style vehicle.

IF THIS REQUEST WILL GENERATE ADDITIONAL REVENUE, HOW MUCH? $ **0**

WHAT IS THE JUSTIFICATION FOR THIS REQUEST?

Ford has scaled back the production of cars worldwide. We will be converting to the Ford SUV patrol vehicle (Explorer size vehicle)

LIST THE INDIVIDUAL LINE ITEM ACCOUNTS IMPACTED BY THIS REQUEST.

ACCOUNT #	ACCOUNT NAME	AMOUNT
1500-21120-402120	**Operational Small Items**	**$ 3,000.**

Note: Division requests should be prioritized with 1 being highest priority project.
Attach Personnel request form for added positions and put account totals above.
Additional justification may be sent to finance, be sure to put request title on additional information. If added lines for account numbers are needed, use a second form and mark "continued" in Total Cost space on second sheet, filling in division, priority & title.

CITY OF BILLINGS
SUPPLEMENTAL BUDGET REQUEST DECISION PACKAGE

DIVISION **POLICE** DEPARTMENT PRIORITY **1** TOTAL COST **$ 3000.**

$ AMOUNT IN PLAN **$ 33,890.**

REQUEST TITLE **Patrol Car 1422**

DESCRIBE THIS REQUEST

This vehicle replacement request is for the 2022 ERP. The replacement will be an SUV style vehicle.

IF THIS REQUEST WILL GENERATE ADDITIONAL REVENUE, HOW MUCH? $ **0**

WHAT IS THE JUSTIFICATION FOR THIS REQUEST?

Ford has scaled back the production of cars worldwide. We will be converting to the Ford SUV patrol vehicle (Explorer size vehicle)

LIST THE INDIVIDUAL LINE ITEM ACCOUNTS IMPACTED BY THIS REQUEST.

ACCOUNT #	ACCOUNT NAME	AMOUNT
1500-21120-402120	**Operational Small Items**	**$ 3,000.**

Note: Division requests should be prioritized with 1 being highest priority project.
Attach Personnel request form for added positions and put account totals above.
Additional justification may be sent to finance, be sure to put request title on additional information. If added lines for account numbers are needed, use a second form and mark "continued" in Total Cost space on second sheet, filling in division, priority & title.

CITY OF BILLINGS
SUPPLEMENTAL BUDGET REQUEST DECISION PACKAGE

DIVISION **POLICE** DEPARTMENT PRIORITY **1** TOTAL COST **$ 3000.**

$ AMOUNT IN PLAN **$ 33,890.**

REQUEST TITLE **Patrol Car 1572**

DESCRIBE THIS REQUEST

This vehicle replacement request is for the 2022 ERP. The replacement will be an SUV style vehicle.

IF THIS REQUEST WILL GENERATE ADDITIONAL REVENUE, HOW MUCH? $ **0**

WHAT IS THE JUSTIFICATION FOR THIS REQUEST?

Ford has scaled back the production of cars worldwide. We will be converting to the Ford SUV patrol vehicle (Explorer size vehicle)

LIST THE INDIVIDUAL LINE ITEM ACCOUNTS IMPACTED BY THIS REQUEST.

ACCOUNT #	ACCOUNT NAME	AMOUNT
1500-21120-402120	**Operational Small Items**	**$ 3,000.**

Note: Division requests should be prioritized with 1 being highest priority project.
Attach Personnel request form for added positions and put account totals above.
Additional justification may be sent to finance, be sure to put request title on additional information. If added lines for account numbers are needed, use a second form and mark "continued" in Total Cost space on second sheet, filling in division, priority & title.

CITY OF BILLINGS
SUPPLEMENTAL BUDGET REQUEST DECISION PACKAGE

DIVISION POLICE DEPARTMENT PRIORITY 1 TOTAL COST $ 8,000

$ AMOUNT IN PLAN 0.

REQUEST TITLE Fork Lift 7842

DESCRIBE THIS REQUEST

The police department, evidence facility is in need of a forklift for moving vehicles.

IF THIS REQUEST WILL GENERATE ADDITIONAL REVENUE, HOW MUCH? $ 0

WHAT IS THE JUSTIFICATION FOR THIS REQUEST?

The evidence facility is regularly using fleet or sanitations lift. Although, usually able to get a lift and a certified driver, this cost time and money to all department involved. Vehicles that are brought to evidence are usually damaged and a lift is need to move them to their parking spots after searching.

LIST THE INDIVIDUAL LINE ITEM ACCOUNTS IMPACTED BY THIS REQUEST.

ACCOUNT #	ACCOUNT NAME	AMOUNT
1500-21500-402271	Operational Small Items	$ 8000.

Note: Division requests should be prioritized with 1 being highest priority project.
Attach Personnel request form for added positions and put account totals above.
Additional justification may be sent to finance, be sure to put request title on additional information. If added lines for account numbers are needed, use a second form and mark "continued" in Total Cost space on second sheet, filling in division, priority & title.

CITY OF BILLINGS
SUPPLEMENTAL BUDGET REQUEST DECISION PACKAGE

DIVISION PW Street/Traffic DEPARTMENT PRIORITY _____ TOTAL COST $86,000.00

$ AMOUNT IN PLAN $24,378.00

REQUEST TITLE Additional funds needed for Unit 1227

DESCRIBE THIS REQUEST

John Deere 5090 Tractor with cab
Attachment is a sloped mower design for steep slopes of ditches

IF THIS REQUEST WILL GENERATE ADDITIONAL REVENUE, HOW MUCH? $_____

WHAT IS THE JUSTIFICATION FOR THIS REQUEST?

To protect employees mowing, faster travel times. Higher quality mower designed to mow ditch banks, easier on equipment, higher quality service.

LIST THE INDIVIDUAL LINE ITEM ACCOUNTS IMPACTED BY THIS REQUEST.

ACCOUNT #	ACCOUNT NAME	AMOUNT
2110-31320-409420	Transportation Equip	$61,622.00

Note: Division requests should be prioritized with 1 being highest priority project.
Attach Personnel request form for added positions and put account totals above.
Additional justification may be sent to finance, be sure to put request title on additional information. If added lines for account numbers are needed, use a second form and mark "continued" in Total Cost space on second sheet, filling in division, priority & title.

CITY OF BILLINGS
SUPPLEMENTAL BUDGET REQUEST DECISION PACKAGE

DIVISION PW Street/Traffic DEPARTMENT PRIORITY _____ TOTAL COST $80,000.00

$ AMOUNT IN PLAN $0.00

REQUEST TITLE Mini Excavator

DESCRIBE THIS REQUEST

Mini Excavator

IF THIS REQUEST WILL GENERATE ADDITIONAL REVENUE, HOW MUCH? $_____

WHAT IS THE JUSTIFICATION FOR THIS REQUEST?

The ability to minimize the impact area of repairs. The versatility of a mini compared to a backhoe when we are maintaining more and more roadways/trails. A mini's foot print is far less.

LIST THE INDIVIDUAL LINE ITEM ACCOUNTS IMPACTED BY THIS REQUEST.

ACCOUNT #	ACCOUNT NAME	AMOUNT
2110-31320-409420	Transportation Equip	$ 80,000.00

Note: Division requests should be prioritized with 1 being highest priority project.
Attach Personnel request form for added positions and put account totals above.
Additional justification may be sent to finance, be sure to put request title on additional information. If added lines for account numbers are needed, use a second form and mark "continued" in Total Cost space on second sheet, filling in division, priority & title.

Consent **1. H.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: FY 2022 Technology Replacement Plan

PRESENTED BY: David Watterson, IT Director

Department: Information Technology

RECOMMENDATION

Staff recommends that City Council adopt the FY22 Technology Replacement Plan

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

City staff presented the FY22 Technology Replacement Plan (TRP) at the November 16th, 2020, City Council work session. Based upon discussion that occurred at that meeting, no changes have been made to the plan that was presented.

The Technology Replacement Program (TRP) is a plan to systematically fund replacement of City technology equipment and software. The TRP ensures that all technology equipment and software are purchased, replaced, or upgraded on a regular schedule, so that no departments fall behind on technology or make unnecessary or premature investments in technology.

STAKEHOLDERS

ALTERNATIVES

City Council may: Approve, or; Disapprove

FISCAL EFFECTS

The TRP Plan total for FY22 is $ 858,253 funded by individual departmental budgets throughout the organization. The replacement totals include a total of $ 412,303 in departmental capital expenses and $ 445,950 coming out of operations and maintenance funds.

Totals by Department include:

Department	Total
Library	$129,100
Planning	$17,700
Police	$40,900
Legal	$5,200
Finance	$8,900
Public Works	$241,053
Fire	$70,100
Human Resources	$4,300
Admin Services	$35,600
Copier	$28,000
Information Technology	$148,100
Airport	$109,600
Parks & Rec	$19,700
Grand Total	**$858,253**

Attachments

TRP Plan Document - FY2022
TRP Capital Expense Overview - FY2022

City of Billings

FY2022 - Technology Replacement Program

Statement of Purpose: The program is a plan to assist departments with technology replacement cost projections and the ability to anticipate funding requirements without experiencing dramatic fluctuations in replacement costs.

Committee Members: David Watterson, Liz Kampa, Denise Bohlman, Dustin Halama, Kory Thomson, Tammy Deines, Becky Shay, Cody Allen, Marita Herold, and Amanda Skewis.

The City of Billings Technology Replacement Program (TRP) is a plan to systematically fund replacement of City technology equipment and software. The term "technology equipment" shall hereinafter also include software. The TRP ensures that all technology equipment is purchased, replaced, or upgraded on a regular schedule, so that no departments fall behind on technology or make unnecessary or premature investments in technology.

- The TRP replacement and funding guidelines include all PCs, laptops, servers, and other technology equipment, such as copiers, security equipment and specialized technology equipment.

- Replacement guidelines are presented in **Exhibit 1** attached.

- The replacement plan covers a 10-year planning period and will be reviewed and updated annually. This will require some pieces of equipment to be replaced more than once during the 10-year planning period.

- Each piece of equipment will be assigned a replacement fiscal year and replacement cost. Enterprise software systems that are not planned for a specific replacement year will be evaluated on an annual basis to determine any need for future replacement.

- Estimated replacement costs are determined by manufacturer average annual percentage increases ranging from 0% to 5%. Some exceptions will apply.

  Replacement funding is maintained within each department/division budget for technologies that are used solely within that department/division. Enterprise-wide hardware and software systems, both new and enhancements/upgrades to existing systems may be funded through debt financing.

- On an annual basis, the Technology Replacement Committee will:

    1. Review technology equipment scheduled for replacement,
    2. Make required changes to the plan, and
    3. Submit recommendations to the City Administrator. The committee will provide these recommendations at a time which coincides with the Equipment Replacement Plan (ERP) calendar.

- On an annual basis, the Technology Replacement Committee will review PC standards and make necessary changes to the recommended standards, such as flat screen monitors. Every 3-4 years, the Committee may also analyze and recommend changing PC vendors.

- PC orders can be placed at any time with Information Technology. Periodically, IT will coordinate orders to encourage departments to upgrade their PC's throughout the year and not wait until spring for the majority of the orders.

Technology Replacement Committee

Department / Division Representatives

Group 1	PW Administration
Amanda Skewis	PW Engineering
	PW Solid Waste
	PW Streets
	PW Utilities Service Center
	PW Water Treatment Plant
	PW Water Reclamation Facility
Group 2	Community Development
Tammy Deines	City County Planning
	Building
	Code Enforcement
Group 3	Administration
Denise Bohlman	Human Resources
Group 4	Municipal Court
David Watterson	Information Technology
	Legal
Group 5	Parking
Liz Kampa	Motor Pool
	Facilities
	Finance
Group 6	Parks & Recreation
Kory Thomson	Cemetery
	Community Center
Group 7	Police
Becky Shay	Animal Shelter
	Volunteer Center
Group 8	Fire Stations
Dustin Halama	Communications Center
Jon Kristjanson	
Chelsea Thompson	
Group 9	Airport
Marita Herold	MET Transit
Group 10	
Cody Allen	Library

Exhibit 1

TECHNOLOGY REPLACEMENT GUIDELINES

Class Code	Equipment Class	Years
100	General Office PCs	3-5
125	Training / Public Access / Non-critical use PCs	4-6
150	Laptops	3-5
160	Tablets (Android/iPad/Mobile Windows)	3-4
175	High-End PCs (GIS, Engineering, IT)	2-3
200	Intel Windows Servers	3-5
225	Other Servers (Library Catalog)	4-5
230	Network Attached Storage & Storage Controllers	4-6
250	Ruggedized mobile data laptops	3-4
275	Police mobile data equip. (Data Radio, etc)	4-6
300	Routers	4-5
325	Switches	4-5
350	Backup Systems	4-5
375	iSeries Servers	5-6
400	Telephone System	4-6
410	Voice Mail Systems	4-6
425	Wireless Network Equipment (>$2,000)	4-6
450	Copiers	7-10
475	Network Printers (>$2,000)	4-6
500	Uninterruptible Power Supplies (>$1,000)	3-5
525	Book Checkout systems	5-10
550	Other Library systems	5-10
575	Radio systems (800 MHz and other)	8-12
600	Security Systems	5-8
610	Software Security Systems	5-6
625	Gas meter systems	5-10
650	911 Equipment (Recorders, phone systems, radio)	5-10
675	Credit Card equipment	3-5
700	GPS Equipment	3-5
725	High End Scanners (>$2,000)	4-6
750	Plotters	3-5
775	Parking Systems	8-12
800	Video Surveillance Systems	5-8
805	Sound System Equipment	4 -10
810	Vending Machines	10+
825	Microfilm Readers	5-10
850	Data Projectors	3-5
860	Digital Displays	5-6
875	Cash Registers	4-6
900	Mail Equipment	5-10
925	Specialized Airport Equipment	8-12
950	High-End Hand Held Equipment	3-6
960	Specialized Public Works Equipment	4 - 10

975	Specialized Motor Pool Equipment	4-10
980	Enterprise software systems (H.T.E., New World, etc)	15+
982	Major Software Systems	5+
983	Network Management Software	5+
985	Specialized lab and testing equipment	6-10
990	Document Management/Imaging	6-10

Technology Replacement Plan

Capital Expenditures for FY2022

Department/Division	Description	Price

Copier Fund - City Hall Main **Canon IR8292** **$ 17,500**

This printer is used by all City Hall staff. At the time of replacement, the copier will be nine years old, which exceeds the useful life of a copier. It is worth noting that this copier has generated more than a million copies to date.

Copier Fund - HR/Admin **Canon IR6275** **$ 10,500**

This printer is generally used by Administration, Human Resources and City Clerk staff. At the time of replacement, the copier will be nine years old, which exceeds the useful life of a copier. It is worth noting that this copier has generated more than a million copies to date.

Aviation – Airport **Flight Information Display System (FIDS)** **$ 94,000**

The Flight Information Display System is the system of display monitors, controllers, surge suppression, software, and flight data subscriptions that provides real-time flight information within the Terminal Building. The current system was purchased in 2014 and is need of replacement. The Terminal Expansion Project currently underway will also increase the number of FIDS units needed for the expanded space. This request is for replacing the existing system and expanding it to include the additional units for the newly expanded Terminal space.

Aviation – MET **Mobile System Server** **$ 7,000**

MET Transit installed upgraded cameras in all of its vans and buses in 2019. Each camera system creates images that are temporarily stored on the system's memory, then transferred to the server for longer term storage. The mobile server that supports storage of the images captured by the vehicle cameras was purchased in 2012 and in need of upgrading and replacement. This request is for replacing the dated server.

Information Technology – IT **Fiber Channel SAN Switch (City Hall)** **$ 20,000**
Information Technology – IT **Fiber Channel SAN Switch (City Hall)** **$ 20,000**

The existing fiber channel switches were purchased in 2013 with a full capacity of 8GB. Due to age, maintenance continues to increase without any additional capacity. New FC switches will enhance our network backbone performance and reduce our annual maintenance.

Library **Security Cameras** **$ 10,000**

The Billings Public Library has 20 cameras around the library for security purposes. These cameras record and save video to DVRs that library administration has access to. The current set of cameras was installed with the new building construction in 201 and are due to be updated and replaced to help maintain a safe

Department/Division	Description	Price

and secure environment in the library. The cameras will be purchased with services rendered and monitored by Kenco Security.

Library	**Network Switch – 1st Floor Closet**	**$ 6,000**
Library	**Network Switch – 2nd Floor Public**	**$ 6,000**
Library	**Network Switch – 2nd Floor Public**	**$ 12,000**
Library	**Network Switch – 2nd Floor Router**	**$ 7,500**

The Billings Library purchased Nortel switches in 2012 and migrated them to the new facility. They are currently 8 years old and manufacturer support is no longer available. The new switches will be purchased with annual maintenance and full support for great reliability and on-going resiliency.

Police **WatchGuard Server** **$ 22,000**

The WatchGuard Server hosts the In-Car and Bodycam video software and all of the videos uploaded by officers. This server has large storage capacity and is very important for daily operations. The server was purchased in 2016 and will be in need of replacement in the FY22 budget cycle.

Parks & Rec **Ink Jet Plotter** **$ 8,500**

This printer is used for a variety of applications including; large maps for park development and master plans, recreation activities posters, swimming pool and concession signage. The current printer is 6 years old and has delivered over 7200 square feet of production.

Public Works – D & C **OCE 350 Plotwave** **$ 24,000**

Technology is aged and needs to be current for compatibility. Price point is expected to be lower due to overall technology changes, reduced output width for cost savings and consolidation of multiple units for efficiency. Purpose in Department: Scanner/ plotter/ printer used for mapping projects and planning, this is a necessary part of operational support for D&C and GIS staff at the Belknap location.

Public Works – D & C **GPS Base Station/Rover** **$ 39,403**

Technology is aging and requires replacement to stay current, reliable and efficient. The GPS Base Station & Rover are critical to GEO-spatial accuracy related to data for engineered projects and as-built record, utility location and recording, works in tandem with the GPS / BaseRover; these are Site Positioning/Layout Solutions for construction projects. **Base** Stations receive signals from **GPS** System satellites and create a correction factor. This correction is sent via radio to survey tools, called **Rovers**, that calculate grade.

Technology Replacement Plan

Capital Expenditures for FY2022

Department/Division	Description	Price

Public Works - Engineering Canon Copier – IR5240A $ 7,500
Technology is aged and will updated to ensure most cost-effective operation and efficiency. This copier serves as the primary printing solution for the Engineering Division.

Public Works – Street Traffic Canon Copier – Image Runner $ 6,000
Technology is aged and will updated to ensure most cost-effective operation and efficiency. This copier serves as primary printing solution for the Street-Traffic Division.

Public Works - Engineering GPS Base $ 5,000
Public Works - Engineering GPS Rover $ 20,400
Technology is aging and requires replacement to stay current, reliable and efficient. The GPS Base & Rover are critical to GEO-spatial accuracy related to data for engineered projects and as-built record, works in tandem with the GPS/Base Rover; these are Site Positioning/Layout Solutions for construction projects. Base Stations receive signals from GPS System satellites and create a correction factor. This correction is sent via radio to survey tools, called Rovers, that calculate grade.

Public Works – Water Quality WTP Server – Server Room Patch $ 15,000
This server was purchased in 2014 and is in need of replacement. The new server will become a Virtual Host to support the virtual servers allowing WTP and lab personnel to access process data from their desktops residing on the City's network.

Public Works – Water Quality Cisco Catalyst Network Switch $ 13,000
Public Works – Water Quality Cisco Catalyst Network Switch $ 13,000
Public Works – Water Quality Cisco Catalyst Network Switch $ 13,000
The Cisco switches are old and in need of replacement to meet the networking and security needs of the Water Reclamation Facilities.

Public Works – Water Quality WRF Server – Server Room Patch $ 15,000
This server was purchased in 2014 and is in need of replacement. The new server will become a Virtual Host to support the virtual servers allowing WRF plant and lab personnel to access process data from their desktops residing on the City's network.

Consent **1. I. 1.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: Payment of Claims for week of November 2, 2020

PRESENTED BY: Andy Zoeller, Finance Director

Department: Finance

RECOMMENDATION

Staff recommends Council approve the Payment of Claims

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Claims in the amount of $1,878,544.34 have been reviewed and are presented for City Council payment approval. A complete listing of the claims for the week are available in the Finance Department.

Payment Approval Process

Every invoice for payment is entered into the City's accounting system and the backup documentation is scanned and attached (physical invoices, additional e-mails explaining payments, bids, contracts, etc.) Each invoice goes through a multi-step approval process depending upon the amount of the payment.

First, invoices are entered by the department requesting the payment and the Department Director or designee must perform an initial review and approval of the purchase. The number of approvals within the Department can vary based upon the size of the Department, but no less than one approver within each Department must verify the payment.

Second, all payments, regardless of size, must be approved by the Purchasing Agent or assistant. The Purchasing Agent will review the payment to ensure purchasing procedures are followed and appropriate documentation is attached.

If the payment is greater than $1,000, then it must be approved by the Finance Director or designee.
If that payment is greater than $10,000, then it must be approved by the City Administrator or Assistant City Administrator.

Once all approvals are completed, the payment is able to be made and the Accounts Payable Clerk can print the check. After all checks are printed, a list of all checks in excess of $2,500 is generated and placed on the next City Council meeting for review.

ALTERNATIVES

- No other alternatives were analyzed

FISCAL EFFECTS

Claims have a varying impact on department budgets, but are submitted by the departments and reviewed by Finance staff before being sent to the Council.

Attachments

Councilmemo wk of 11022020

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/04/2020	837962	360 Office Solution	Wastewater	$ 2,666.74	OFFICE FURNITURE REPLACEMENT- LOUIS ENGELS;' 445785
11/04/2020	837962	360 Office Solution	Water	$ 2,666.75	OFFICE FURNITURE REPLACEMENT- LOUIS ENGELS;' 445785
11/04/2020	837963	Ace Electric Inc	SID Const	$ 51,747.22	SID 14-10 Annafeld Subdivision 2nd Filing Streetlights; Pmt 2
11/02/2020	837798	Advantage Companies	Library	$ 8,625.00	31857 Annual microfilm subscription w/digital access
11/02/2020	837800	Alberta Bair Theater	Tax Incrmnt N27	$750,000.00	Alberta Bair Development Agreement
11/02/2020	837814	Bison Motor Company	Wastewater	$ 57,516.52	2020-550/5500 4wd, dual rear, extend cab, flatbed w/hoist & plow
11/02/2020	837811	Blgs Industrial Revitalize Dist	Tax Incrmnt E	$ 34,986.00	TIF Management FY2021- Qtr 1
11/02/2020	837815	Boomers Garage N Shop	Solid Waste	$ 685.25	Gloves and hiviz vests for Solid Waste CBSW34
11/02/2020	837815	Boomers Garage N Shop	Street/Traffic	$ 2,089.49	flex post
11/02/2020	837817	Burns & McDonnell Eng	Water	$ 15,514.42	WO 19-42 West End Water Treatment Plant Project; 118386-5 Pmt 5
11/02/2020	837819	Century Link	Airport	$ 108.90	406-252-9412 Airport
11/02/2020	837819	Century Link	General	$ 54.45	406-652-0269 Cemetery FAX Line
11/02/2020	837819	Century Link	General	$ 48.98	406-652-8403 Stewart Park Batting Cages
11/02/2020	837819	Century Link	Park Dist 1	$ 60.19	406-652-5507 Parks
11/02/2020	837819	Century Link	Park Dist 1	$ 44.08	406-657-3014 Parks 3890 Stillwater
11/02/2020	837819	Century Link	Parking	$ 44.08	406-657-3054 Park 1 Elevator Phone
11/02/2020	837819	Century Link	Phone System	$ 96.81	406-252-3774 BOC Measured Lines 406-252-3789
11/02/2020	837819	Century Link	Phone System	$ 140.54	406-657-3009 PUD Measured Lines 406-247-8579
11/02/2020	837819	Century Link	Phone System	$ 2,717.30	406-657-8377 Main System Centrex
11/02/2020	837819	Century Link	Phone System	$ 45.32	406-657-8419 MET Fax and 406-247-8520 Kenco Fax
11/02/2020	837819	Century Link	Phone System	$ 44.08	Fire Alarm 406.657.3058
11/02/2020	837819	Century Link	Phone System	$ 44.08	Four Dances 406.657.3040
11/02/2020	837819	Century Link	Phone System	$ 64.00	-Miller Building -406.252.3988
11/02/2020	837819	Century Link	Phone System	$ 44.08	Pioneer Park 406.657.8298
11/02/2020	837819	Century Link	Phone System	$ 45.32	Streets Fax 406.657.8338
11/02/2020	837819	Century Link	Street/Traffic	$ 45.32	406-652-8104 PW Traffic Signal 24 Central
11/02/2020	837823	Civicplus	Library	$ 4,024.61	204918 Library subsite annual fee
11/02/2020	837824	CM Tree Service & Removal	Street/Traffic	$ 4,550.00	tree removal at 13th & o'malley
11/02/2020	837832	Cues	Street/Traffic	$ 39,275.72	storm transporter/camera per attached
11/02/2020	837834	D & M Properties	SID Fund	$ 4,388.07	SID 1375 Refunds
11/02/2020	837836	David Turch and Associates	P.W. Admin	$ 4,000.00	Consulting for Infrastructure Projects October
11/02/2020	837837	Davina Peralta	SID Fund	$ 4,388.07	SID 1375 Refunds
11/02/2020	837839	Downtown Billings BID	Parks Maint	$ 2,500.00	park maintenance district contract for apr-junr20 (5802)
11/02/2020	837839	Downtown Billings BID	Parks Maint	$ 2,500.00	park maintenance district contract for apr-junr20 (5802)

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	837839	Downtown Billings BID	Parks Maint	$ 2,500.00	park maintenance district contract for Jan-Mar20 (5801)
11/02/2020	837839	Downtown Billings BID	Parks Maint	$ 2,500.00	park maintenance district contract for Jan-Mar20 (5801)
11/02/2020	837839	Downtown Billings BID	Parks Maint	$ 2,500.00	park maintenance district contract forJul-Sept20 (5803)
11/02/2020	837839	Downtown Billings BID	Parks Maint	$ 2,500.00	park maintenance district contract forJul-Sept20 (5803)
11/02/2020	837840	Ecolane USA	Transit	$ 24,940.51	Paratransit Demand Response & Dispatch Software
11/02/2020	837845	First Montana Title	CDBG	$ 10,000.00	FTHB Joseph Hersey 522 South 33rd
11/02/2020	837852	Great West Eng	Park Prgrms	$ 2,625.00	High Sierra restroom-professional services-invoice 22635
11/02/2020	837857	HDR, Inc.	Solid Waste	$ 40,037.10	WO 17-12 Landfill Drop-off Facility; 1200301795 Pmt 39
11/02/2020	837857	HDR, Inc.	Wastewater	$ 42,808.65	WO 14-11 WWTP Nutrient Upgrade Expansion & Improvements
11/02/2020	837864	Ingram Library Service	Library	$ (17.10)	48664286
11/02/2020	837864	Ingram Library Service	Library	$ 17.08	48666992
11/02/2020	837864	Ingram Library Service	Library	$ 16.51	48666993
11/02/2020	837864	Ingram Library Service	Library	$ 26.53	48666994
11/02/2020	837864	Ingram Library Service	Library	$ 34.60	48686690
11/02/2020	837864	Ingram Library Service	Library	$ 17.69	48686691
11/02/2020	837864	Ingram Library Service	Library	$ 7.66	48686692
11/02/2020	837864	Ingram Library Service	Library	$ 10.79	48686692
11/02/2020	837864	Ingram Library Service	Library	$ 10.00	48686693
11/02/2020	837864	Ingram Library Service	Library	$ 68.17	48686694
11/02/2020	837864	Ingram Library Service	Library	$ 43.98	48686694
11/02/2020	837864	Ingram Library Service	Library	$ 156.78	48686694
11/02/2020	837864	Ingram Library Service	Library	$ 606.55	48686694
11/02/2020	837864	Ingram Library Service	Library	$ 17.10	48784274
11/02/2020	837864	Ingram Library Service	Library	$ 11.18	48784275
11/02/2020	837864	Ingram Library Service	Library	$ 14.34	48784276
11/02/2020	837864	Ingram Library Service	Library	$ 23.99	48784277
11/02/2020	837864	Ingram Library Service	Library	$ 5.89	48784277
11/02/2020	837864	Ingram Library Service	Library	$ 204.01	48784278
11/02/2020	837864	Ingram Library Service	Library	$ 13.20	48784278
11/02/2020	837864	Ingram Library Service	Library	$ 12.98	48784279
11/02/2020	837864	Ingram Library Service	Library	$ 9.59	48784280
11/02/2020	837864	Ingram Library Service	Library	$ 10.59	48784280
11/02/2020	837864	Ingram Library Service	Library	$ 5.89	48784281
11/02/2020	837864	Ingram Library Service	Library	$ 16.52	48784281

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	837864	Ingram Library Service	Library	$ 113.86	48784281
11/02/2020	837864	Ingram Library Service	Library	$ 57.76	48784282
11/02/2020	837864	Ingram Library Service	Library	$ 19.24	48784282
11/02/2020	837864	Ingram Library Service	Library	$ 15.33	48784283
11/02/2020	837864	Ingram Library Service	Library	$ 19.25	48801415
11/02/2020	837864	Ingram Library Service	Library	$ 258.63	48801415
11/02/2020	837864	Ingram Library Service	Library	$ 534.59	48801415
11/02/2020	837864	Ingram Library Service	Library	$ 127.72	48801415
11/02/2020	837864	Ingram Library Service	Library	$ 88.82	48801415
11/02/2020	837864	Ingram Library Service	Library	$ 639.67	48801415
11/02/2020	837864	Ingram Library Service	Library	$ 20.65	48801416
11/02/2020	837864	Ingram Library Service	Library	$ 10.19	48801417
11/02/2020	837864	Ingram Library Service	Library	$ 72.00	48801418
11/02/2020	837864	Ingram Library Service	Library	$ 21.81	48801419
11/02/2020	837864	Ingram Library Service	Library	$ 10.61	48801420
11/02/2020	837864	Ingram Library Service	Library	$ 10.19	48801421
11/02/2020	837864	Ingram Library Service	Library	$ 16.51	48801422
11/02/2020	837864	Ingram Library Service	Library	$ 108.00	48801423
11/02/2020	837864	Ingram Library Service	Library	$ 108.00	48801423
11/02/2020	837864	Ingram Library Service	Library	$ 8.99	48875697
11/02/2020	837864	Ingram Library Service	Library	$ 26.66	48875697
11/02/2020	837864	Ingram Library Service	Library	$ 22.95	48875697
11/02/2020	837864	Ingram Library Service	Library	$ 20.68	48875698
11/02/2020	837864	Ingram Library Service	Library	$ 25.95	48901359
11/02/2020	837864	Ingram Library Service	Library	$ 20.65	48901359
11/02/2020	837864	Ingram Library Service	Library	$ 25.93	48901359
11/02/2020	837864	Ingram Library Service	Library	$ 29.48	48901360
11/02/2020	837864	Ingram Library Service	Library	$ 17.10	48901361
11/02/2020	837864	Ingram Library Service	Library	$ 5.37	48901362
11/02/2020	837864	Ingram Library Service	Library	$ 17.70	48901362
11/02/2020	837864	Ingram Library Service	Library	$ 24.75	48901362
11/02/2020	837864	Ingram Library Service	Library	$ 56.99	48901362
11/02/2020	837864	Ingram Library Service	Library	$ 43.45	48901363
11/02/2020	837864	Ingram Library Service	Library	$ 35.73	48901363

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	837864	Ingram Library Service	Library	$ 11.20	48901364
11/02/2020	837864	Ingram Library Service	Library	$ 16.49	48901364
11/02/2020	837864	Ingram Library Service	Library	$ 58.47	48901364
11/02/2020	837864	Ingram Library Service	Library	$ 10.61	48921796
11/02/2020	837864	Ingram Library Service	Library	$ 94.49	48921797
11/02/2020	837864	Ingram Library Service	Library	$ 26.12	48921797
11/02/2020	837864	Ingram Library Service	Library	$ 95.69	48921797
11/02/2020	837864	Ingram Library Service	Library	$ 476.96	48921797
11/02/2020	837864	Ingram Library Service	Library	$ 78.20	48921798
11/02/2020	837864	Ingram Library Service	Library	$ 10.62	48921799
11/02/2020	837864	Ingram Library Service	Library	$ 33.04	48921800
11/02/2020	837864	Ingram Library Service	Library	$ 35.70	48921800
11/02/2020	837864	Ingram Library Service	Library	$ 143.93	48921801
11/02/2020	837864	Ingram Library Service	Library	$ 11.20	48921801
11/02/2020	837864	Ingram Library Service	Library	$ 16.51	48921802
11/02/2020	837864	Ingram Library Service	Library	$ 65.79	48921802
11/02/2020	837864	Ingram Library Service	Library	$ 13.75	48921802
11/02/2020	837864	Ingram Library Service	Library	$ 13.62	48921802
11/02/2020	837864	Ingram Library Service	Library	$ 16.94	48921803
11/02/2020	837864	Ingram Library Service	Library	$ 20.65	48921803
11/02/2020	837864	Ingram Library Service	Library	$ 6.53	48921803
11/02/2020	837864	Ingram Library Service	Library	$ 21.99	48921803
11/02/2020	837864	Ingram Library Service	Library	$ 72.13	48921804
11/02/2020	837864	Ingram Library Service	Library	$ 10.61	48921804
11/02/2020	837864	Ingram Library Service	Library	$ 8.84	48939028
11/02/2020	837867	Interstate Power	General	$ 490.23	C007053704.01
11/02/2020	837867	Interstate Power	Public Safety	$ 3,299.00	R007051376.01
11/02/2020	837867	Interstate Power	Street/Traffic	$ 275.83	C007053727.01
11/02/2020	837870	JC Billion Inc	Wastewater	$ 34,791.50	2020-550/5500 4wd, dual rear, extend cab, flatbed w/hoist & plow
11/02/2020	837870	JC Billion Inc	Wastewater	$ (5,200.00)	TRADE IN UNIT 7910
11/02/2020	837870	JC Billion Inc	Water	$ 34,791.50	2020-550/5500 4wd, dual rear, extend cab, flatbed w/hoist & plow
11/02/2020	837872	Kathryne & Wendell Bennett	SID Fund	$ 4,388.07	SID 1375 Refunds
11/02/2020	837876	Knife River	Park Dist 1	$ 84.40	centennial park landscaping-boulders
11/02/2020	837876	Knife River	Street/Traffic	$ 2,070.75	asphalt

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	837876	Knife River	Street/Traffic	$ 776.60	asphalt
11/02/2020	837876	Knife River	Street/Traffic	$ 1,410.75	asphalt
11/02/2020	837876	Knife River	Street/Traffic	$ 3,111.90	asphalt
11/02/2020	837876	Knife River	Street/Traffic	$ 6,669.30	asphalt
11/02/2020	837882	L N Curtis and Sons	Public Safety	$ 2,650.00	Gloves, Kangaroo leather, Sizes L, XL, XXL
11/02/2020	837882	L N Curtis and Sons	Public Safety	$ 23.84	SHIPPING: INV432755, STRUCTURE FIRE GLOVES
11/02/2020	837901	Morrison Maierle	Water	$ 2,527.00	WO 20-40 Walter Pump Station Generator; 205526 Pmt 7
11/02/2020	837901	Morrison Maierle	Water	$ 6,923.39	WO1815 Voelker Pump Station Improvements; 205188 bPmt 18
11/02/2020	837901	Morrison Maierle	Water	$ 2,179.80	WO1815 Voelker Pump Station Improvements; 205188 Pmt 19
11/02/2020	837904	MT Waterworks	Water	$ 1,764.00	6" HYDRANT EXTENSION - WATEROUS (6-K562)
11/02/2020	837904	MT Waterworks	Water	$ 825.00	6" PLASTIC PIPE-CLASS 200-SDR-14-C900-SLIP HUB
11/02/2020	837904	MT Waterworks	Water	$ 787.50	8" HYMAX COUPLING - 8.54-9.84 (20000984260)
11/02/2020	837904	MT Waterworks	Water	$ 1,723.92	8" MJ GATE VALVE
11/02/2020	837904	MT Waterworks	Water	$ 518.80	TYLER 5-1/4" HD 12# DROP LID - WATER (TY502418)
11/02/2020	837904	MT Waterworks	Water	$ 621.00	TYLER 5-1/4" X 3" PAVING - RISER TY533696 (TY533696)
11/02/2020	837898	MT-Dakota Utilities	Engineering	$ 57.32	595 373 1000 1
11/02/2020	837898	MT-Dakota Utilities	Facilities	$ 216.92	130 733 1000 8
11/02/2020	837898	MT-Dakota Utilities	Facilities	$ 719.19	757 633 1000 2
11/02/2020	837898	MT-Dakota Utilities	Facilities	$ 880.27	929 780 1000 4
11/02/2020	837898	MT-Dakota Utilities	Facilities	$ 638.23	989 733 1000 0
11/02/2020	837898	MT-Dakota Utilities	Facilities	$ 212.83	993 733 1000 4
11/02/2020	837898	MT-Dakota Utilities	General	$ 31.30	061 943 1000 6
11/02/2020	837898	MT-Dakota Utilities	General	$ 32.00	437 780 1000 9
11/02/2020	837898	MT-Dakota Utilities	General	$ 69.79	571 295 3342 8
11/02/2020	837898	MT-Dakota Utilities	General	$ 35.76	927 890 1000 3
11/02/2020	837898	MT-Dakota Utilities	Library	$ 648.48	219 924 4851 0
11/02/2020	837898	MT-Dakota Utilities	P.W. Admin	$ 14.32	595 373 1000 1
11/02/2020	837898	MT-Dakota Utilities	Park Dist 1	$ 39.87	371 101 1000 6
11/02/2020	837898	MT-Dakota Utilities	Parking	$ 17.70	303 725 2591 2
11/02/2020	837898	MT-Dakota Utilities	Parking	$ 15.65	717 353 1000 6
11/02/2020	837898	MT-Dakota Utilities	Parking	$ 17.21	799 152 1209 0
11/02/2020	837898	MT-Dakota Utilities	Public Safety	$ 16.19	062 907 9494 7
11/02/2020	837898	MT-Dakota Utilities	Public Safety	$ 340.17	169 233 1000 3
11/02/2020	837898	MT-Dakota Utilities	Public Safety	$ 170.52	442 190 1000 4

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11/02/2020	837898	MT-Dakota Utilities	Public Safety	$ 19.77	514 117 0478 9
11/02/2020	837898	MT-Dakota Utilities	Public Safety	$ 59.89	533 653 1000 1
11/02/2020	837898	MT-Dakota Utilities	Public Safety	$ 114.52	885 880 1000 4
11/02/2020	837898	MT-Dakota Utilities	Solid Waste	$ 195.63	770 390 1000 2
11/02/2020	837898	MT-Dakota Utilities	Transit	$ 330.44	962 880 1000 0
11/02/2020	837898	MT-Dakota Utilities	Wastewater	$ 1,356.93	293 780 1000 2
11/02/2020	837898	MT-Dakota Utilities	Wastewater	$ 1,356.93	293 780 1000 2
11/02/2020	837898	MT-Dakota Utilities	Wastewater	$ 2,713.84	293 780 1000 2
11/02/2020	837898	MT-Dakota Utilities	Wastewater	$ 62.10	310 490 1000 7
11/02/2020	837898	MT-Dakota Utilities	Wastewater	$ 29.22	410 490 1000 6
11/02/2020	837898	MT-Dakota Utilities	Wastewater	$ 32.32	735 453 1000 2
11/02/2020	837898	MT-Dakota Utilities	Wastewater	$ 38.01	868 563 1000 7
11/02/2020	837898	MT-Dakota Utilities	Water	$ 49.69	010 490 1000 0
11/02/2020	837898	MT-Dakota Utilities	Water	$ 33.35	076 225 9180 3
11/02/2020	837898	MT-Dakota Utilities	Water	$ 18.22	110 490 1000 9
11/02/2020	837898	MT-Dakota Utilities	Water	$ 29.59	209 077 5055 6
11/02/2020	837898	MT-Dakota Utilities	Water	$ 52.27	210 490 1000 8
11/02/2020	837898	MT-Dakota Utilities	Water	$ 186.28	310 490 1000 7
11/02/2020	837898	MT-Dakota Utilities	Water	$ 87.66	410 490 1000 6
11/02/2020	837898	MT-Dakota Utilities	Water	$ 514.45	500 490 1000 7
11/02/2020	837898	MT-Dakota Utilities	Water	$ 24.42	510 490 1000 5
11/02/2020	837898	MT-Dakota Utilities	Water	$ 15.65	527 033 1000 4
11/02/2020	837898	MT-Dakota Utilities	Water	$ 18.22	566 923 1000 8
11/02/2020	837898	MT-Dakota Utilities	Water	$ 7.82	600 490 1000 6
11/02/2020	837898	MT-Dakota Utilities	Water	$ 7.83	600 490 1000 6
11/02/2020	837898	MT-Dakota Utilities	Water	$ 15.65	610 490 1000 4
11/02/2020	837898	MT-Dakota Utilities	Water	$ 21.83	666 923 1000 7
11/02/2020	837898	MT-Dakota Utilities	Water	$ 81.65	700 490 1000 5
11/02/2020	837898	MT-Dakota Utilities	Water	$ 31.30	800 490 1000 4
11/02/2020	837898	MT-Dakota Utilities	Water	$ 15.65	832 001 1000 1
11/02/2020	837898	MT-Dakota Utilities	Water	$ 154.02	900 490 1000 3
11/02/2020	837910	NorthWestern Energy	Airport	$ 28,693.70	0100482-9. Airport Vault. October 2020
11/02/2020	837910	NorthWestern Energy	Airport	$ 413.32	0712792-1. IP-7. October 2020
11/02/2020	837910	NorthWestern Energy	Airport	$ 709.28	0712800-2. IP-9. October 2020

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11/02/2020	837910	NorthWestern Energy	Airport	$ 214.67	0712809-3 IP-11/12 Alpine. October 2020
11/02/2020	837910	NorthWestern Energy	Engineering	$ 779.75	1741314-7
11/02/2020	837910	NorthWestern Energy	Engineering	$ 32.74	NWE Depot Parking Lot Electricity #0698856-2
11/02/2020	837910	NorthWestern Energy	Facilities	$ 6,922.79	0100507-3
11/02/2020	837910	NorthWestern Energy	Facilities	$ 684.83	0975808-7
11/02/2020	837910	NorthWestern Energy	Facilities	$ 60.83	3602453-7
11/02/2020	837910	NorthWestern Energy	Facilities	$ 890.14	3602454-5
11/02/2020	837910	NorthWestern Energy	P.W. Admin	$ 194.93	1741314-7
11/02/2020	837910	NorthWestern Energy	P.W. Admin	$ 8.18	NWE Depot Parking Lot Electricity #0698856-2
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 1,361.72	0100506-5
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 102.22	0712683-2
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 5.92	0722237-5
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 5.92	0722247-4
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 269.45	0722251-6
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 0.25	0722254-0
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 99.51	0722255-7
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 614.33	0722257-3
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 314.32	0722260-7
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 6.69	0722261-5
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 3.16	0722262-3
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 47.24	0722263-1
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 112.23	0722265-6
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 37.41	0722266-4
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 2.66	0722268-0
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 16.08	0722269-8
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 12.94	0722292-0
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 26.62	0722293-8
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 14.43	0722905-7
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 161.20	0722933-9
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ -	0723027-9
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 109.47	0723035-2
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 7.44	0723036-0
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 202.01	0723037-8
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 27.20	0723038-6

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11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 37.41	0723042-8
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 229.55	0723044-4
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 78.14	0723048-5
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 180.01	0723050-1
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 17.77	0723051-9
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 35.07	0723052-7
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 451.68	0723054-3
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 11.64	0723055-0
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 30.19	0723056-8
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 8.34	0723057-6
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 36.27	0723058-4
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 8.40	0723090-7
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 5.80	0723162-4
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 732.53	0723170-7
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 22.31	0789437-1
11/02/2020	837910	NorthWestern Energy	Park Dist 1	$ 5.80	0831702-6
11/02/2020	837910	NorthWestern Energy	Parking	$ 522.18	0720829-1
11/02/2020	837910	NorthWestern Energy	Parking	$ 2,445.00	0720834-1
11/02/2020	837910	NorthWestern Energy	Parking	$ 1,497.15	1569636-2
11/02/2020	837910	NorthWestern Energy	Parking	$ 775.69	1594282-4
11/02/2020	837910	NorthWestern Energy	Parking	$ 1,738.18	3067416-2
11/02/2020	837910	NorthWestern Energy	Parking	$ 186.92	3279035-4
11/02/2020	837910	NorthWestern Energy	Parking	$ 119.69	3463478-2
11/02/2020	837910	NorthWestern Energy	Parks Maint	$ 231.04	1059093-3
11/02/2020	837910	NorthWestern Energy	Public Safety	$ 2,208.53	0100476-1 FIRE1: ELECTRICAL SERVICE
11/02/2020	837910	NorthWestern Energy	Public Safety	$ 565.32	0712537-0
11/02/2020	837910	NorthWestern Energy	Public Safety	$ 397.89	0720840-8
11/02/2020	837910	NorthWestern Energy	Public Safety	$ 201.23	1984150-1
11/02/2020	837910	NorthWestern Energy	Public Safety	$ 254.18	1984155-0
11/02/2020	837910	NorthWestern Energy	Public Safety	$ 1,960.64	3448739-7
11/02/2020	837910	NorthWestern Energy	Radio	$ 207.58	0721580-9
11/02/2020	837910	NorthWestern Energy	Street/Traffic	$ 1.74	0723644-1
11/02/2020	837910	NorthWestern Energy	Street/Traffic	$ 5.80	0723644-1
11/02/2020	837910	NorthWestern Energy	Street/Traffic	$ 5.80	0723645-8

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11/02/2020	837910	NorthWestern Energy	Transit	$ 24.33	0712764-0
11/02/2020	837910	NorthWestern Energy	Transit	$ 187.59	1784756-7
11/02/2020	837910	NorthWestern Energy	Water	$ 2,482.85	0723043-6
11/02/2020	837911	OCLC	Library	$ 11,435.87	1000054364 Group Contract 7/2020-6/2021
11/02/2020	837918	Power Process Equipt	Water	$ 2,641.00	10142891; PUMP 2 LSPS #2
11/02/2020	837922	RDO Equipment	Solid Waste	$ 2,129.34	Filters for the Landfill P6812312
11/02/2020	837922	RDO Equipment	Solid Waste	$ 1,559.60	Filters for the Landfill P6838912
11/02/2020	837922	RDO Equipment	Solid Waste	$ 462.00	Oil for the Landfill P6818812
11/02/2020	837922	RDO Equipment	Solid Waste	$ 5.70	P6847212
11/02/2020	837922	RDO Equipment	Solid Waste	$ 288.10	P6860212
11/02/2020	837922	RDO Equipment	Water	$ 168.29	P6731012
11/02/2020	837922	RDO Equipment	Water	$ 29.63	P6741812
11/02/2020	837922	RDO Equipment	Water	$ 87.51	P6755812
11/02/2020	837922	RDO Equipment	Water	$ 72.21	P6756612
11/02/2020	837922	RDO Equipment	Water	$ 696.58	P6770712
11/02/2020	837922	RDO Equipment	Water	$ (696.58)	P6770912
11/02/2020	837927	Schneiter Enterprises	SID Fund	$ 4,388.07	SID 1375 Refunds
11/02/2020	837938	Town & Country Supply	Public Safety	$ 411.97	412235 FIRE 5: DIESEL, BLENDED, 125 GALLONS EACH
11/02/2020	837938	Town & Country Supply	Public Safety	$ 659.14	412236 FIRE 1: DIESEL, BLENDED 200 GALLONS EACH #1 & #2
11/02/2020	837938	Town & Country Supply	Public Safety	$ 659.14	412237 FIRE 2: DIESEL, BLENDED 200 GALLONS EACH #1 & #2
11/02/2020	837938	Town & Country Supply	Public Safety	$ 411.97	412238 FIRE 6 DIESEL, BLENDED 125 GALLONS EACH #1 & #2
11/02/2020	837938	Town & Country Supply	Transit	$ 9,479.84	Invoice #412358 PO NUM 311339. Diesel for MET
11/02/2020	837939	Tractor & Equipment	Solid Waste	$ 710.54	Antifreeze for the Landfill BLCS0742303
11/02/2020	837939	Tractor & Equipment	Solid Waste	$ 3,524.16	BLCS0741997
11/02/2020	837939	Tractor & Equipment	Solid Waste	$ 2,677.56	BLCS0742136
11/02/2020	837939	Tractor & Equipment	Solid Waste	$ 445.24	Element for the Landfill BLCS0742072
11/02/2020	837939	Tractor & Equipment	Street/Traffic	$ 607.66	BLCS0740285
11/02/2020	837939	Tractor & Equipment	Street/Traffic	$ 67.59	rocker switch/receptable/pin for 1213
11/02/2020	837939	Tractor & Equipment	Street/Traffic	$ 7.09	recptable/pin for 1212
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 507.22	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 1,012.43	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 95.00	A1 Jds Lock - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 340.00	Aaae - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 1,073.40	Alco Covers Llc - PCard

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11/02/2020	ACH	U.S. Bank PCards	Airport	$ 300.00	Alpha Overhead Door - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 295.59	Amazon.Com*Mk8709Ha1 Amzn - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 33.98	Amzn Mktp Us*2T6By9Ok2 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 711.98	Amzn Mktp Us*M49R75S91 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 379.99	Amzn Mktp Us*Mk0Tr8Rk2 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 416.97	Amzn Mktp Us*Mk4Eq2S01 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 4,949.89	Amzn Mktp Us*Mk5Mc4X41 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 515.00	Amzn Mktp Us*Mk8Hs40Y0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 1,139.97	Amzn Mktp Us*Mk93B7Rd2 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 1,382.93	Armacost Trane Service Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 272.88	Batteries+Bulbs #0253 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 25.00	Batteries+Bulbs #0253 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 29.99	Best Buy 00005926 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 242.00	Billings Overhead Door In - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 51.96	Buildersfirstsource64021 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 9.98	Buildersfirstsource64021 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 265.36	Certified Laboratories - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 391.00	Creative Monograms Smb - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 568.00	Creative Monograms Smb - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 56.57	Crescent Electric 054 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 30.00	Culligan Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 162.25	Cummins Inc - 38 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ (162.25)	Cummins Inc - 38 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 162.25	Cummins Inc - 38 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 195.18	Cwalla Building Materials - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 108.16	Direct Auto Distributing - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 90.99	Dtv*Directv Service - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 113.92	Ecolab Pest Cs - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 107.92	Ecolab Pest Cs - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 97.13	Ecolab Pest Cs - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 172.08	Ecolab Pest Cs - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 105.00	Empire Heating And Coolin - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 62.90	Evergreen Ace Hardware - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 11.98	Evergreen Ace Hardware - PCard

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11/02/2020	ACH	U.S. Bank PCards	Airport	$ 122.40	Fischer Comm Flooring L - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 43.27	Fisher'S Technology - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 1,899.24	Flowmark High Tech Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 14.00	Gm Service Center - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 308.22	Grainger - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 92.06	Grainger - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 14.22	Grainger - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 42.01	Grainger - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 276.21	Grainger - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 37.50	Graybar Electric - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 287.00	Graybar Electric - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 600.00	Graybar Electric - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 574.00	Graybar Electric - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 150.00	Graybar Electric - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 311.77	Graybar Electric Company - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 34.99	Heights Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 375.00	Historical Society-Gift - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 48.22	Hose & Rubber Supply - Bi - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 33.44	Hose & Rubber Supply - Bi - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 169.31	Hose & Rubber Supply - Bi - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 6.37	Hose & Rubber Supply - Bi - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 597.39	House Of Clean - Bozeman - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 408.86	House Of Clean - Bozeman - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 60.00	In *Cotter'S Sewer, Septi - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 1,555.00	In *Mjr Industries Inc. - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 1,385.00	In *Mjr Industries Inc. - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 1,555.00	In *Mjr Industries Inc. - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 231.40	Interstate Power Syste - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 228.80	Johnson Controls Ss - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 606.80	Johnson Controls Ss - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 618.80	Johnson Controls Ss - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 142.04	Johnstone Supply - Billin - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 16.08	Johnstone Supply - Billin - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 220.00	Long Bldg. Technologies - PCard

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11/02/2020	ACH	U.S. Bank PCards	Airport	$ (220.00)	Lp Anderson Point S Tire - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 614.00	Lp Anderson Point S Tire - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 2,165.28	Lp Anderson Point S Tire - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 220.00	Lp Anderson Point S Tire - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 16.50	Lp Anderson Point S Tire - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 168.00	Lp Anderson Point S Tire - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 450.58	Metrix Instruments - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 37.85	Minnesota Trapline Produc - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 389.67	Montana Broom & Brush Co1 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 724.10	Montana Broom & Brush Co1 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 220.96	Montana Broom & Brush Co1 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 364.10	Napa Store 3547001 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 28.15	Napa Store 3547001 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 13.49	Napa Store 3547007 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 162.42	Napa Store 3547007 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 267.18	Norco Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 41.24	Northwest Pipe Fittings, - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 2,048.86	Nwestco - 001 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 2,484.65	Nwestco - 003 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 51.41	O'Reilly Auto Parts 1551 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 130.00	Red Wing Shoes #998 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 32.34	Sherwin Williams 703203 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 509.10	Sherwin Williams 703203 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 305.16	Sherwin Williams 703429 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ (183.48)	Sherwin Williams 703429 - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 319.89	Shipton'S Big R-West - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 387.00	Social Media Examiner - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ (387.00)	Social Media Examiner - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 192.50	Spic And Span - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 66.00	Spic And Span - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 207.10	State Chemic*State Che - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 414.20	State Chemic*State Che - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 67.76	Tacoma Screw Products B - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 42.45	Tacoma Screw Products B - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 1,087.00	The Iris Companies - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 775.00	The Montana Quarterly - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 2,000.00	Transportation Security - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 49.36	Vemco- Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 2,021.33	Yellowstone Electric Comp - PCard
11/02/2020	ACH	U.S. Bank PCards	Airport	$ 15.55	Zoom.Us - PCard
11/02/2020	ACH	U.S. Bank PCards	Building	$ 181.78	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Building	$ 49.99	Amazon.Com*M482Z0751 - PCard
11/02/2020	ACH	U.S. Bank PCards	Building	$ 46.51	Amzn Mktp Us*2T43Z01Z1 - PCard
11/02/2020	ACH	U.S. Bank PCards	Building	$ 25.46	Amzn Mktp Us*2T67V0Nv0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Building	$ 6.41	Amzn Mktp Us*M44I54Ms0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Building	$ 45.98	Amzn Mktp Us*Mk1704Xt2 - PCard
11/02/2020	ACH	U.S. Bank PCards	Building	$ 35.39	Amzn Mktp Us*Mk2Ye6Ck0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Building	$ 29.98	Amzn Mktp Us*Mk2Ye6Ck0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Building	$ 8.40	Amzn Mktp Us*Mk7L09Ae1 - PCard
11/02/2020	ACH	U.S. Bank PCards	Building	$ 74.99	Amzn Mktp Us*Mk9Se9472 - PCard
11/02/2020	ACH	U.S. Bank PCards	Building	$ 44.42	Costco Whse #0069 - PCard
11/02/2020	ACH	U.S. Bank PCards	Building	$ 165.93	Idu*Insight Public Sec - PCard
11/02/2020	ACH	U.S. Bank PCards	Building	$ 219.00	Int'L Code Council Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ (20.76)	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ 49.81	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ 126.61	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ 13.36	Albertsons #0047 - PCard
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ 7.98	Albertsons #0047 - PCard
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ 11.67	Albertsons #0047 - PCard
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ 27.98	Amazon.Com*Mk8Zn7Ai0 - PCard
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ 25.00	Amer Assoc Notaries - PCard
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ 13.59	Amzn Mktp Us*2T05C0Lo2 - PCard
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ 46.78	Amzn Mktp Us*2T2Vi0Jk0 - PCard
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ 147.20	Amzn Mktp Us*Mk1Qp68B0 - PCard
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ 27.87	Amzn Mktp Us*Mk3Y32M50 - PCard
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ 12.95	Canva* 02828-11971409 - PCard
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ 49.43	City Of Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ 275.00	Eb Fall 2020 Mtcc Com - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ 381.98	Fisher'S Technology - PCard
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ 4.75	Mountain Mudd -Broadwater - PCard
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ 550.00	Paypal *Shannonstob - PCard
11/02/2020	ACH	U.S. Bank PCards	CDBG	$ 8.25	Sq *Rock Creek Coffee Roa - PCard
11/02/2020	ACH	U.S. Bank PCards	Central Service	$ 189.20	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Central Service	$ 294.40	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Central Service	$ 257.60	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Central Service	$ 36.80	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Court Grants	$ 155.86	Copy Right - PCard
11/02/2020	ACH	U.S. Bank PCards	Court Grants	$ 11.00	Dollar Tree - PCard
11/02/2020	ACH	U.S. Bank PCards	Court Grants	$ 45.96	Office Depot #450 - PCard
11/02/2020	ACH	U.S. Bank PCards	Court Grants	$ 18.00	Target 00013334 - PCard
11/02/2020	ACH	U.S. Bank PCards	Court Grants	$ 20.00	Yegen Golf Club - PCard
11/02/2020	ACH	U.S. Bank PCards	Court Grants	$ 15.55	Zoom.Us - PCard
11/02/2020	ACH	U.S. Bank PCards	Engineering	$ 30.00	American Society Of Notar - PCard
11/02/2020	ACH	U.S. Bank PCards	Engineering	$ 14.69	Amzn Mktp Us*2T4V27P21 - PCard
11/02/2020	ACH	U.S. Bank PCards	Engineering	$ 11.99	Amzn Mktp Us*2T4V27P21 - PCard
11/02/2020	ACH	U.S. Bank PCards	Engineering	$ 270.00	Asce Purchasing - PCard
11/02/2020	ACH	U.S. Bank PCards	Engineering	$ 270.00	Asce Purchasing - PCard
11/02/2020	ACH	U.S. Bank PCards	Engineering	$ 270.00	Asce Purchasing - PCard
11/02/2020	ACH	U.S. Bank PCards	Engineering	$ 52.00	Cna Surety - PCard
11/02/2020	ACH	U.S. Bank PCards	Engineering	$ 53.70	Costco Whse #0069 - PCard
11/02/2020	ACH	U.S. Bank PCards	Engineering	$ 0.05	Fisher'S Technology - PCard
11/02/2020	ACH	U.S. Bank PCards	Engineering	$ 150.00	Inst Of Transp Eng - PCard
11/02/2020	ACH	U.S. Bank PCards	Engineering	$ 315.00	Inst Of Transp Eng - PCard
11/02/2020	ACH	U.S. Bank PCards	Engineering	$ 285.00	Terracon Consultants Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Engineering	$ 15.55	Zoom.Us - PCard
11/02/2020	ACH	U.S. Bank PCards	Facilities	$ 793.69	Ace Electric - PCard
11/02/2020	ACH	U.S. Bank PCards	Facilities	$ 14.99	Adobe *800-833-6687 - PCard
11/02/2020	ACH	U.S. Bank PCards	Facilities	$ 1,840.63	Air Controls-Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Facilities	$ 535.00	Alpine Plumbing, Heating - PCard
11/02/2020	ACH	U.S. Bank PCards	Facilities	$ 265.00	Billings Chamber Of Comme - PCard
11/02/2020	ACH	U.S. Bank PCards	Facilities	$ 161.63	Ecolab Pest As400 - PCard
11/02/2020	ACH	U.S. Bank PCards	Facilities	$ 151.20	Ecolab Pest As400 - PCard

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11/02/2020	ACH	U.S. Bank PCards	Facilities	$ 9.98	Evergreen Ace Hardware - PCard
11/02/2020	ACH	U.S. Bank PCards	Facilities	$ 12.50	Fps/Mountain Alarm - PCard
11/02/2020	ACH	U.S. Bank PCards	Facilities	$ 727.88	Fps/Mountain Alarm - PCard
11/02/2020	ACH	U.S. Bank PCards	Facilities	$ 75.00	Fps/Mountain Alarm - PCard
11/02/2020	ACH	U.S. Bank PCards	Facilities	$ 46.80	Grainger - PCard
11/02/2020	ACH	U.S. Bank PCards	Facilities	$ 114.22	Hanson Chemical - PCard
11/02/2020	ACH	U.S. Bank PCards	Facilities	$ 30.57	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Facilities	$ 33.96	Lowes #00319* - PCard
11/02/2020	ACH	U.S. Bank PCards	Facilities	$ 165.00	Rgp*Trugreen - PCard
11/02/2020	ACH	U.S. Bank PCards	Facilities	$ 2,178.00	Sq *Rolling Right Door Se - PCard
11/02/2020	ACH	U.S. Bank PCards	Facilities	$ 13.94	The Home Depot #3101 - PCard
11/02/2020	ACH	U.S. Bank PCards	Fleet	$ 720.00	Cummins Inc - 40 - PCard
11/02/2020	ACH	U.S. Bank PCards	Fleet	$ 50.00	Yourmember-Careers - PCard
11/02/2020	ACH	U.S. Bank PCards	Fleet	$ 199.00	Yourmember-Careers - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 498.10	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 58.53	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 33.74	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 13.35	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 32.94	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 61.69	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ (247.31)	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 43.25	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 547.48	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 344.99	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 24.54	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 11.65	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 24.53	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 68.63	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 17.61	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 38.45	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 35.06	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 38.00	Aaim - Services - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 52.99	Adobe Creative Cloud - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 52.99	Adobe Creative Cloud - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	General	$ 58.34	Adobe Creative Cloud - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 29.99	Adobe Creative Cloud - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 14.99	Adobe Pdf Pack Subs - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 23.46	Albertsons #0038 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 9.18	Albertsons #0047 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 29.21	Albertsons #0047 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 59.50	Amazon.Com*2T20P0Nc1 Amzn - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 55.67	Amazon.Com*2T65P33A0 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 139.98	Amazon.Com*M45C525W0 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 19.99	Amazon.Com*M462Y5D50 Amzn - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 119.94	Amazon.Com*Mk0Kj5Cw1 Amzn - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 69.97	Amazon.Com*Mk7J41Wv2 Amzn - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 70.43	Amzn Mktp Us*2T5Fe2Aq0 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 135.60	Amzn Mktp Us*2T5Op9Ev0 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 29.95	Amzn Mktp Us*M47Za52J1 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 77.49	Amzn Mktp Us*Mk5Qt9Pd2 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 1,325.00	Billings Chamber Of Comme - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 9.29	Billings Hardware & Servi - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 54.91	Billings Hardware & Servi - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 459.00	Billings Ink And Toner, I - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 934.00	Billings Ink And Toner, I - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 34.00	Bin 119 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 31.31	Buddy Punch - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 31.31	Buddy Punch - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 26.00	Conoco - Migi Mart - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 21.00	Conoco - Migi Mart - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 23.97	Costco Whse #0069 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 52.99	Creative Cloud Indiv - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 16.00	Creative Monograms Smb - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 12.00	Dollar Tree - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 9.00	Dollar Tree - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 15.00	Facebk *M52Nnwn3Y2 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 15.00	Facebk *Uxnggwjvj2 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 99.60	Fisher'S Technology - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	General	$ 102.62	Fisher'S Technology - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 90.37	Fisher'S Technology - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 49.24	Grainger - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 49.83	Grainger - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 24.60	Hanson Chemical - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 243.18	Hanson Chemical - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 110.85	Hanson Chemical - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ (632.40)	Healthy Posture Store - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 263.14	Heartland Paper Company - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 14.85	Heights Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 76.62	Idu*Insight Public Sec - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 149.00	In *Billings Extinguishin - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 235.69	Indeed - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 35.00	Jakes And Jakes Saloon - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 363.00	Juli Pierce Law Pllc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 186.94	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 9.99	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 15.29	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 49.98	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 29.86	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ (24.99)	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 28.58	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 219.20	Meadow Green Sales - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 162.54	Meadow Green Sales - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 103.52	Meadow Green Sales - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 92.98	Microsoft*Store - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 225.00	Montanasocietyofcertified - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 77.25	Mtleague - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 77.25	Mtleague - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 420.00	Nflflagjersey Order - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 315.38	Nflflagjersey Order - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 62.50	Nflflagjersey Order - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 1,975.00	Nflflagjersey Order - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 3.18	Northwest Pipe Fittings - PCard

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11/02/2020	ACH	U.S. Bank PCards	General	$ 237.09	Northwest Pipe Fittings, - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 38.19	Office Depot #2135 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 41.19	Office Depot #2135 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 15.00	Pepsicola Bottling Compan - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 239.94	Pro-Lite Sports - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 17.98	Reese & Ray'S Iga P - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 34.00	Roadhouse Diner - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 203.76	Sherwin Williams 703203 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 37.00	Smk*Surveymonkey.Com - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 79.99	Spectrum - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 80.00	Sq *Billings Computer Pro - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 8.30	Sq *Rock Creek Coffee Roa - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 31.96	Target 00013334 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 22.00	The Burger Bunker - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 211.36	The Hotel Arvon - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 211.36	The Hotel Arvon - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 30.00	The Rubber Stamp Shop, - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 231.53	The Webstaurant Store - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 643.50	Thomson West*Tcd - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 1,121.79	Thomson West*Tcd - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 1,121.79	Thomson West*Tcd - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 22.95	Tire Rama 101 Bc - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 33.00	Usps Po 2907800103 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 395.00	Varidesk* 1800 207 2587 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 12.94	Wal-Mart #1956 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 16.15	Wal-Mart #1956 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 16.74	Wal-Mart #2923 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 55.87	Wal-Mart #2923 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 47.85	Wheniwork.Com - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 49.40	Wm Supercenter #2923 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 92.05	Wm Supercenter #2923 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 15.55	Zoom.Us - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 15.55	Zoom.Us - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 155.52	Zoom.Us - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	General	$ 14.99	Zoom.Us - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 44.97	Zoom.Us - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 15.55	Zoom.Us 888-799-9666 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 15.55	Zoom.Us 888-799-9666 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 15.55	Zoom.Us 888-799-9666 - PCard
11/02/2020	ACH	U.S. Bank PCards	General	$ 15.55	Zoom.Us 888-799-9666 - PCard
11/02/2020	ACH	U.S. Bank PCards	Health Ins Fund	$ 390.00	Welcoa Store - PCard
11/02/2020	ACH	U.S. Bank PCards	IT Resources	$ 38.00	Aaim - Services - PCard
11/02/2020	ACH	U.S. Bank PCards	IT Resources	$ 15.48	Amazon.Com*Mk1Vg3Mp0 - PCard
11/02/2020	ACH	U.S. Bank PCards	IT Resources	$ 113.99	Amzn Mktp Us*2T22Z0061 - PCard
11/02/2020	ACH	U.S. Bank PCards	IT Resources	$ 29.99	Amzn Mktp Us*2T5Fc4Lq2 - PCard
11/02/2020	ACH	U.S. Bank PCards	IT Resources	$ 122.88	Amzn Mktp Us*M407H8Sl2 - PCard
11/02/2020	ACH	U.S. Bank PCards	IT Resources	$ 50.94	Amzn Mktp Us*Mk4Nk8040 - PCard
11/02/2020	ACH	U.S. Bank PCards	IT Resources	$ 34.50	Fps/Mountain Alarm - PCard
11/02/2020	ACH	U.S. Bank PCards	IT Resources	$ 15.55	Zoom.Us - PCard
11/02/2020	ACH	U.S. Bank PCards	Legal Grants	$ 158.28	Idu*Insight Public Sec - PCard
11/02/2020	ACH	U.S. Bank PCards	Legal Grants	$ 26.86	Idu*Insight Public Sec - PCard
11/02/2020	ACH	U.S. Bank PCards	Legal Grants	$ 3.99	Lil Market - PCard
11/02/2020	ACH	U.S. Bank PCards	Legal Grants	$ 425.96	Office Depot #450 - PCard
11/02/2020	ACH	U.S. Bank PCards	Legal Grants	$ 209.99	Wf* Wayfair 3413758009 - PCard
11/02/2020	ACH	U.S. Bank PCards	Legal Grants	$ 944.65	Wf* Wayfair 3413758009 - PCard
11/02/2020	ACH	U.S. Bank PCards	Legal Grants	$ 348.22	Wf* Wayfair 3425989117 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 881.22	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 36.80	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 8.95	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 249.96	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 13.96	Albertsons #0047 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 75.00	Albertsons #4041 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 18.00	Albertsons #4041 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 244.95	Amazon.Com*M43Gc7Q62 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 118.90	Amazon.Com*M45Uq8950 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 301.30	Amazon.Com*M48Ss2Rv0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 35.97	Amazon.Com*Mk5Kz1961 Amzn - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 16.99	Amazon.Com*Mk6Kr5Qv2 Amzn - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	Library	$ 43.50	Amzn Mktp Us*M43Mx2Ek0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 34.17	Amzn Mktp Us*M47218De1 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 34.77	Amzn Mktp Us*M484W1Vf0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 31.14	Amzn Mktp Us*M485Q27F0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 197.46	Amzn Mktp Us*M48Fs4Uo1 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 172.06	Amzn Mktp Us*Mk32Q0841 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 74.95	Amzn Mktp Us*Mk3510N72 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 6.69	Amzn Mktp Us*Mk6Co0Jd0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 116.56	Bound To Stay Bound Books - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 145.70	Bound To Stay Bound Books - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 116.56	Bound To Stay Bound Books - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 511.02	Brodart Supplies - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 654.15	Brodart Supplies - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 182.76	Center Point Large Print - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 495.00	Data Axle-Citydirectories - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 918.67	Econo Print - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 349.40	Econo Print - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 179.27	Ferguson Ent #3027 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 65.42	Fisher'S Technology - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 249.90	Genially Web S.L. - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 341.04	Hanson Chemical - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 600.00	Kb Commercial Products - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 526.96	Kb Commercial Products - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 321.21	Kb Commercial Products - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 49.98	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 60.00	Montana Library Associati - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 300.00	Montana Library Associati - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 114.95	Paypal *Elm Usa - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 210.10	Pp*Zeecreativeinc - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 320.00	Snow Crest Chemicals - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 15.00	Sq *Big Dipper Bill - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 29.25	Sq *Stompin Grounds - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 100.00	Sq *Stompin Grounds - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 52.00	Sq *Yellowstone County Ne - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	Library	$ 45.73	Target 00001719 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 54.90	Tlf*Gainans Floral And G - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 38.58	Wal-Mart #1956 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 41.81	Wal-Mart #1956 - PCard
11/02/2020	ACH	U.S. Bank PCards	Library	$ 32.55	Wal-Mart #2923 - PCard
11/02/2020	ACH	U.S. Bank PCards	P.W. Admin	$ 20.90	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	P.W. Admin	$ 207.46	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	P.W. Admin	$ 219.95	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	P.W. Admin	$ 325.00	American Public Works - PCard
11/02/2020	ACH	U.S. Bank PCards	P.W. Admin	$ (31.06)	Amzn Mktp Us - PCard
11/02/2020	ACH	U.S. Bank PCards	P.W. Admin	$ 329.98	Amzn Mktp Us*M412C8110 - PCard
11/02/2020	ACH	U.S. Bank PCards	P.W. Admin	$ 11.49	Billingsgazettethriftynck - PCard
11/02/2020	ACH	U.S. Bank PCards	P.W. Admin	$ 58.47	Brother International - PCard
11/02/2020	ACH	U.S. Bank PCards	P.W. Admin	$ 12.27	Fisher'S Technology - PCard
11/02/2020	ACH	U.S. Bank PCards	P.W. Admin	$ 150.00	Government Finance Offic - PCard
11/02/2020	ACH	U.S. Bank PCards	P.W. Admin	$ 225.00	Internation - PCard
11/02/2020	ACH	U.S. Bank PCards	P.W. Admin	$ 25.00	Montana Secretary State - PCard
11/02/2020	ACH	U.S. Bank PCards	P.W. Admin	$ 77.25	Mtleague - PCard
11/02/2020	ACH	U.S. Bank PCards	P.W. Admin	$ 25.00	The Rubber Stamp Shop, - PCard
11/02/2020	ACH	U.S. Bank PCards	P.W. Admin	$ 299.00	Yourmember-Careers - PCard
11/02/2020	ACH	U.S. Bank PCards	P.W. Admin	$ 46.66	Zoom.Us - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 141.40	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 24.53	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 41.64	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 71.98	A & I Distributors - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 3.13	A And H Turf And Specialt - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 1.96	A And H Turf And Specialt - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 119.60	A And H Turf And Specialt - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 29.99	Adobe Creative Cloud - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 45.00	Batteries+Bulbs #0253 - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 13.99	Best Buy 00005926 - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 17.53	Billings Hardware & Ga - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 70.16	C&B Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 123.30	C&B Billings - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 1.00	Co Billings Park2 - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 5.90	Costco Whse #0069 - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 120.25	Econo Print - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 1,186.86	Econo Print - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 75.43	Enviro Safety Products - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 11.36	Evergreen Ace Hardware - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 187.58	Evergreen Ace Hardware - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 45.96	Evergreen Ace Hardware - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 11.07	Evergreen Ace Hardware - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 69.99	Evergreen Ace Hardware - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 268.97	Evergreen Ace Hardware - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 79.98	Evergreen Ace Hardware - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 78.06	Facebk *D6Ecgyekf2 - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 99.61	Fisher'S Technology - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 150.00	Hansers Wrecker Company - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 106.58	Hanson Chemical - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 15.75	Hanson Chemical - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 23.98	Harbor Freight Tools 207 - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 72.38	Harbor Freight Tools 207 - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 32.57	Heights Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 19.58	Heights Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 7.99	Heights Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 13.98	Heights Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 311.98	In *Canyon Creek Nursery - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 137.48	Isa - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 9.99	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 17.54	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 15.81	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 27.96	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 56.66	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 7.19	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 20.98	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 34.97	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 207.33	Kings Ace Hdwe - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 22.11	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 4.66	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 44.98	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 24.28	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 9.18	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 12.72	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 46.96	Lowes #00319* - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 148.98	Lowes #00319* - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 89.90	Lowes #00319* - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 26.94	Lowes #00319* - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 722.95	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 39.78	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 387.55	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 1.30	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 7.34	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 221.47	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 113.50	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 299.45	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 127.44	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 1,206.27	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 26.65	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 29.29	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 18.65	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 2.02	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 70.54	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 389.82	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 35.07	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 266.56	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 62.83	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 23.62	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 157.90	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 181.68	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 1,162.60	Nc The Cat Rental St - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 17.79	Office Depot #2135 - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 40.17	Office Depot #2135 - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 18.98	Office Depot #450 - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 142.29	Pacific Steel Branch #02 - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 387.60	Pp*Zeecreativeinc - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 4.00	Ratco Trailer And Hitch - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 119.98	Scheels Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 162.25	Sherwin Williams 703203 - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 119.60	Shipton'S Big R-East - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ (5.99)	Shipton'S Big R-West - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ (21.74)	Shipton'S Big R-West - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 2.99	Shipton'S Big R-West - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 35.98	Shipton'S Big R-West - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 179.97	Shipton'S Big R-West - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 133.00	Sq *Mojo Graphics - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 151.20	Staley S Tire And Automot - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 22.70	Staley S Tire And Automot - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 227.50	Staley S Tire And Automot - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 18.39	Tacoma Screw Products B - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 25.41	Tacoma Screw Products B - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 209.86	Tacoma Screw Products B - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 146.98	The Home Depot #3101 - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 9.96	The Home Depot #3101 - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 850.00	Tire Rama 101 Bc - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 853.00	Tire Rama 101 Bc - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 10.00	Tire Rama 103 Bh - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 72.49	Tractor-Supply-Co #0303 - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 108.00	Wilbur Ellis Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 38.91	Wm Supercenter #4412 - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 97.00	Www.Volgistics.Com - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 19.00	Yellowstone Valley Elect - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Dist 1	$ 59.30	Zoom.Us - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Prgrms	$ 159.00	International Bronze Plaq - PCard
11/02/2020	ACH	U.S. Bank PCards	Park Prgrms	$ 1,503.50	The Good Earth Works - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 252.38	360 Office Solutions Inc - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 17.55	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 750.51	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 95.56	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 215.59	Ace Electric - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 197.19	Ace Electric - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 635.00	Alpine Plumbing, Heating - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 119.00	Amazon Prime*Mk6974Ue2 - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 27.98	Amazon.Com*M45Ck2W31 - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 8.63	Amzn Mktp Us*2T8602Fm2 - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 51.98	Amzn Mktp Us*M40Ug16N2 - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 19.84	Amzn Mktp Us*M45778Sp2 - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 6.44	Amzn Mktp Us*Mk9G60R10 - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 195.82	Billings Construction Sup - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 196.41	Billings Construction Sup - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 195.82	Billings Construction Sup - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 15.22	Bruco Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 15.27	Bruco Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 15.22	Bruco Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 5.61	Carquest 3103 - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 1.00	City Of Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 1.00	City Of Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 22.78	Costco Whse #0069 - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 157.53	Econo Print - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 83.00	Kb Commercial Products - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 83.25	Kb Commercial Products - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 83.00	Kb Commercial Products - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 22.99	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 34.05	Montana Int Sub Pymnt - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 47.77	Office Depot #2135 - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 74.51	Office Depot #450 - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 9.48	Shipton'S Big R-East - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 90.00	Sq *Skyline Services, Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 155.00	Sq *Skyline Services, Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Parking	$ 132.88	Uline *Ship Supplies - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	Parks Maint	$ 371.60	A And H Turf And Specialt - PCard
11/02/2020	ACH	U.S. Bank PCards	Parks Maint	$ 165.92	Billings Construction Sup - PCard
11/02/2020	ACH	U.S. Bank PCards	Parks Maint	$ 439.26	Knife River 5601 - PCard
11/02/2020	ACH	U.S. Bank PCards	Parks Maint	$ 137.06	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Parks Maint	$ 158.13	Midland Implement Co - PCard
11/02/2020	ACH	U.S. Bank PCards	Parks Maint	$ 200.68	Northwest Pipe Fittings, - PCard
11/02/2020	ACH	U.S. Bank PCards	Parks Maint	$ 175.08	Yellowstone Valley Elect - PCard
11/02/2020	ACH	U.S. Bank PCards	Parks Maint	$ 40.70	Yellowstone Valley Elect - PCard
11/02/2020	ACH	U.S. Bank PCards	Parks Maint	$ 20.35	Yellowstone Valley Elect - PCard
11/02/2020	ACH	U.S. Bank PCards	Parks Maint	$ 227.63	Yellowstone Valley Elect - PCard
11/02/2020	ACH	U.S. Bank PCards	Parks Maint	$ 74.03	Yellowstone Valley Elect - PCard
11/02/2020	ACH	U.S. Bank PCards	Parks Maint	$ 19.56	Yellowstone Valley Elect - PCard
11/02/2020	ACH	U.S. Bank PCards	PD Prgrms	$ 224.66	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	PD Prgrms	$ 899.85	Amzn Mktp Us*Mk3229Nc1 - PCard
11/02/2020	ACH	U.S. Bank PCards	PD Prgrms	$ 964.00	Creative Monograms Smb - PCard
11/02/2020	ACH	U.S. Bank PCards	PD Prgrms	$ 995.00	Pen-Link Ltd - PCard
11/02/2020	ACH	U.S. Bank PCards	Phone System	$ 22.98	Amzn Mktp Us*M44Dr1Ij1 - PCard
11/02/2020	ACH	U.S. Bank PCards	Phone System	$ 32.97	Amzn Mktp Us*Mk9Zq5702 - PCard
11/02/2020	ACH	U.S. Bank PCards	Planning	$ 47.51	Acco Brands Direct - PCard
11/02/2020	ACH	U.S. Bank PCards	Planning	$ 32.16	Amazon.Com*Mk5Ct2E51 - PCard
11/02/2020	ACH	U.S. Bank PCards	Planning	$ 20.00	American Planning A - PCard
11/02/2020	ACH	U.S. Bank PCards	Planning	$ 36.97	Amzn Mktp Us*M43T89D41 - PCard
11/02/2020	ACH	U.S. Bank PCards	Planning	$ 45.98	Amzn Mktp Us*Mk1704Xt2 - PCard
11/02/2020	ACH	U.S. Bank PCards	Planning	$ 8.40	Amzn Mktp Us*Mk7L09Ae1 - PCard
11/02/2020	ACH	U.S. Bank PCards	Planning	$ 265.00	Billings Chamber Of Comme - PCard
11/02/2020	ACH	U.S. Bank PCards	Planning	$ 448.00	Bluebeam Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Planning	$ 44.43	Costco Whse #0069 - PCard
11/02/2020	ACH	U.S. Bank PCards	Planning	$ 20.00	Facebk *Jqjp9Uev92 - PCard
11/02/2020	ACH	U.S. Bank PCards	Planning	$ 29.04	Jimmy Johns - 1646 - E - PCard
11/02/2020	ACH	U.S. Bank PCards	Planning	$ 93.89	Uline *Ship Supplies - PCard
11/02/2020	ACH	U.S. Bank PCards	Property Ins	$ 17.61	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 496.59	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 191.49	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 9.20	360 Office Solutions Inc - PCard

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11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 15.93	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 624.45	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 248.57	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 1,170.99	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 6.45	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 500.00	Aaa Parking Lot Stripin - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ (19.00)	Academind - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 443.31	Aerotronics Inc Tfbo - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 17.26	Albertsons #0047 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 67.41	Amazon.Com*2T1Rh3N11 Amzn - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 90.75	Amazon.Com*2T2Y37Cg2 Amzn - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ (899.91)	Amzn Mktp Us - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ (204.93)	Amzn Mktp Us - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ (99.99)	Amzn Mktp Us - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 215.91	Amzn Mktp Us*2T3P41Ec0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 116.82	Amzn Mktp Us*2T76M3Zq1 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 9.90	Amzn Mktp Us*2T8Sz5Ep1 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 147.37	Amzn Mktp Us*M40I90De2 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 157.00	Amzn Mktp Us*M42F77Yn0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 60.98	Amzn Mktp Us*M42Z75Gx0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 123.72	Amzn Mktp Us*M440Y6Rl0 Am - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 180.00	Amzn Mktp Us*M44N21Rj0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 44.01	Amzn Mktp Us*M484R1892 Am - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 251.96	Amzn Mktp Us*M487W3E40 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 71.47	Amzn Mktp Us*M48Ic9Ya2 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 223.56	Amzn Mktp Us*Mk2266It0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 312.80	Amzn Mktp Us*Mk4762Sd2 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 20.85	Amzn Mktp Us*Mk5W30Zg0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 36.08	Amzn Mktp Us*Mk9Yi2Xx1 Am - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 3,096.80	Assembled Products Corpor - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 261.12	Assembled Products Corpor - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 1,571.51	B&H Photo 800-606-6969 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 116.95	B&H Photo 800-606-6969 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 46.08	Batteries+Bulbs #0253 - PCard

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11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 59.99	Best Buy 00005926 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 647.12	Best Friends Animal Hosp - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 690.00	Big Sky Communications 1 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 530.00	Billings Chamber Of Comme - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 157.00	Billings Ink And Toner, I - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 59.96	Cab Store Billings, Mt - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 121.52	Chalet Market - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 110.43	Chalet Market - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 145.00	Community Education Nt - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 199.99	Costco Whse #0069 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 199.99	Costco Whse #0069 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 99.39	Costco Whse #0069 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 480.00	Creative Monograms Smb - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 6.00	Creative Monograms Smb - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 184.00	Creative Monograms Smb - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ (684.20)	Delta Air 0062427485436 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 33.89	Easter Seals Goodwill - B - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 548.47	Econo Print - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 410.96	Econo Print - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 41.95	Eqf*Talx Corporation - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 43.09	Evergreen Ace Hardware - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 11.85	Evergreen Ace Hardware - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 13.48	Evergreen Ace Hardware - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 17.99	Evergreen Ace Hardware - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 395.00	Ezregister - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 395.00	Ezregister - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 395.00	Ezregister - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 720.00	Fdsoa - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 21.37	Fedex 95885300 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 185.00	Fire Protection Pub - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 1,363.50	Fire Protection Pub - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 50.00	Firemaster - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 81.00	Fps/Mountain Alarm - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 774.00	Freds Appliance Billings - PCard

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11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 738.00	Freds Appliance Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 407.20	Galls - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 146.68	Galls - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 205.81	Galls - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 250.00	Glock Professional Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 250.00	Glock Professional Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 250.00	Glock Professional Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 81.98	Grainger - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 803.00	Gunarama Wholesale Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 280.52	Hanson Chemical - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 173.01	Hanson Chemical - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 144.58	Hanson Chemical - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 143.28	Hanson Chemical - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 187.08	Hanson Chemical - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 156.09	Hanson Chemical - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 180.74	Hanson Chemical - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 236.84	Hanson Chemical - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 432.60	In *Cynthia Boyer - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 450.00	In *Fileonq - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 378.66	In *K4 Inspections Inc. - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 283.90	Int'L Code Council Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 235.44	Kb Commercial Products - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 64.65	Kb Commercial Products - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 38.92	Kb Commercial Products - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 6.99	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 6.29	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 49.98	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 50.17	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 95.26	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 20.99	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 47.66	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 13.47	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 75.43	Love S Travel 00006791 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 56.45	Love S Travel 00006791 - PCard

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11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 25.34	Lowes #00319* - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 15.88	Lowes #00319* - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 199.96	Lowes #00907* - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 849.00	Lowes #00907* - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 58.95	Mcdonald'S F32354 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 1,187.35	Moore Lane Vh - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 639.05	Nfpa Natl Fire Protect - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 104.45	Nova Biomedical Corporat - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 32.29	Office Depot #2135 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 19.92	Office Depot #2135 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 49.99	Office Depot #2135 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 57.97	Office Depot #2135 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 118.54	Office Depot #2135 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 139.98	Office Depot #450 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 81.18	Office Depot #450 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 1,000.00	Outdoor Research - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 108.00	Podbean.Com - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 185.80	Positive Concepts - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 203.95	Pstc - 911 Cares - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 126.10	Pstc - 911 Cares - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 44.98	Rayallen.Com Jjdog.Com - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 14.90	Sams Club #4805 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 2,446.55	Sirchie Finger Print Labo - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 471.92	Skc Communication Product - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 148.92	Sp * Milspin - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 234.52	Spectrum - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 400.00	Sq *Billings Area Family - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 80.00	Sq *Billings Area Family - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 130.00	Sq *Cpr Cell Phone Repair - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 22.75	Starbucks Store 57586 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 414.20	State Chemic*State Che - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 34.96	Target 00001719 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 78.54	Target 00013334 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ (19.00)	The App Brewery - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 152.59	The Home Depot #3101 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 30.16	The Home Depot #3101 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 159.08	The Home Depot #3101 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 23.92	The Home Depot #3101 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 120.36	The Home Depot #3101 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 138.00	The Home Depot #3101 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 77.97	The Home Depot #3101 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 23.20	The Home Depot #3101 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 320.04	The Home Depot 3101 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 241.90	The Studio - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 45.12	The Ups Store 2594 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 27.99	The Wave - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 27.99	The Wave - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 166.10	Tlo Transunion - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 1,809.25	Uline *Ship Supplies - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 6.50	Universal Awards - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 130.00	Universal Awards - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 300.00	Universal Awards - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 137.34	Ups*000000W219W8380 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 126.85	Ups*000000W219W8390 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 31.50	Ups*000000W219W8400 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 98.69	Ups*000000W219W8410 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 43.15	Vitality Medical Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 29.94	Wal-Mart #2923 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 13.28	Walmart.Com Aa - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 13.28	Walmart.Com Aa - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 44.40	Wm Supercenter #2923 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 19.92	Wm Supercenter #2923 - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 460.76	Wpsg, Inc. - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 443.87	Wpsg, Inc. - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 365.58	Wpsg, Inc. - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 23.23	Yellowstone County Treas - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 23.23	Yellowstone County Treas - PCard
11/02/2020	ACH	U.S. Bank PCards	Public Safety	$ 43.14	Yellowstone Valley Elect - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 982.78	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 219.01	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 95.00	American Water Technol - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 19.99	Amzn Mktp Us*Mk2Fs0Uc0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 1,004.97	Best Buy 00005926 - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 344.15	Billings Construction Sup - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 333.50	Billings Construction Sup - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 11.75	City Of Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 312.00	Creative Monograms Smb - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 188.29	Econo Print - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 60.00	Fastenal Company 01Mtbll - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 35.64	Fedex 397665932314 - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 600.00	In *Action Pest Control - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 33.98	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 162.96	Office Depot #450 - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 200.00	Solid Waste Associa - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 203.40	Solid Waste Associa - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 690.00	Sq *Big Sky Safety Supply - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 80.47	Sq *J And L Industries Ll - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 10.12	Sq *J And L Industries Ll - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 41.71	Yellowstone County Treas - PCard
11/02/2020	ACH	U.S. Bank PCards	Solid Waste	$ 611.23	Yellowstone Valley Elect - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 76.91	Amazon.Com*2T42O8Ak0 Amzn - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 178.38	Amazon.Com*Mk0Nf2Go0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 11.98	Amzn Mktp Us*2T5Pl2061 - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 537.50	Amzn Mktp Us*Mk5Ir3X82 - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 553.60	Amzn Mktp Us*Mk6Lt5361 - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 42.70	Amzn Mktp Us*Mk9127Hh2 Am - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 816.11	Auto Trim Design - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 49.09	Awg 3575 - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 433.12	Bettymills.Com - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 20.98	Bloedorn Lumber Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 29.52	Bloedorn Lumber Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 159.18	City Of Billings - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 189.00	Enduro Seat Covers - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 38.95	Evergreen Ace Hardware - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 74.46	Fisher'S Technology - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 504.76	Grainger - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ (150.92)	Grainger - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 150.92	Grainger - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 87.96	Harbor Freight Tools 207 - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 331.20	Industrial Communications - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 13.98	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 57.98	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 11.98	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 132.92	Lowes #00319* - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 140.00	Macon Supply Billings 308 - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 70.00	Macon Supply Billings 308 - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 2,040.00	Mccain - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 60.00	Mt Gov Online Trnsctns - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 46.10	Pp*Zeecreativeinc - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 11.00	Ratco Trailer And Hitch - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 175.20	Selby'S - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 43.77	Tacoma Screw Products B - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 64.98	Tractor-Supply-Co #0303 - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 42.23	Yellowstone County Treas - PCard
11/02/2020	ACH	U.S. Bank PCards	Street/Traffic	$ 154.31	Yellowstone Valley Elect - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 87.98	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 41.99	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 24.35	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 115.23	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 121.00	Accent Print Shop - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 280.00	Accent Print Shop - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 24.97	Albertsons #0047 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 592.00	Amazon.Com*Mk3Qc84K2 Amzn - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 27.98	Amzn Mktp Us*2T3Ab1Cx2 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 137.05	Amzn Mktp Us*Mk28Z5Zx2 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 12.98	Amzn Mktp Us*Mk2Wm8Pz0 - PCard

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11/02/2020	ACH	U.S. Bank PCards	Transit	$ 33.84	Amzn Mktp Us*Mk33W6960 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 179.97	Amzn Mktp Us*Mk6T07A71 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 66.50	Amzn Mktp Us*Mk7I41En1 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 899.88	Amzn Mktp Us*Mk7V18G20 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 47.88	Amzn Mktp Us*Mk8H61Fu0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 79.98	Amzn Mktp Us*Mk8Tf6V71 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 58.00	Automotive Technical Supp - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 50.00	Community Transportation - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 50.00	Community Transportation - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 430.40	Doran Manufacturing - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 144.84	Ecolab Pest As400 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 13.40	Fisher'S Technology - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 32.46	Graybar Electric - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ (32.46)	Graybar Electric Company - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 499.00	In *Automotive Training G - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 125.00	In *Cotter'S Sewer, Septi - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 1.19	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 29.57	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 3,086.66	Mitchell1/Snap-On Us - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 70.81	Napa Store 3547001 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 72.27	Napa Store 3547001 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 201.39	Napa Store 3547001 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 179.10	Napa Store 3547001 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 11.08	Napa Store 3547001 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 2.49	Napa Store 3547001 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 14.69	Napa Store 3547001 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 20.04	Napa Store 3547001 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 46.98	Napa Store 3547001 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 38.23	Napa Store 3547001 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 4.50	Napa Store 3547001 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 30.89	Napa Store 3547001 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 75.00	Paypal *Earthfirsta - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 39.98	Sams Club #4805 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 250.00	Sq *Tom Pointer - PCard

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11/02/2020	ACH	U.S. Bank PCards	Transit	$ 6.00	Target 00001719 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 10.97	The Home Depot #3101 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 104.43	Ups (800) 811-1648 - PCard
11/02/2020	ACH	U.S. Bank PCards	Transit	$ 15.55	Zoom.Us - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 380.07	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 42.16	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 45.31	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 79.44	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 14.99	Adobe Acropro Subs - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 5.97	Adobe Exportpdf Sub - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 440.08	Allied Electronics Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 441.08	Allied Electronics Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 490.00	Batteries+Bulbs #0253 - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 96.98	City Of Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 49.61	City Of Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 31.94	City Of Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 181.92	City Of Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 11.17	Costco Whse #0069 - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 1,500.00	Dxp Enterprises - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 278.09	Edge Construction Supp - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 151.42	Fedex 95974917 - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 136.58	Fisher'S Technology - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 3.84	Fps/Mountain Alarm - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 9.22	Fps/Mountain Alarm - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ (188.30)	Galco Industrial Electro - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 113.18	General Shale-Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 265.94	Gih*Globalindustrialeq - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 1,223.16	Grainger - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 86.93	Grainger - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 216.67	Grainger - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 584.41	Hach Company - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 127.58	Hach Company - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 276.81	Hach Company - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 22.98	Heights Ace Hdwe - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 12.00	Hose & Rubber Supply - Bi - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 3.68	Hose & Rubber Supply - Bi - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 44.80	In *Billings Precast - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 218.41	In *Raven Enviromental Pr - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 75.66	Kenco Fire Equipment - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 6.99	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 7.99	Lockwood Ace Hardware - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 34.97	Lockwood Ace Hardware - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 1,042.68	Midland Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 721.05	Midland Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 15.07	Midland Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 20.86	Monoprice, Inc. - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 57.14	Monoprice, Inc. - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 24.56	Montana Waterworks - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 1,414.26	Northwest Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 122.64	Northwest Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 257.89	Northwest Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 275.30	Northwest Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 237.18	Northwest Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 120.12	Northwest Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 60.18	Northwest Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 45.81	Northwest Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 58.98	Office Depot #2135 - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 742.28	Open Automation Software - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 56.00	Pacific Steel Branch #02 - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 31.10	Paypal *Ars Ebay Ars - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 39.99	Shiptons Big R Heights - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 155.94	Shipton'S Big R-East - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 124.95	Shipton'S Big R-East - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 57.50	Sq *Big Sky Safety Supply - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 22.17	Tacoma Screw Products B - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 27.66	Tacoma Screw Products B - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 31.23	Tacoma Screw Products B - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 787.05	Www.Allhdd.Com - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 397.68	Yellowstone Valley Elect - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 1,453.56	Yellowstone Valley Elect - PCard
11/02/2020	ACH	U.S. Bank PCards	Wastewater	$ 234.50	Yellowstone Valley Elect - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 75.45	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 158.89	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 26.48	360 Office Solutions Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 11.95	A And H Turf And Specialt - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 38.00	Aaim - Services - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 17.91	Adobe Exportpdf Sub - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 205.92	Amzn Mktp Us*2T0Pd8As0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 179.77	Amzn Mktp Us*M410D3Xu0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 178.48	Amzn Mktp Us*M436R4Da0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 44.97	Amzn Mktp Us*M48Es4Ek0 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 257.93	Anderson Service Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 179.96	Autozone #3772 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 1,357.64	B&H Photo 800-606-6969 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 366.40	B&H Photo 800-606-6969 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ (1,373.06)	B&H Photo 800-606-6969 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 102.68	Bloedorn Lumber Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 49.66	Bloedorn Lumber Co- Bi - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 186.57	Buildersfirstsource64021 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 19.97	C&B Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 806.88	Cdw Govt #1914373 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 124.01	City Of Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 37.65	City Of Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 95.83	City Of Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 74.41	City Of Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 454.74	Cityservicevalcon Llc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 33.53	Costco Whse #0069 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 1,219.75	Cross Petroleum Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ (25.00)	Cross Petroleum Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 330.00	Edge Construction Supp - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 42.44	Edge Construction Supp - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 354.17	Environmental Resource - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	Water	$ 144.70	Eppendorf North Americ - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 440.00	Eppendorf North Americ - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 459.00	Eppendorf North Americ - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 161.46	Evergreen Ace Hardware - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 407.70	Farstad Oil - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 265.25	Fedex 95974917 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 400.00	Fisher Sand And Gravel - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 10.76	Fisher'S Technology - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 23.07	Fps/Mountain Alarm - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 11.53	Fps/Mountain Alarm - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 656.25	Fps/Mountain Alarm - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 13.84	Fps/Mountain Alarm - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 847.46	Ge Analytical Instrument - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 169.78	General Shale-Billings - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 109.48	Grainger - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 84.32	Grainger - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 41.54	Graybar Electric - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 250.78	Hach Company - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 1,365.50	Hach Company - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 32.13	Heights Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 9.78	Hose & Rubber Supply - Bi - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 174.50	Hose & Rubber Supply - Bi - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 18.00	Hose & Rubber Supply - Bi - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 76.81	Hose & Rubber Supply - Bi - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 5.53	Hose & Rubber Supply - Bi - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 183.62	Idexx Distribution Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 67.20	In *Billings Precast - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 113.48	Kenco Fire Equipment - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 8.99	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 17.99	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 23.96	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 7.98	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 31.43	Kings Ace Hdwe - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 17.99	Kings Ace Hdwe - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	Water	$ 22.73	Lowes #00319* - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 150.00	Manufacturer Express Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 71.65	Midland Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 104.80	Midland Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 146.14	Midland Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 21.22	Midland Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 139.62	Midland Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 106.55	Midland Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 32.71	Midland Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 57.13	Monoprice, Inc. - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 20.86	Monoprice, Inc. - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 35.76	Northwest Industrial Supp - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 52.82	Northwest Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 707.13	Northwest Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 203.34	Northwest Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 182.48	Northwest Scientific Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 98.88	Office Depot #1080 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 57.92	Office Depot #1080 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 10.07	Office Depot #450 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 108.98	Office Depot #450 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 742.28	Open Automation Software - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 56.00	Pacific Steel Branch #02 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 76.46	Pacific Steel Branch #02 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 1,628.55	Perkinelmer Haupt-09/28/ - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 220.28	Reflex Protect - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 90.54	Sams Club #4805 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 13.76	Samsclub #4805 - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 316.80	Server Supply.Com Inc - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 399.99	Shiptons Big R Heights - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 172.50	Sq *Big Sky Safety Supply - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 300.00	Sq *Big Sky Safety Supply - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 27.94	Sq *Big Sky Safety Supply - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 197.50	Surveillance-Video.Com - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 27.66	Tacoma Screw Products B - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/02/2020	ACH	U.S. Bank PCards	Water	$ 12.67	Tacoma Screw Products B - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 26.78	Tacoma Screw Products B - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 22.18	Tacoma Screw Products B - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 1,756.09	Tequipment.Net - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 66.59	Tfs*Fishersci Ecom Hus - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 98.67	Tisch International - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 6.90	Tvetene Turf - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 400.00	Vrsn Dotgovregistration - PCard
11/02/2020	ACH	U.S. Bank PCards	Water	$ 787.05	Www.Allhdd.Com - PCard
11/02/2020	837942	Unemploy Ins Contributions	Payroll Clearing	$ 29,267.99	Unemployment for Quarter ending 09/30/2020
11/02/2020	837948	Western Municipal Const	Water	$ 14,850.00	WO 19-01 Schedule 3, Southside Triangle Water Line Replacement
11/02/2020	837948	Western Municipal Const	Water	$144,309.40	WO 19-01 Schedule 3, Southside Triangle Water Line Replacement
11/02/2020	837949	Western Water Consult	SID Const	$ 39,270.44	SID 14-13 Winged Foot Road and Greenbriar Road; 200910006 Pmt 6
11/02/2020	837954	Yllwstn Co Weed Dist	Park Dist 1	$ 576.09	weed control -5495
11/02/2020	837954	Yllwstn Co Weed Dist	Park Dist 1	$ 78.29	weed control-5615
11/02/2020	837954	Yllwstn Co Weed Dist	Park Dist 1	$ 392.93	weed control-5615
11/02/2020	837954	Yllwstn Co Weed Dist	Park Dist 1	$ 209.75	weed control-5631
11/02/2020	837954	Yllwstn Co Weed Dist	Park Dist 1	$ 576.09	weed control-5670
11/02/2020	837954	Yllwstn Co Weed Dist	Park Dist 1	$ 349.75	weed control-5685
11/02/2020	837954	Yllwstn Co Weed Dist	Park Dist 1	$ 845.85	weed control-5808
11/02/2020	837954	Yllwstn Co Weed Dist	Park Dist 1	$ 839.02	weed control-5827
11/02/2020	837954	Yllwstn Co Weed Dist	Park Dist 1	$ 78.29	weed control-5828
11/02/2020	837954	Yllwstn Co Weed Dist	Park Dist 1	$ 78.29	weed control-5830
11/02/2020	837954	Yllwstn Co Weed Dist	Park Dist 1	$ 78.29	weed control-5831
11/02/2020	837954	Yllwstn Co Weed Dist	Park Dist 1	$ 839.02	weed control-5833
11/02/2020	837954	Yllwstn Co Weed Dist	Park Dist 1	$ 1,035.11	weed control-5839
11/02/2020	837954	Yllwstn Co Weed Dist	Park Dist 1	$ 379.51	weed control-5840
11/02/2020	837954	Yllwstn Co Weed Dist	Park Dist 1	$ 376.09	weed control-5856
11/02/2020	837954	Yllwstn Co Weed Dist	Park Dist 1	$ 422.92	weed control-5866
11/02/2020	837954	Yllwstn Co Weed Dist	Parks Maint	$ 502.92	weed control-5615
11/02/2020	837954	Yllwstn Co Weed Dist	Street/Traffic	$ 76.58	my place hotel spraying of bindweed
11/02/2020	837954	Yllwstn Co Weed Dist	Street/Traffic	$ 83.98	various spraying of invasive species

Consent **1. I. 2.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: Payment of Claims for week of November 9, 2020

PRESENTED BY: Andy Zoeller, Finance Director

Department: Finance

RECOMMENDATION

Staff recommends Council approve the Payment of Claims

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Claims in the amount of $641,318.22 have been reviewed and are presented for City Council payment approval. A complete listing of the claims for the week are available in the Finance Department.

Payment Approval Process

Every invoice for payment in entered into the City's accounting system and the backup documentation is scanned in and attached (physical invoices, additional e-mails explaining payments, bids, contracts, etc.) Each invoice goes through a multi-step approval process depending upon the amount of the payment.

First, invoices are entered by the department requesting the payment and the Department Director or designee must perform an initial review and approval of the purchase. The number of approvals within the Department can vary based upon the size of the Department, but no less than one approver within each Department must verify the payment.

Second, all payments, regardless of size, must be approved by the Purchasing Agent. The Purchasing Agent will review the payment to ensure purchasing procedures are followed and appropriate documentation is attached.

If the payment is greater than $1,000, then it must be approved by the Finance Director.
If that payment is greater than $10,000, then it must be approved by the City Administrator or Assistant City Administrator.

Once all approvals are completed, the payment is able to be made and the Accounts Payable Clerk can print the check. After all checks are printed, a list of all checks in excess of $2,500 is generated and placed on the next City Council meeting for review.

ALTERNATIVES

- No other alternatives were analyzed

FISCAL EFFECTS

Claims have a varying impact on department budgets, but are submitted by the departments and reviewed by Finance staff before being sent to the Council.

Attachments

Councilmemo wk of 11092020

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/09/2020	837966	A & E Architects	Wastewater	$ 165.04	WO 19-16 Belknap Office Remodel
11/09/2020	837966	A & E Architects	Water	$ 2,162.66	WO 19-16 Belknap Office Remodel; 1900613 Pmt 10
11/09/2020	837966	A & E Architects	Water	$ 2,900.02	WO 19-16 Belknap Office Remodel; 1900614 Pmt 11
11/09/2020	837969	Allstream Business	Park Dist 1	$ 46.00	Main Bill New Account # 330046 -Dehler Park
11/09/2020	837969	Allstream Business	Phone System	$ 2,565.40	Main Bill New Account # 330046 -IT
11/09/2020	837969	Allstream Business	Phone System	$ 79.95	Main Bill New Account # 330046 -IT
11/09/2020	837975	Baker Tilly Virchow Krause	Airport	$ 3,100.00	Arbitrage Compliance Report, Airport Revenue Bonds, Series 2010B
11/09/2020	837975	Baker Tilly Virchow Krause	SID Fund	$ 186.00	Arbitrage Compliance Report: Pooled Special Improvement Bonds
11/09/2020	837975	Baker Tilly Virchow Krause	SID Fund	$ 2,914.00	Arbitrage Compliance Report: Pooled Special Improvement Bonds
11/09/2020	837975	Baker Tilly Virchow Krause	SID Fund	$ 3,100.00	Arbitrage Compliance Report: Special Improvement Dist 1398 Bond
11/09/2020	837975	Baker Tilly Virchow Krause	Sidewalk Debt	$ 791.12	Arbitrage Compliance Report: Sidewalk, Curb, Gutter and Alley Bonds
11/09/2020	837975	Baker Tilly Virchow Krause	Sidewalk Debt	$ 58.90	Arbitrage Compliance Report: Sidewalk, Curb, Gutter and Alley Bonds
11/09/2020	837975	Baker Tilly Virchow Krause	Sidewalk Debt	$ 1,891.00	Arbitrage Compliance Report: Sidewalk, Curb, Gutter and Alley Bonds
11/09/2020	837975	Baker Tilly Virchow Krause	Sidewalk Debt	$ 186.00	Arbitrage Compliance Report: Sidewalk, Curb, Gutter and Alley Bonds
11/09/2020	837975	Baker Tilly Virchow Krause	Sidewalk Debt	$ 172.98	Arbitrage Compliance Report: Sidewalk, Curb, Gutter and Alley Bonds
11/09/2020	837975	Baker Tilly Virchow Krause	Sidewalk Debt	$ 2,108.00	Arbitrage Compliance Report:Sidewalk, Curb, Gutter and Alley Bond
11/09/2020	837975	Baker Tilly Virchow Krause	Sidewalk Debt	$ 992.00	Arbitrage Compliance Report:Sidewalk, Curb, Gutter and Alley Bond
11/09/2020	837978	Billings Community Cable	General	$ 47,740.50	October - December quarterly disbursement
11/09/2020	837980	Billings Depot Inc	Engineering	$ 11,441.51	Depot rent for December
11/09/2020	837980	Billings Depot Inc	P.W. Admin	$ 2,860.38	Depot rent for December
11/09/2020	837982	Brenntag Pacific Inc	Street/Traffic	$ 8,112.50	hicothaw
11/09/2020	837982	Brenntag Pacific Inc	Street/Traffic	$ 6,630.50	hicothaw
11/09/2020	837982	Brenntag Pacific Inc	Wastewater	$ 8,740.00	BPI89036; CHEMICALS
11/09/2020	837998	Co Water Dist-Heights	Park Dist 1	$ 267.92	water charges for Arrowhead-13138
11/09/2020	837998	Co Water Dist-Heights	Park Dist 1	$ 94.45	water charges for Hawthorne-08163
11/09/2020	837998	Co Water Dist-Heights	Parks Maint	$ 3,880.44	water charges for Walden Grove-30388
11/09/2020	837998	Co Water Dist-Heights	Public Safety	$ 230.85	OCT 2020/ 46,010 GALLONS USED FALL/WITER CHARGES
11/09/2020	838001	Currie	Tax Incrmnt E	$ 15,392.71	Demolition Reimbursement
11/09/2020	838003	DOWL	Storm Sewer	$ 5,042.50	WO 20-24 West End Storm System Improvements
11/09/2020	838005	Empire Garage Owners	Parking	$ 8,604.61	10142020_City of Billings October Assessment
11/09/2020	838009	FCS	Storm Sewer	$ 4,681.75	WO 20-37 Stormwater Utility Development
11/09/2020	838011	FirstMark Const	Gas Tax	$ 90,059.40	SID 14-08 Wanigan Subdivision Improvements
11/09/2020	838011	FirstMark Const	SID Const	$ 120,742.68	SID 14-08 Wanigan Subdivision Improvements
11/09/2020	838011	FirstMark Const	SID Const	$ 8,474.91	SID 14-10 Annafeld Park Trail Improvements; Pmt 1
11/09/2020	838017	Hard Rock Road	Solid Waste	$ 5,750.00	Put vents under the new ditch liner in cell 3 at the Landfill 2109
11/09/2020	838020	Hydrotech	Water	$ 10,692.00	Temporary Water for PUD 2017-06 - 8th Ave S - S 28th to 31st Str

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/09/2020	838021	Iaff	Payroll Clearing	$ 5,063.88	Payroll Summary
11/09/2020	838024	Jacobs Engineering	Gas Tax	$ 1,900.04	Asset Management Program Project
11/09/2020	838024	Jacobs Engineering	Light Maint	$ 1,900.03	Asset Management Program Project
11/09/2020	838024	Jacobs Engineering	Storm Sewer	$ 3,800.07	Asset Management Program Project
11/09/2020	838024	Jacobs Engineering	Street/Traffic	$ 5,700.11	Asset Management Program Project
11/09/2020	838024	Jacobs Engineering	Wastewater	$ 12,350.24	Asset Management Program Project
11/09/2020	838024	Jacobs Engineering	Water	$ 12,350.24	Asset Management Program Project
11/09/2020	838028	Knife River	Street/Traffic	$ 3,042.60	asphalt
11/09/2020	838028	Knife River	Water	$ 1,250.00	WO 19-12 West End Reservoir
11/09/2020	838031	Mailing Technical Service	Central Services	$ 5,660.08	Mail Services: October 2020
11/09/2020	838033	McCall Development	SID Const	$ 58,000.00	SID 14-10 Annafeld Subdivision 2nd Filing -Reimbursement
11/09/2020	838040	MFPE	Payroll Clearing	$ 2,677.50	Payroll Summary
11/09/2020	838035	Missoula Concrete Const	Parks Programs	$ 15,647.00	contract for concrete precast vault toilet at High Sierra Park
11/09/2020	838037	Montana CSED	Payroll Clearing	$ 2,587.10	Payroll Summary
11/09/2020	838038	Montana Dakota Utilities	Fleet	$ 5,510.80	101420 PO NUM 311216
11/09/2020	838042	MPPA	Payroll Clearing	$ 3,549.70	Payroll Summary
11/09/2020	838041	MT State Firemen	Payroll Clearing	$ 4,608.94	Payroll Summary
11/09/2020	838046	Nachurs Alpine Solution	Airport	$ 16,948.60	Invoice #00173287. 43497 Gallons FAA Approved Runway Deice Fluid
11/09/2020	838049	NeighborWorks MT	CDBG	$ 3,196.30	Reimbursement #3 NWMT C & C Project
11/09/2020	838052	NorthWestern Energy	General	$ 62.47	0712539-6
11/09/2020	838052	NorthWestern Energy	General	$ 620.70	0720841-6
11/09/2020	838052	NorthWestern Energy	General	$ 8.16	1635289-0
11/09/2020	838052	NorthWestern Energy	General	$ 7.06	1692666-9
11/09/2020	838052	NorthWestern Energy	Library	$ 7,558.29	3039007-4 Library electricity October 2020
11/09/2020	838052	NorthWestern Energy	Park Dist 1	$ 224.65	0722256-5
11/09/2020	838052	NorthWestern Energy	Park Dist 1	$ 40.08	0722277-1
11/09/2020	838052	NorthWestern Energy	Park Dist 1	$ 1.04	0793134-8
11/09/2020	838052	NorthWestern Energy	Park Dist 1	$ 27.97	0920801-8
11/09/2020	838052	NorthWestern Energy	Park Dist 1	$ 230.92	1141284-8
11/09/2020	838052	NorthWestern Energy	Park Dist 1	$ 6.29	1156527-2
11/09/2020	838052	NorthWestern Energy	Park Dist 1	$ 5.80	1230066-1
11/09/2020	838052	NorthWestern Energy	Park Dist 1	$ 7.29	1902257-3
11/09/2020	838052	NorthWestern Energy	Park Dist 1	$ 48.28	3020837-5
11/09/2020	838052	NorthWestern Energy	Park Dist 1	$ 5.80	3477233-5
11/09/2020	838052	NorthWestern Energy	Parks Maint	$ 7.69	0723387-7
11/09/2020	838052	NorthWestern Energy	Parks Maint	$ 0.82	0971824-8

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/09/2020	838052	NorthWestern Energy	Parks Maint	$ 0.73	1312707-1
11/09/2020	838052	NorthWestern Energy	Parks Maint	$ 6.55	1564209-3
11/09/2020	838052	NorthWestern Energy	Radio	$ 147.00	1006915-1
11/09/2020	838052	NorthWestern Energy	Street/Traffic	$ 23.33	1738989-1
11/09/2020	838052	NorthWestern Energy	Street/Traffic	$ 0.95	1797828-9
11/09/2020	838052	NorthWestern Energy	Street/Traffic	$ 6.80	2047000-1
11/09/2020	838052	NorthWestern Energy	Street/Traffic	$ 7.17	2047011-8
11/09/2020	838052	NorthWestern Energy	Street/Traffic	$ 7.40	2047018-3
11/09/2020	838052	NorthWestern Energy	Street/Traffic	$ 10.53	3660075-7
11/09/2020	838052	NorthWestern Energy	Wastewater	$ 85.17	0723383-6
11/09/2020	838052	NorthWestern Energy	Wastewater	$ 283.03	0723878-5
11/09/2020	838052	NorthWestern Energy	Wastewater	$ 10.15	1704025-4
11/09/2020	838052	NorthWestern Energy	Wastewater	$ 90.10	1704030-4
11/09/2020	838052	NorthWestern Energy	Wastewater	$ 3,577.50	2132749-9
11/09/2020	838052	NorthWestern Energy	Water	$ 877.17	0100478-7
11/09/2020	838052	NorthWestern Energy	Water	$ 9.46	0722249-0
11/09/2020	838052	NorthWestern Energy	Water	$ 1,472.48	0722252-4
11/09/2020	838052	NorthWestern Energy	Water	$ 3,958.97	0722270-6
11/09/2020	838052	NorthWestern Energy	Water	$ 220.25	1920951-9 OCT 2020; MONTHLY SERVICE FEE
11/09/2020	838053	OTW Holding Company	Airport	$ 3,128.12	Invoice #Z4713 pmt. Construction Barricade Lites
11/09/2020	838055	PeopleReady Inc	Solid Waste	$ 3,956.16	Paper pickers for the Landfill 26117936
11/09/2020	838057	Praetorian Digital, PD Academy	Public Safety	$ 8,580.00	PoliceOne Online academy 2021 annual subscription
11/09/2020	838072	T W Enterprises Inc	Water	$ 1,391.53	Engine Control Module
11/09/2020	838072	T W Enterprises Inc	Water	$ 4,481.41	Engine Control Module
11/09/2020	838073	Tire-Rama	Solid Waste	$ 576.00	Tires for Solid Waste 1050007608
11/09/2020	838073	Tire-Rama	Solid Waste	$ 1,891.50	Tires for Solid Waste 1050008275
11/09/2020	838073	Tire-Rama	Solid Waste	$ 852.68	Tires for Solid Waste 1050010070
11/09/2020	838073	Tire-Rama	Solid Waste	$ 517.98	Tires for the Landfill 1050007139
11/09/2020	838079	Vertiv Corporation	IT Resources	$ 5,864.31	1850743 EXM 208V 30 47SA030DACM0L42 1 ESSENTIAL
11/09/2020	838082	Yellowstone County GIS	IT Resources	$ 8,750.00	Yellowstone County GIS MOU Agreement
11/09/2020	838083	Zayo Group LLC	Phone System	$ 2,581.29	Bill Account#026770-T1 Ethernet Connection

Consent **1. I. 3.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: Payment of Claims for week of November 16, 2020

PRESENTED BY: Andy Zoeller, Finance Director

Department: Finance

RECOMMENDATION

Staff recommends City Council approve the payment of claims

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Claims in the amount of $1,597,720.71 have been reviewed and are presented for City Council payment approval. A complete listing of the claims for the week are available in the Finance Department.

Payment Approval Process

Every invoice for payment is entered into the City's accounting system and the backup documentation is scanned in and attached (physical invoices, additional e-mails explaining payments, bids, contracts, etc.) Each invoice goes through a multi-step approval process depending upon the amount of the payment.

First, invoices are entered by the department requesting the payment and the Department Director or designee must perform an initial review and approval of the purchase. The number of approvals within the Department can vary based upon the size of the Department, but no less than one approver within each Department must verify the payment.

Second, all payments, regardless of size, must be approved by the Purchasing Agent. The Purchasing Agent or designee will review the payment to ensure purchasing procedures are followed and appropriate documentation is attached.

If the payment is greater than $1,000, then it must be approved by the Finance Director or designee.
If that payment is greater than $10,000, then it must be approved by the City Administrator or Assistant City Administrator.

Once all approvals are completed, the payment is able to be made and the Accounts Payable Clerk can print the check. After all checks are printed, a list of all checks in excess of $2,500 is generated and placed on the next City Council meeting for review.

ALTERNATIVES

- No other alternatives were analyzed

FISCAL EFFECTS

Claims have a varying impact on department budgets, but are submitted by the departments and reviewed by Finance staff before being sent to the Council.

Attachments

Councilmemo wk of 11162020

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/16/2020	838084	A-1 Landscaping	CDBG	$ 85.00	October snow removal - Inv. #3569
11/16/2020	838084	A-1 Landscaping	CDBG	$ 85.00	October snow removal - Inv. #3569
11/16/2020	838084	A-1 Landscaping	Library	$ 720.00	3566 Snow removal
11/16/2020	838084	A-1 Landscaping	Library	$ 1,398.00	3567 Monthly landscape maintenance
11/16/2020	838084	A-1 Landscaping	Urban Renewal	$ 1,750.00	October snow removal - Inv. #3569
11/16/2020	838098	Armscor Cartridge	Public Safety	$ 7,995.25	12451, 12 gauge, 9mm, 223 ammo
11/16/2020	838098	Armscor Cartridge	Public Safety	$ 2,640.00	12452 invoice, 40 S&W ammo
11/16/2020	838098	Armscor Cartridge	Public Safety	$ 440.00	12453, 40 S&W ammo
11/16/2020	838102	Automatic Doors	Library	$ 2,790.00	18387 Cafe Tempered Glass protective screen
11/16/2020	838104	Bcs Scrip	PD Programs	$ 9,300.00	Gift cards for shop with a cop
11/16/2020	838114	Boingo LLC	Airport	$ 3,000.00	Invoice #2268397. Oct - Dec 2020 Management Fee
11/16/2020	838115	Brenntag Pacific Inc	Street/Traffic	$ 7,851.00	hicothaw melts snow on streets
11/16/2020	838117	Business Tax Section	Arterial Streets	$ 975.96	WO 20-09 24th St. W. & Oveland Ave Traffic Signal Improvements; Pmt 2
11/16/2020	838117	Business Tax Section	Arterial Streets	$ 1,228.58	WO 20-38 Broadwater & Central Signal Conduit; Pmt 2
11/16/2020	838117	Business Tax Section	Gas Tax	$ 1,244.07	WO 19-35 Metal Streets Reconstruction;Pmt 3
11/16/2020	838117	Business Tax Section	Gas Tax	$ 478.07	Wo 20-03 Contract #2 City Overlay; Pmt 3F
11/16/2020	838117	Business Tax Section	Sidewalk Const	$ 933.94	WO 19-35 Metals Streets Reconstruction
11/16/2020	838117	Business Tax Section	Solid Waste	$ 660.46	WO 18-32 Landfill Slope Stability; Pmt 6
11/16/2020	838117	Business Tax Section	Solid Waste	$ 967.61	WO 20-23 Solid Waste Container Storage Facility; Pmt 1
11/16/2020	838117	Business Tax Section	Water	$ 771.68	WO 20-40 Walter Pump Station Generator; Pmt 2
11/16/2020	838119	Carahsoft Technology	General	$ 13,888.42	DocuSign Subscriptions
11/16/2020	838126	Colstrip Electric Inc	Water	$ 76,396.32	WO 20-40 Walter Pump Station Generator; Pmt 2
11/16/2020	838134	Cushing Terrell	Park District 1	$ 3,064.53	CastleRock master plan
11/16/2020	838135	Dan Hart Patrol Service	Solid Waste	$ 65,385.79	WO 18-32 Landfill Slope Stability; Pmt 6
11/16/2020	838138	Desert Mt Corp	Street/Traffic	$ 4,014.07	ice slicer used to melt snow on streets
11/16/2020	838138	Desert Mt Corp	Street/Traffic	$ 4,021.77	ice slicer used to melt snow on streets
11/16/2020	838138	Desert Mt Corp	Street/Traffic	$ 3,999.94	ice slicer used to melt snow on streets
11/16/2020	838138	Desert Mt Corp	Street/Traffic	$ 3,945.99	ice slicer used to melt snow on streets
11/16/2020	838138	Desert Mt Corp	Street/Traffic	$ 3,865.07	ice slicer used to melt snow on streets
11/16/2020	838139	Dex Media West	Airport	$ 277.50	DEX Billing Airport
11/16/2020	838139	Dex Media West	General	$ 277.50	DEX Billing Parks
11/16/2020	838139	Dex Media West	General	$ 277.50	DEX Billing Recreation Division
11/16/2020	838139	Dex Media West	Library	$ 1,807.50	EX Billing Library
11/16/2020	838139	Dex Media West	Public Safety	$ 277.50	DEX Billing Police

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/16/2020	838139	Dex Media West	Solid Waste	$ 555.00	DEX Billings Solid Waste
11/16/2020	838139	Dex Media West	Transit	$ 1,260.00	DEX Billings MET
11/16/2020	838140	Dixie Petro-Chem	Water	$ 3,752.00	BULK CHLORINE
11/16/2020	838141	DOWL	Arterial Streets	$ 2,545.00	24th St W/Central Ave Signal Improvements; 8-4024.21753.01
11/16/2020	838141	DOWL	Arterial Streets	$ 19,111.25	WO 20-12 S 32nd St W (King Ave W to Gabel); 11-4051.21836.01 Pmt 11
11/16/2020	838143	EBMS	Health Ins Fund	$ 1,144.50	Monthly Billing Statement for insurance
11/16/2020	838143	EBMS	Health Ins Fund	$ 1,482.00	Monthly Billing Statement for insurance
11/16/2020	838143	EBMS	Health Ins Fund	$ 4,806.35	Monthly Billing Statement for insurance
11/16/2020	838143	EBMS	Health Ins Fund	$ 27,931.47	Monthly Billing Statement for insurance
11/16/2020	838143	EBMS	Health Ins Fund	$ 1,175.00	Monthly Billing Statement for insurance
11/16/2020	838143	EBMS	Health Ins Fund	$ 53,805.14	Monthly Billing Statement for insurance
11/16/2020	838143	EBMS	Payroll Clearing	$ 10,308.06	Monthly Billing Statement for insurance
11/16/2020	838150	FirstMark Const	Gas Tax	$ 123,162.84	WO 19-35 Metal Streets Improvements; Pmt 3
11/16/2020	838150	FirstMark Const	Sidewalk Const	$ 92,460.33	WO 19-35 Metal Streets Improvements
11/16/2020	838150	FirstMark Const	Solid Waste	$ 95,792.98	WO 20-23 Solid Waste Container Storage Facility; Pmt 2
11/16/2020	838158	Great West ENG	Solid Waste	$ 9,016.15	WO 20-46 Lanfill Compost Facility; 22746
11/16/2020	838159	Guardian Security	Library	$ 7,616.00	619 October 2020
11/16/2020	838163	Hawkins Inc.	Wastewater	$ 79.45	4816853; SODIUM HYDROXIDE
11/16/2020	838163	Hawkins Inc.	Water	$ (10.00)	4819206; PLASTIC CONTAINER RETURN
11/16/2020	838163	Hawkins Inc.	Water	$ 18,438.00	AQUA HAWK 457 COAGULANT
11/16/2020	838163	Hawkins Inc.	Water	$ 18,370.80	AQUA HAWK 457 COAGULANT
11/16/2020	838163	Hawkins Inc.	Water	$ 19,588.80	AQUA HAWK 457 COAGULANT
11/16/2020	838164	HDR, Inc.	Wastewater	$ 252,059.35	WO 14-11 WWTP Nutrient Upgrade Expansion & Improvement
11/16/2020	838164	HDR, Inc.	Water	$ 1,030.29	WO 15-35 Water Treatment Plant Valve Replacement
11/16/2020	838164	HDR, Inc.	Water	$ 22,822.51	WO 18-22 Leavens Reservoir Expansion & Zone 1 Improvement
11/16/2020	838178	Knife River	Gas Tax	$ 47,328.98	Wo 20-03 Contract #2 City Overlay; Pmt 3F
11/16/2020	838178	Knife River	Street/Traffic	$ 1,429.90	1 1/2" crushed base
11/16/2020	838178	Knife River	Street/Traffic	$ 1,150.20	1 1/2" crushed base
11/16/2020	838178	Knife River	Wastewater	$ 19.18	720320; SAND FOR SAND BAGS
11/16/2020	838178	Knife River	Water	$ 28.78	720320; SAND FOR SAND BAGS
11/16/2020	838187	Morrison Maierle	Airport	$ 70,322.25	Amendment 20/AIP 64 Runway 7-25 Phase 1 Design - Federal Share
11/16/2020	838187	Morrison Maierle	Airport	$ 22,138.84	Commercial Aircraft Concrete Ramps - CA - Federal Share
11/16/2020	838187	Morrison Maierle	Airport	$ 2,459.87	Commercial Aircraft Concrete Ramps - CA - Local Share
11/16/2020	838187	Morrison Maierle	Airport	$ 5,985.16	Commercial Aircraft Concrete Ramps - Design - Federal Share

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11/16/2020	838187	Morrison Maierle	Airport	$ 665.02	Commercial Aircraft Concrete Ramps - Design - Local Share
11/16/2020	838187	Morrison Maierle	Airport	$ 458.90	DBE/ACDBE Work. Amendment 22. Misc. Airport Engineering.
11/16/2020	838187	Morrison Maierle	Airport	$ 8,296.73	Terminal Expansion Project-Terminal Security-CA-Federal Share
11/16/2020	838187	Morrison Maierle	Airport	$ 701.89	Terminal Expansion Project-Terminal Security-CA-Local Share
11/16/2020	838187	Morrison Maierle	Airport	$ 12,824.35	Terminal Expansion Project-Terminal Security-Design-Federal Share
11/16/2020	838187	Morrison Maierle	Airport	$ 650.65	Terminal Expansion Project-Terminal Security-Design-Local Share
11/16/2020	838185	MT Dakota Utilities	Fleet	$ 5,396.66	102120B PO NUM 311386
11/16/2020	838188	MT Waterworks	Water	$ 811.30	3/4" CURB VALVE - COMPRESSION-MINNEAPOLIS
11/16/2020	838188	MT Waterworks	Water	$ 348.00	CREDIT FOR 18 MJ X MJ
11/16/2020	838188	MT Waterworks	Water	$ 500.00	CURB BOX 3/4" - 1-1/2" TAP - 7' BURY
11/16/2020	838188	MT Waterworks	Water	$ 662.20	TYLER #59 18" EXTENSION (TY136958)
11/16/2020	838188	MT Waterworks	Water	$ 895.20	TYLER 5-1/4" X 4" PAVING RISER (TY533702)
11/16/2020	838189	Napa Auto Parts	Fleet	$ 71.32	237802 PO NUM 311382
11/16/2020	838189	Napa Auto Parts	Fleet	$ 71.32	238011 PO NUM 311382
11/16/2020	838189	Napa Auto Parts	Fleet	$ 32.85	238498 PO NUM 311382
11/16/2020	838189	Napa Auto Parts	Fleet	$ 21.08	238532 PO NUM 311382
11/16/2020	838189	Napa Auto Parts	Fleet	$ 11.75	239301 PO NUM 311382
11/16/2020	838189	Napa Auto Parts	General	$ 39.45	237226
11/16/2020	838189	Napa Auto Parts	General	$ 13.40	237353
11/16/2020	838189	Napa Auto Parts	General	$ 10.15	237778
11/16/2020	838189	Napa Auto Parts	General	$ 19.96	239717
11/16/2020	838189	Napa Auto Parts	Public Safety	$ 9.04	237417
11/16/2020	838189	Napa Auto Parts	Public Safety	$ 7.54	237496
11/16/2020	838189	Napa Auto Parts	Public Safety	$ 113.67	239071
11/16/2020	838189	Napa Auto Parts	Public Safety	$ 87.00	239203
11/16/2020	838189	Napa Auto Parts	Public Safety	$ 360.04	239689
11/16/2020	838189	Napa Auto Parts	Public Safety	$ 494.60	FIRE APPARATUS CLEANING, DEGREASING SUPPLIES
11/16/2020	838189	Napa Auto Parts	Solid Waste	$ 29.62	237047
11/16/2020	838189	Napa Auto Parts	Solid Waste	$ 5.28	237488
11/16/2020	838189	Napa Auto Parts	Solid Waste	$ 7.13	237648
11/16/2020	838189	Napa Auto Parts	Solid Waste	$ 22.43	238069
11/16/2020	838189	Napa Auto Parts	Solid Waste	$ 25.76	238233
11/16/2020	838189	Napa Auto Parts	Street/Traffic	$ 10.98	237181
11/16/2020	838189	Napa Auto Parts	Transit	$ (18.30)	3977-00-247098 PO NUM 311402. 30 amp fuse return

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/16/2020	838189	Napa Auto Parts	Transit	$ 275.00	3977-00-248144. Brake Cabinet
11/16/2020	838189	Napa Auto Parts	Transit	$ (200.48)	3977-00-248147. Brake Cabinet Offset
11/16/2020	838189	Napa Auto Parts	Transit	$ 384.13	3977-00-248148 PO NUM 311402. Brake pads & rotors
11/16/2020	838189	Napa Auto Parts	Transit	$ 53.47	3977-00-248343 PO NUM 311402. Replacement bulbs
11/16/2020	838189	Napa Auto Parts	Transit	$ 40.32	3977-00-248343. Batteries for Shop Use AA & AAA
11/16/2020	838189	Napa Auto Parts	Transit	$ 183.06	3977-00-248347. Brake Booster Unit 1888. W/O 195642
11/16/2020	838189	Napa Auto Parts	Transit	$ 58.78	3977-00-248703 PO NUM 311402
11/16/2020	838189	Napa Auto Parts	Transit	$ 313.15	3977-00-249181 PO NUM 311402. Rear Brake Pads & Rotors
11/16/2020	838189	Napa Auto Parts	Water	$ 37.54	238178
11/16/2020	838189	Napa Auto Parts	Water	$ 106.48	238185
11/16/2020	838190	NorthWestern Energy	Airport	$ 17.24	0712534-7. Entrance Gate 16 Light. October 2020
11/16/2020	838190	NorthWestern Energy	Airport	$ 278.29	0712535-4. Employee Parking. October 2020
11/16/2020	838190	NorthWestern Energy	Airport	$ 20.84	0712791-3. Gate 16. October 2020
11/16/2020	838190	NorthWestern Energy	Airport	$ 19.72	0712795-4. Gate 17. October 2020
11/16/2020	838190	NorthWestern Energy	Airport	$ 19.72	0712797-0. Gate 9. October 2020
11/16/2020	838190	NorthWestern Energy	Airport	$ 5.80	0712805-1. IP-10. October 2020
11/16/2020	838190	NorthWestern Energy	Airport	$ 8.04	0712813-5. Burn Pit. October 2020
11/16/2020	838190	NorthWestern Energy	Airport	$ 19.24	0719759-3. Gate 12. October 2020
11/16/2020	838190	NorthWestern Energy	Airport	$ 83.59	0719760-1. Gate 14. October 2020
11/16/2020	838190	NorthWestern Energy	Airport	$ 19.62	0719761-9. Gate 15. October 2020
11/16/2020	838190	NorthWestern Energy	Airport	$ 24.69	0719762-7. Gate 13. October 2020
11/16/2020	838190	NorthWestern Energy	Airport	$ 18.86	0720296-3. Gate 29. October 2020
11/16/2020	838190	NorthWestern Energy	Airport	$ 24.66	2114868-9. Runway Weather System. October 2020
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 5.92	0722253-2
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 8.07	0722258-1
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 15.00	0722259-9
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 9.94	0722272-2
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 22.63	0722273-0
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 13.58	0722274-8
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 112.68	0722275-5
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 33.05	0722278-9
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 17.24	0722279-7
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 5.92	0722280-5
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 5.92	0722281-3

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 5.92	0722283-9
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 5.92	0722284-7
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 17.24	0722808-3
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 8.68	0722852-1
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 8.07	0722862-0
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 50.34	0722901-6
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 6.16	0722976-8
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 59.16	0722995-8
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 85.34	0723005-5
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 5.92	0723025-3
11/16/2020	838190	NorthWestern Energy	Park District 1	$ -	0723039-4
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 5.80	0723046-9
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 36.10	0723049-3
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 12.86	0723053-5
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 17.93	0723064-2
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 17.93	0723065-9
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 3.78	0723391-9
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 73.47	0723884-3
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 17.93	0723887-6
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 10.52	0999807-1
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 947.73	1160780-1
11/16/2020	838190	NorthWestern Energy	Park District 1	$ 5.80	1588262-4
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 6.62	0722272-2
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 5.92	0723384-4
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 7.69	0723385-1
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 7.69	0723386-9
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 7.69	0723388-5
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 2.51	0723391-9
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 0.72	0723392-7
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 6.55	0723393-5
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 5.92	0723394-3
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 5.92	0723395-0
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 5.92	0723396-8
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 5.92	0723397-6

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 5.92	0723398-4
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 5.92	0723835-5
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 8.07	0723836-3
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 6.04	0723840-5
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 24.43	0723879-3
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 6.29	0723883-5
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 0.59	0723885-0
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 3.42	1513796-1
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 190.45	1513800-1
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 8.79	1513802-7
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 15.87	1513804-3
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 6.92	1514388-6
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 1.31	2041362-1
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 1.88	3707234-5
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 3.40	3707235-2
11/16/2020	838190	NorthWestern Energy	Park Maint	$ 5.15	3707236-0
11/16/2020	838190	NorthWestern Energy	Public Safety	$ 362.98	0100477-9 FIRE6: ELECTRICAL SERVICE
11/16/2020	838190	NorthWestern Energy	Street/Traffic	$ 7.55	2047007-6
11/16/2020	838190	NorthWestern Energy	Street/Traffic	$ 6.66	2047010-0
11/16/2020	838190	NorthWestern Energy	Street/Traffic	$ 6.92	2047013-4
11/16/2020	838190	NorthWestern Energy	Street/Traffic	$ 7.29	2047017-5
11/16/2020	838190	NorthWestern Energy	Street/Traffic	$ 6.66	2047019-1
11/16/2020	838190	NorthWestern Energy	Street/Traffic	$ 0.71	3590004-2
11/16/2020	838190	NorthWestern Energy	Water	$ 6.67	1867265-9
11/16/2020	838191	Ovivo USA	Wastewater	$ 8,280.00	WO 19-45 WRF Headworks Grit Unit; 8479560
11/16/2020	838193	Pioneer Tech Services	Solid Waste	$ 6,338.43	WO 18-32 Landfill Slope Stability; 14494 Pmt 12
11/16/2020	838194	Proforce Law Enforce	Public Safety	$ 2,697.06	SLI TLR-1 HL TAC Gun MNT and SUF X300A Ultra 1000 LUM Weapon lights
11/16/2020	838200	Rocky Mt Health Network	Health Ins Fund	$ 2,290.00	November 2020 EAP
11/16/2020	838200	Rocky Mt Health Network	Health Ins Fund	$ 7,800.00	October 2020 Healthy Is
11/16/2020	838212	Titan Machinery	Fleet	$ 243.36	14623242 PO NUM 311380
11/16/2020	838212	Titan Machinery	Street/Traffic	$ 764.10	14566985
11/16/2020	838212	Titan Machinery	Street/Traffic	$ 43.69	14612366
11/16/2020	838212	Titan Machinery	Street/Traffic	$ 67.41	14612369
11/16/2020	838212	Titan Machinery	Street/Traffic	$ 108.91	14612376

Check Date	Check#	Name	Fund Name	Amount	Item Desc
11/16/2020	838212	Titan Machinery	Street/Traffic	$ 689.13	14633886
11/16/2020	838212	Titan Machinery	Wastewater	$ 156.09	14585761
11/16/2020	838212	Titan Machinery	Wastewater	$ 504.59	14621794
11/16/2020	838212	Titan Machinery	Wastewater	$ 133.13	NONSTOCKING ITEMS-P.U.D.
11/16/2020	838213	Town & Country Supply	Fleet	$ 14,929.15	412099 PO NUM 311368
11/16/2020	838213	Town & Country Supply	Fleet	$ 16,625.72	412115 PO NUM 311368
11/16/2020	838213	Town & Country Supply	Fleet	$ 4,945.03	412161 PO NUM 311377
11/16/2020	838213	Town & Country Supply	Fleet	$ 2,911.80	413903 PO NUM 311377
11/16/2020	838213	Town & Country Supply	Fleet	$ 4,466.68	413932 PO NUM 311377
11/16/2020	838213	Town & Country Supply	General	$ 351.90	fuel for cemetery mowers-412393
11/16/2020	838213	Town & Country Supply	Public Safety	$ 644.74	413897 FIRE 3 BLENDED DIESEL #1 200 GALLONS; #2 200 GALLONS
11/16/2020	838213	Town & Country Supply	Water	$ 8,735.20	WATER PARTS AND SUPPLIES PO NUM 311291
11/16/2020	838221	Western Water Consult	Tax Incrmnt S	$ 31,335.50	WO 20-30 Hallowell Lane Improvements; 201990003 Pmt 3
11/16/2020	838227	Yellowstone Electric	Arterial Streets	$ 96,620.02	WO 20-09 24th St. W. & Oveland Ave Traffic Signal Improvements; Pmt 2
11/16/2020	838227	Yellowstone Electric	Arterial Streets	$ 121,630.55	WO 20-38 Broadwater & Central Signal Conduit; Pmt 2
11/16/2020	838228	Ylwstn Animal Shelter	Public Safety	$ 22,855.58	city contract
11/16/2020	838226	Ylwstn Co Sheriff Office	PD Prgrms	$ 4,962.92	1/2 Share of PE/PI money.
11/16/2020	838226	Ylwstn Co Sheriff Office	PD Prgrms	$ 2,716.16	Overtime for Bancroft and Harris.

Regular **2.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: Public Hearing and Resolution- Annexation 20-04

PRESENTED BY: Monica Plecker

Department: Planning & Community Services **Division:** Planning

RECOMMENDATION

Staff recommends the City Council hold a public hearing and annex the petitioned property.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Quarnburg Farming Corporation and McCall Development submitted a petition to annex land using the provisions of Section 7-2-4600, MCA. The property is located both north and south of Elysian Road and East of East Lane. The property is described as Lot 1, of QFC Subdivision, First Filing, recorded May 15, 2019, under Document No. 3882956, on file and of record in the Records of Yellowstone County; and Lot 2A, Block 1, of the Amended Plat of Lot 2, Block 1, Adam And Mollie Walter Subdivision, First Filing, Recorded April 18, 2019 under Document No. 3880645, on file and of record in the Records of Yellowstone County. Including all adjacent rights-of-way of Elysian Road, East Lane, Bike Path Right-Of-Way as shown on said QFC Subdivision. The property contains 37.381 gross and 34.917 net acres. The property is zoned Neighborhood Commercial (QFC Lot 1) and Planned Development (remaining land) and will be used for new new development. Project Re:Code will not impact the existing PD but Lot 1, QFC subdivision is proposed to become Neighborhood Mixed Use (NMU).

Although MCA 7-2-4600 does not require a public services plan, it is the City's custom to have staff prepare a brief analysis of predicted impacts to services and facilities. The proposed annexation complies with the adopted Annexation Policy criteria as follows:

1. The area is located within the City's Annexation Petition Area on its Limits of Annexation Map.
2. The City is able to provide adequate city services within a time period mutually agreed to by the property owners requesting annexation and the city.
3. Existing or proposed public improvements within the area to be annexed will meet City standards.
4. All property owners within the area to be annexed must sign a Waiver of Right to Protest future Special Improvement Districts.
5. If annexed, any proposed land use will comply with the zoning. The property is currently zoned Planned Development. Any development of the property would comply with the zoning regulations.

Departmental Response: City and County Departments were given the opportunity to comment on this annexation. City departments responded favorably and detailed responses are provided below. The County Public Works Department did not respond to this annexation request.

• Water: This property is intended to be served by a trunk water line currently in Elysian Road. The subject property will be responsible for connecting and extending service lines at the time of development.

• Sewer: The property will be served by an existing sanitary sewer line that is located in Elysian Road. The subject property will be responsible for connecting and extending service lines at the time of development via private contract.

• Storm water: All of the storm water runoff from this property will need to meet the City of Billings requirements for storm water management. Any future development will follow the City of Billings storm water regulations.

• Transportation: The subject property fronts Elysian Road and will have access from Elysian Road.

• Fire Stations: The subject property is currently served by the Billings Fire Department through the Billings Urban Fire Service Area and the Billings Fire Department will continue to serve the property upon annexation. The Billings Fire Department stated that as this and other annexations are built out, additional fire department resources will be needed. The nearest fire station is Station #5, located at 604 South 24th Street, about 2.5 road miles north of the subject property.

• Parks: The subject property is to be developed with residential and commercial uses. In accordance with Subdivision Regulations, once the property is subdivided either parkland will be dedicated or the developer will make a cash-in-lieu contribution. If public parkland is donated a maintenance SID will be required.

• School facilities: The subject property would be served by Elysian School and Billings School District #2.

General City Services: These are the City services that are provided to all residents and businesses in the City, such as police and fire protection, street and storm drain maintenance, and garbage collection and disposal. The service providers that responded did not object to the annexation of this property, however the Fire Department in its comments above did note its concerns as additional property is annexed into the City.

• Transit: MET transit system currently operates Route 13 which travels down Mullowney Lane to Elysian Road which is approximately ½ mile away. MET has no plans to adjust the route at this time. MET would like input during the subdivision review process to discuss options for safe pick up regarding future transit access.

• Police: The Police Department staff stated that while additional patrol staff have been approved, continued annexation without additional resources may affect response times and ability to deliver services.

• Public Utilities: The Public Works-- Distribution and Collection Division had no concerns with the annexation request.

• Public Works -Street and Traffic Division: The Street and Traffic Division stated that it has no concerns with serving the property.

• Public Works-Solid Waste: The Solid Waste Division had no concerns with annexing the property, but pointed out that State Law allows the property owner to choose what garbage hauler may service the property after it is in the City.

• Ambulance Service: The City does not provide ambulance service, however it does dictate the level of service provided by American Medical Response (AMR). By City ordinance, 90% of ambulance calls must be answered within 8 minutes. This property may be within the area of acceptable response time.

• Legal and Finance: General Fund services, such as the Legal and Finance Departments should not be negatively impacted by this annexation.

• Other Departments: City/County services including Library, Planning, and Environmental Health are only slightly affected by the annexation since they will continue to serve the property whether it is in the City or the County. The Planning Division staff supports the annexation because the property is in the Red Area of Annexation, is part of a master planned area and has access to City services, and is in an area close to the Yellowstone River where development on municipal services reduces the impact to groundwater or surface water.

STAKEHOLDERS

Annexation by petition does not require notification of adjoining landowners; however, it does require that the City Council conduct a public hearing and post the property with information on the annexation petition and public hearing. Notice of the public hearing was posted on the property on November 20 and published in the Yellowstone County News on November 20 and November 27. The Planning Division has not received any inquiries about this petition at the time this memo was prepared.

ALTERNATIVES

The City Council may approve or deny the petition for annexation. Denial of the petition will mean the City Council cannot consider amendments to the Ward III boundary.

- On October 13, 2020, the annexation petition was submitted to the Planning Division by the owner's agent.
- On December 14, 2020 the City Council will conduct the public hearing for the annexation and may take action on the request.
- On December 14, 2020, if the City Council approves the annexation resolution, a public hearing and first reading of an ordinance to include the property in City Council Ward III will be conducted.
- On January 11, 2021, the City Council will conduct the second and final reading for the ordinance expanding the Ward III boundary.

FISCAL EFFECTS

The item has no impact on the Planning Division budget.

Attachments

Resolution
Annexation Map
Limits of Annexation Map

RESOLUTION NO. 20 -

A RESOLUTION APPROVING PETITION FOR ANNEXATION AND ANNEXING TERRITORY TO THE CITY.

WHEREAS, one hundred percent (100%) of the freeholders who constitute more than fifty percent (50%) of the resident freeholder electors have petitioned the City for annexation of the territory hereinafter described; and

WHEREAS, the territory was described in the Petition as required by law; and

WHEREAS, annexation of said territory would be in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. TERRITORY ANNEXED. Pursuant to Petition filed as provided M.C.A., Title 7, Chapter 2, Part 46, the following territory is hereby annexed to the City of Billings:

   Tracts of Land situated in the SE ¼ of Section 13, T.1S., R.25E, the SW ¼ of Section 18, and the NW ¼ of Section 19, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows:

   Lot 1, of QFC Subdivision, First Filing, recorded May 15, 2019, under Document No. 3882956, on file and of record in the Records of Yellowstone County;

   Lot 2A, Block 1, of the Amended Plat of Lot 2, Block 1, Adam And Mollie Walter Subdivision, First Filing, Recorded April 18, 2019 under Document No. 3880645, on file and of record in the Records of Yellowstone County.

   Including all adjacent rights-of-way of Elysian Road, East Lane, Bike Path Right-Of-Way as shown on said QFC Subdivision

Said annexation containing 37.381 gross and 34.917 net acres

(# 20-04) See Exhibit "A" Attached

2. CONDITIONS. The annexation is approved, subject to the following condition:

- Prior to site development, a Development Agreement shall be executed between the owner(s) and the City that shall stipulate specific infrastructure improvements and right-of-way dedication, provide guarantees for said improvements, and include a Waiver of Right to Protest the Creation of Special Improvement Districts will be recorded;

3. PROCEDURE. All procedures as required under M.C.A., Title 7, Chapter 2, Part 46, have been duly and properly followed and taken.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 14th day of December, 2020.

CITY OF BILLINGS:

BY: _____

William A. Cole, Mayor

ATTEST:

BY: _____

Denise R. Bohlman, City Clerk

(AN# 20-04)

EXHIBIT "A"

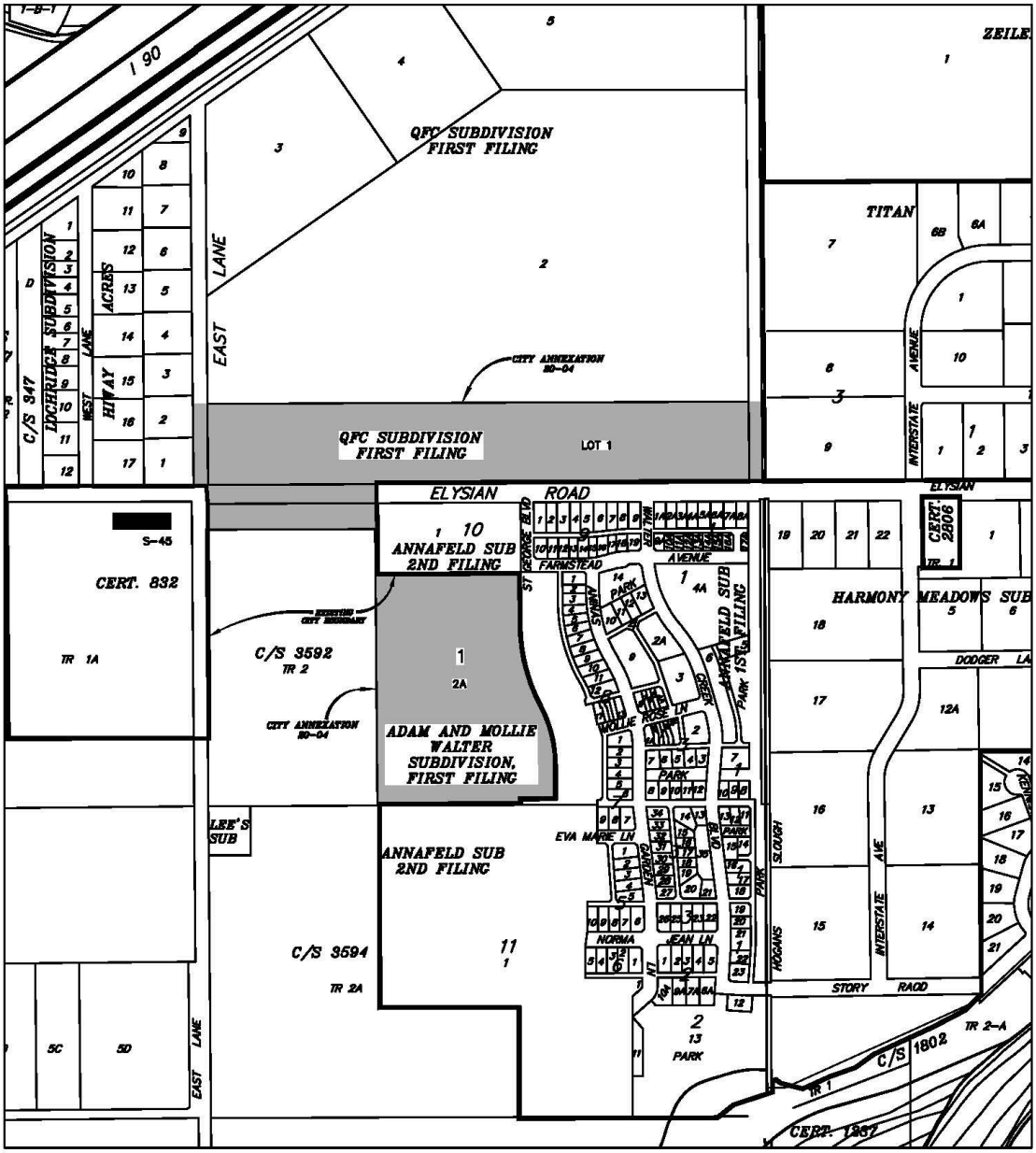
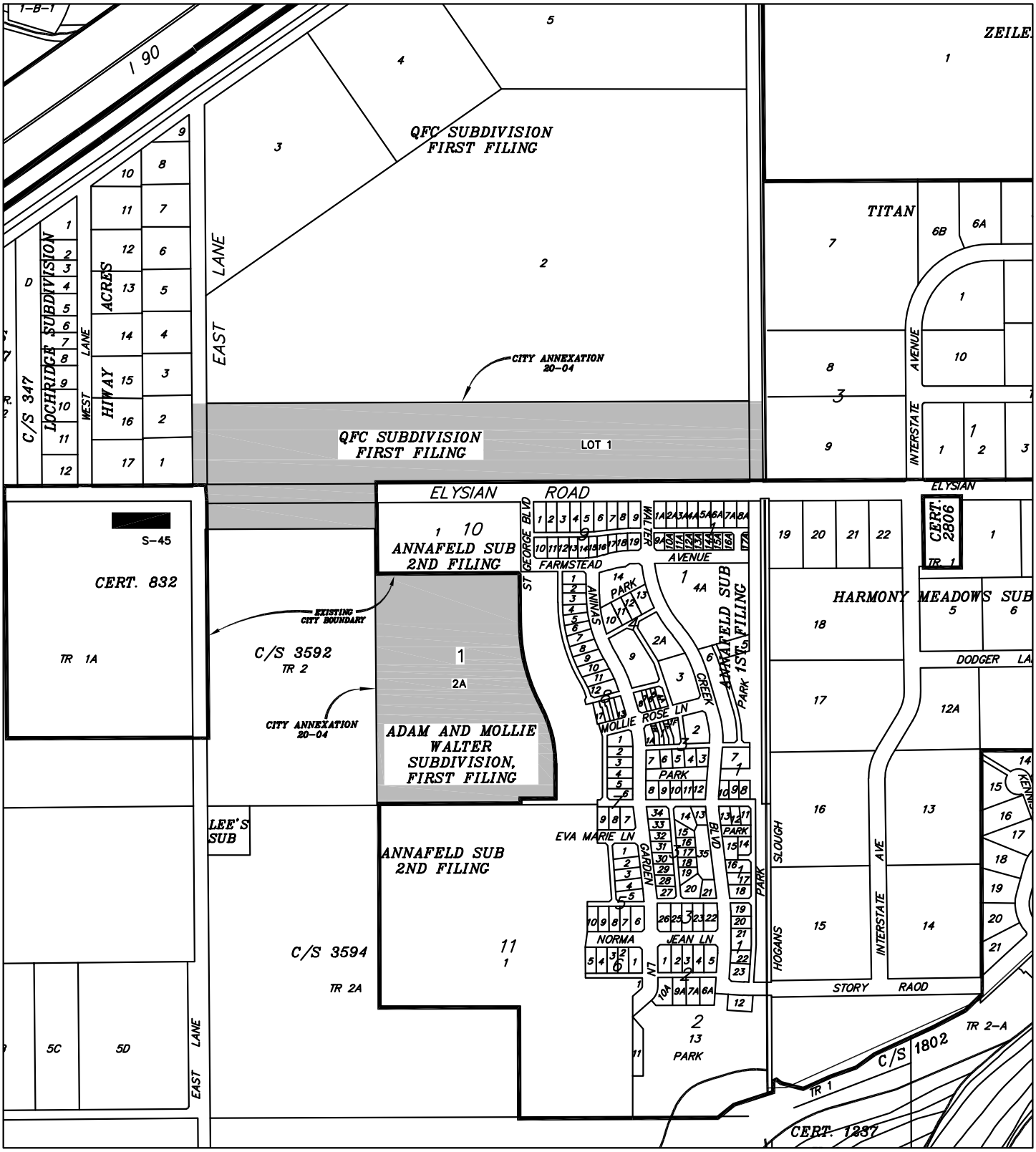
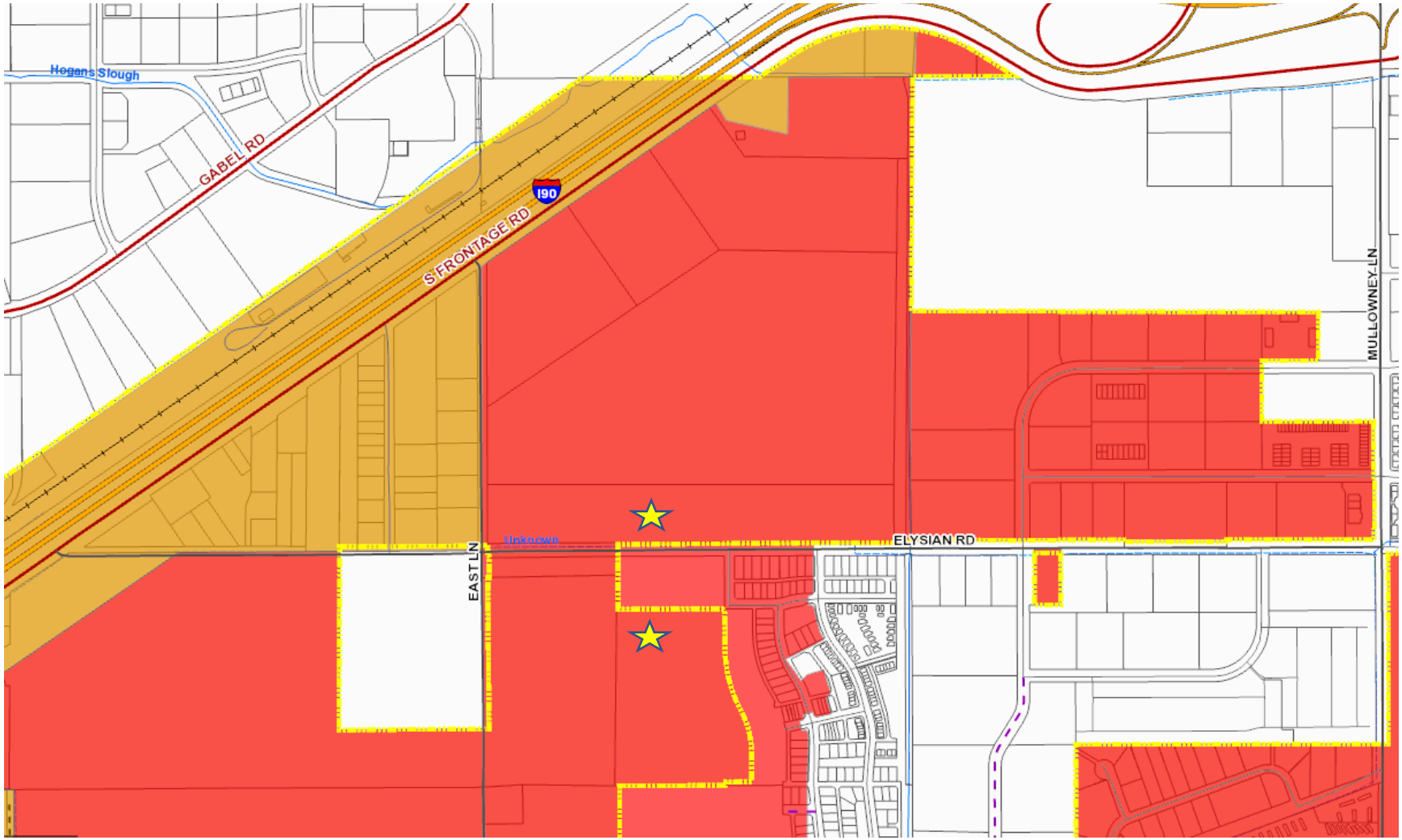

I 90
QFC SUBDIVISION FIRST FILING
LOCHRIDGE SUBDIVISION
C/S 347
EAST LANE
WEST LANE
HWAY
ACRES
CITY ANNEXATION 80-04
QFC SUBDIVISION FIRST FILING
LOT 1
ELYSIAN ROAD
S-45
CERT. 832
TR 1A
ANNAFELD SUB 2ND FILING
ST GEORGE BLVD
FARMSTEAD AVENUE
ANNAFELD SUB 1ST FILING
PARK
STORY
ROSE LN
WOLLIE
CREEK
C/S 3592
TR 2
ADAM AND MOLLIE WALTER SUBDIVISION, FIRST FILING
LEE'S SUB
EVA MARIE LN
NORMA
JEAN LN
SLOUGH
HOGANS
INTERSTATE AVE
STORY ROAD
ANNAFELD SUB 2ND FILING
C/S 3594
TR 2A
5C
5D
EAST LANE
TITAN
AVENUE
INTERSTATE
CERT. 2806
TR 1
HARMONY MEADOWS SUB
DODGER LA
C/S 1802
TR 2-A
TR 1
CERT. 1367

EXHIBIT "A"


I 90
QFC SUBDIVISION FIRST FILING
EAST LANE
CITY ANNEXATION 20-04
QFC SUBDIVISION FIRST FILING
LOT 1
ELYSIAN ROAD
ANNAFELD SUB 2ND FILING
ST GEORGE BLVD
FARMSTEAD AVENUE
ANNAFELD SUB 1ST FILING PARK
HARMONY MEADOWS SUB
DODGER LA
CERT. 2806
TR 1
TITAN
ZEILE
LOCHRIDGE SUBDIVISION
C/S 347
WEST LANE
HIWAY ACRES
S-45
CERT. 832
TR 1A
EXISTING CITY BOUNDARY
C/S 3592
TR 2
CITY ANNEXATION 20-04
ADAM AND MOLLIE WALTER SUBDIVISION, FIRST FILING
MOLLIE ROSE LN
EVA MARIE LN
NORMA JEAN LN
PARK
CREEK
SLOUGH
HOGANS
INTERSTATE AVE
STORY RAOD
LEE'S SUB
ANNAFELD SUB 2ND FILING
C/S 3594
TR 2A
EAST LANE
5C
5D
C/S 1802
TR 2-A
TR 1
CERT. 1237

Limits of Annexation Map



Regular **2. a.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: Development Agreement with Quarnburg Farming Corporation for Lot 1, QFC Subdivision 1st Filing

PRESENTED BY: Debi Meling

Department: Public Works **Division:** Engineering

RECOMMENDATION

Staff recommends that the City Council approve the development agreement with Quarnburg Farming Corporation.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

At the December 14, 2020 meeting, City Council will consider annexation of Lot 1, QFC Subdivision 1st Filing. The property is located north of Elysian Road between East Lane and the City County Drain. McCall Development has entered into an agreement to purchase the Lot 1, QFC Subdivision 1st Filing and desires to develop the property as a residential development. Typically, as a condition of approval of the annexation, the property owner is to enter into a development agreement with the City of Billings outlining necessary public improvements. The property owner has submitted the attached Development Agreement and the Council will consider whether to approve the agreement.

ALTERNATIVES

City Council may:

- If the annexation is approved, then approve the development agreement with the property owner; or
- Disapprove the development agreement. If the agreement is not approved, the responsibility for infrastructure improvements would be in accordance with policies in place at the time of development.

FISCAL EFFECTS

The financial impact of this agreement is dependent on policy changes that may occur before development. If development occurs before any changes to the City's development policies, there would be no financial impact. If development occurs after City development policies change, the financial impact would be dependent on the changes. In addition, the City does not currently have a policy in place to collect reimbursement for utilities that were installed using City funds adjacent to the property. This development agreement requires the developer to reimburse the City for the water line that was installed in Elysian Road in 2015. If this agreement is not approved, the developer would not be required to reimburse the City for that portion of water line.

Attachments

Lot 1 Exhibit

Development Agreement

ANNEXATION MAP

LOT 1 OF QFC SUBDIVISION, FIRST FILING

WITHIN

YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : McCALL DEVELOPMENT

PREPARED BY : SANDERSON STEWART

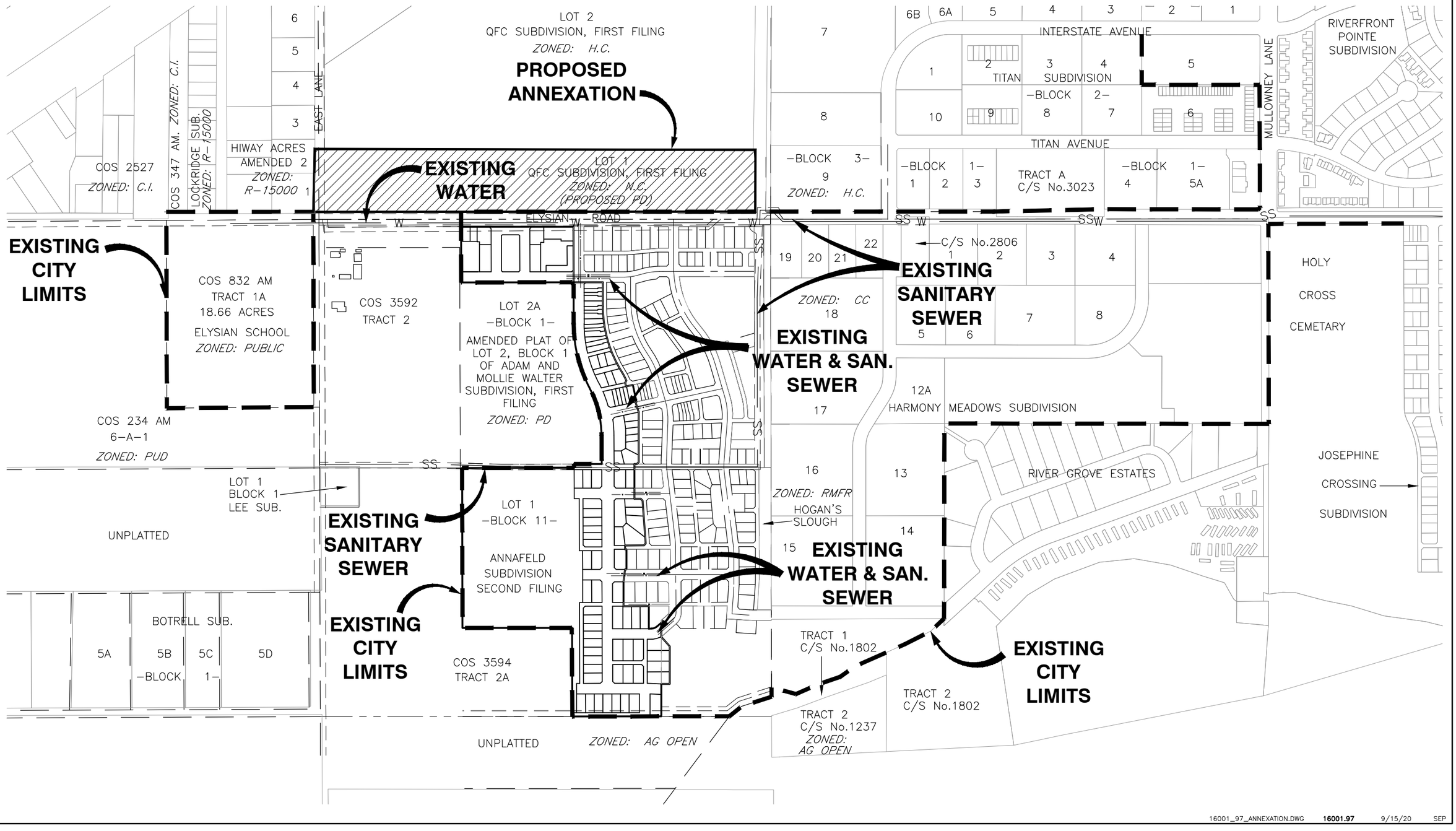
SEPTEMBER 2020

BILLINGS, MONTANA

NORTH

250 0 250 500

SCALE:1" = 500'



16001_97_ANNEXATION.DWG **16001.97** 9/15/20 SEP

Return to:
Quarnburg Farming Corporation
6132 S. Frontage Road
Billings, MT 59101-6381

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT is made this _____ day of _____, 2020, by and between QUARNBURG FARMING CORPORATION, 6132 S. Frontage Road Billings, Montana, 59101-6381 hereinafter referred to as the "OWNER," and THE CITY OF BILLINGS, MONTANA, a municipal corporation, c/o City Hall, 210 North 27th Street, Billings, Montana, 59101, hereinafter referred to as the "CITY."

WHEREAS, OWNER is the owner of certain real property situated in Yellowstone County, Montana, more particularly described as follows:

Lot 1, QFC Subdivision, First Filing, situated in the SW1/4 of Section 18, T 01S, R 26E, P.M.M., in the City of Billings, Yellowstone County, Montana hereinafter referred to as "Tract".

WHEREAS, OWNER has submitted a Petition for Annexation to CITY for OWNER Tract; and

WHEREAS, OWNER desires to annex Tract to CITY; and

WHEREAS, CITY has approved the Petition for Annexation by Resolution No. _____ for Tract contingent that a Development Agreement be executed between CITY and OWNER to identify required off-site infrastructure improvements and guarantees of those improvements associated with said Tract.

WHEREAS, Said Tract is subject to that certain Declaration of Restriction on Transfers and Conveyances, as described within the Subdivision Improvements Agreement and Waiver filed May 15, 2019, under Document No. 3882957. Hereinafter referred as "Declaration"

WHEREAS, Said Declaration is between Yellowstone County and the OWNER.

WHEREAS, based upon City approval of the Annexation Petition, by Resolution No. _____for Tract and upon CITY and OWNER execution of the Development Agreement, it is anticipated that Yellowstone County Board of County Commissioners will execute a Release of restrictions as contained within the Declaration.

WHEREAS, in the event of the sale of said Tract, the covenants, agreements, and all statements in this Agreement and in the incorporated and attached Waiver shall be binding on the purchaser, as outlined in Paragraph 9, herein.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the **CITY** and **OWNER** do hereby agree as follows:

1. *Sanitary Sewer.* The Tract will be served by extension of existing sanitary sewer mains in Annafeld Subdivision. OWNER will be responsible for connecting to the sanitary sewer system at the time of development and shall be responsible for payment of CITY wastewater system development fees at the time of connection to the sanitary sewer.

2. *Water.* The Tract will be served by extension of existing water mains in East Lane and/or Elysian Road. OWNER will be responsible for connecting to the water mains at the time of development and shall be responsible for payment of CITY water system development fees at the time of connection.

   The OWNER will be required to reimburse the CITY for a portion of the construction costs relating to the trunk water main previously installed in Elysian Road and East Lane. If the City's Rules and Regulations (Dated June 2017) are modified to include a reimbursement, then the payment will be in accordance with that change.

   Payment will include half of the cost of the installation of a 12-inch lateral main fronting the property. Payment may be appropriated to reflect actual frontage of individual development phases. Payment shall be made prior to issuance of building permits within each development phase.

3. *Storm Drain.* The Tract will be served by extension of existing storm drains in Annafeld Subdivision. The OWNER will manage storm drainage in accordance with the version of the City of Billings Stormwater Management Manual adopted at the time of Tract development.

A Waiver of Right to Protest all future storm drain facilities shall be executed with this agreement.

4. *Elysian Road and East Lane.* OWNER shall participate in the construction of the Elysian Road and East Lane street improvements including, but not limited to asphalt pavement, curb and gutter, and sidewalk through a Special Improvement District and/or private contract. It is anticipated that the Special Improvement District utilized to construct the Elysian Road improvements will be created in 2021. All Street improvements will be constructed to the City of Billings Standards.

5. *Other Public Improvements.* For any other improvements not specifically listed in this Agreement, the CITY shall rely on the attached Waiver filed concurrently herewith, to insure the installation of any or all remaining public improvements. Said improvements shall include, but not be limited to, street construction and paving, curb, gutter, sidewalks, driveways, storm drainage, and street lighting. The attached Waiver, waiving the right to protest the creation of one or more Special Improvement Districts, by this reference is expressly incorporated herein and part hereof.

8. *Compliance.* Nothing herein shall be deemed to exempt the OWNER of the Tract from compliance with any current or future City laws, rules, regulations, or policies that are applicable to the development, redevelopment, or use of the subject property.

9. *Runs with Land.* The covenants, agreements, and all statements in this Agreement and in the incorporated and attached Waiver shall run with the land and shall be binding on the heirs, personal representatives, successors, and assigns of the respective parties, and effective upon transfer of the Tract, Owner will be released from any liability under this Agreement.

10. *Attorney's Fees.* In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs, including those fees and costs of in-house counsel.

11. *Amendments and Modifications.* Any amendments or modifications of this Agreement shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

"OWNER" QUARNBURG FARMING CORP.

By: _____

Title: _____

STATE OF MONTANA)
:ss
County of Yellowstone)

On this ____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the person who signed the foregoing instrument as_____ of OWNER, and who acknowledged to me that said OWNER executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

_____
Notary Public in and for the State of Montana
Printed name:_____
Residing at:_____
My commission expires:_____

This Agreement is hereby approved and accepted by City of Billings, this ___ day of _____, 20___.

"CITY" CITY OF BILLINGS, MONTANA

By:_____
Mayor

Attest:_____
City Clerk

STATE OF MONTANA)
:ss
County of Yellowstone)

On this _____ day of_____, 20___, before me, a Notary Public for the State of Montana, personally appeared _____, and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

_____
Notary Public in and for the State of Montana
Printed name:_____
Residing at:_____
My commission expires:_____

Approved as to Form:

_____
City Attorney

WAIVER OF RIGHT TO PROTEST

FOR VALUABLE CONSIDERATION, the undersigned, being the Owner of the hereinafter described real property, do hereby waive the right to protest the formation of one or more special improvement district(s) for street light maintenance and energy, and for the construction of streets, street widening, sidewalks, survey monuments, street name signs, curb and gutter, street lights, driveways, traffic signals, and traffic control devices, parks and park maintenance, trails, sanitary sewer lines, water lines, storm drains (either within or outside the area), and other improvements incident to the above which the City of Billings may require.

This Waiver and Agreement is independent from all other agreements and is supported by sufficient independent consideration to which the undersigned are parties, and shall run with the land and shall be binding upon the undersigned, their successors and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana.

The real property hereinabove mentioned is more particularly described as follows:

Lot 1 of QFC Subdivision, First Filing, situated in the SW1/4 of Section 18, T 01N, R 26E, P.M.M., in the City of Billings, Yellowstone County, Montana

"OWNER" QUARNBURG FARMING CORP.

By: _____

Title:_____

STATE OF MONTANA)
:ss.
County of Yellowstone)

On this ____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the person who signed the foregoing instrument as the _____ of OWNER, and who acknowledged to me that said OWNER executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

_____
Notary Public in and for the State of Montana
Printed name:_____
Residing at:_____
My commission expires:_____

Regular **2. b.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: Development Agreement with McCall Development for Lot 2A, Block 1, Adam and Mollie Walter Subdivision

PRESENTED BY: Debi Meling

Department: Public Works **Division:** Engineering

RECOMMENDATION

Staff recommends that the City Council approve the development agreement with McCall Development.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

At the December 14, 2020 meeting, City Council will consider annexation of Lot 2A, Block 1, Adam and Mollie Walter Subdivision. The property is located south of Elysian Road east of East Lane. The property is proposed to be subdivided in the future for residential development. Typically, as a condition of approval of the annexation, the property owner is to enter into a development agreement with the City of Billings outlining necessary public improvements. The property owner has submitted the attached Development Agreement and the Council will consider whether to approve the agreement.

ALTERNATIVES

City Council may:

- If the annexation is approved, then approve the development agreement with the property owner; or
- Disapprove the development agreement. If the agreement is not approved, the responsibility for infrastructure improvements would be in accordance with policies in place at the time of development.

FISCAL EFFECTS

The financial impact of this agreement is dependent on policy changes that may occur before development. If development occurs before any changes to the City's development policies, there would be no financial impact. If development occurs after City development policies change, the financial impact would be dependent on the changes. In addition, the City does not currently have a policy in place to collect reimbursement for utilities that were installed using City funds adjacent to the property. This development agreement requires the developer to reimburse the City for the sanitary sewer line that was installed along the southern boundary of the property in 2015 and the water main installed in Elysian Road. If this agreement is not approved, the developer would not be required to reimburse the City for that portion of sanitary sewer line and water main.

Attachments

Lot 2A Exhibit
Development Agreement

ANNEXATION MAP

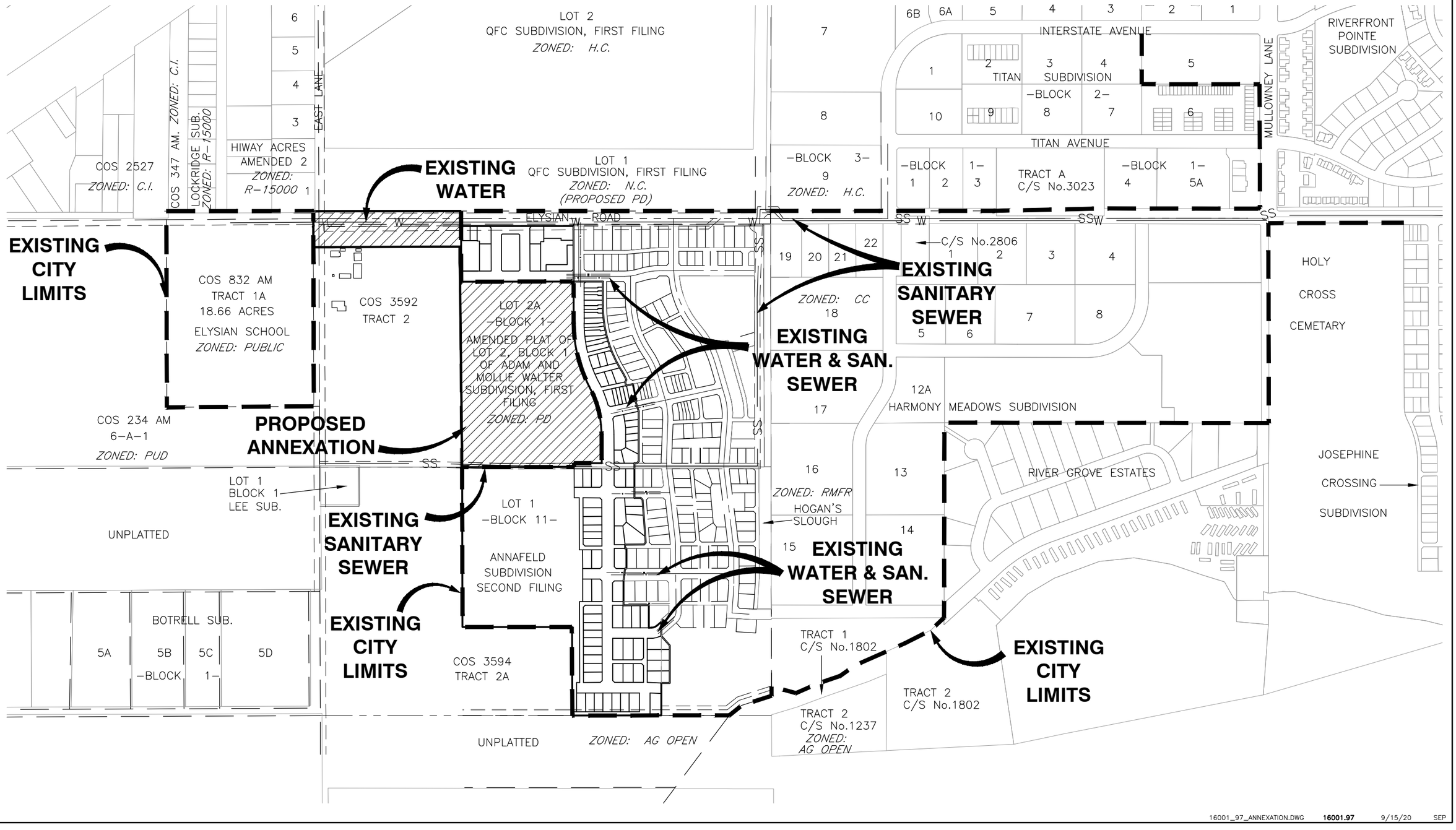
LOT 2A, BLOCK 1 OF THE AMENDED PLAT OF LOT 2, BLOCK 1, ADAM AND MOLLIE WALTER SUBDIVISION, FIRST FILING
WITHIN
YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : McCALL DEVELOPMENT
PREPARED BY : SANDERSON STEWART

SEPTEMBER 2020
BILLINGS, MONTANA

NORTH

250 0 250 500
SCALE:1" = 500'



16001_97_ANNEXATION.DWG **16001.97** 9/15/20 SEP

Return to:
McCall Development
1536 Mullowney Lane, Suite 100
Billings, MT 59101-6397

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT is made this _____ day of _____, 2020, by and between MCCALL DEVELOPMENT, INC., 1536 Mullowney Lane, Suite 100, Billings, Montana, 59101-6397 hereinafter referred to as the "OWNER," and THE CITY OF BILLINGS, MONTANA, a municipal corporation, c/o City Hall, 210 North 27th Street, Billings, Montana, 59101, hereinafter referred to as the "CITY."

WHEREAS, OWNER is the owner of certain real property situated in Yellowstone County, Montana, more particularly described as follows:

Lot 2A, Block 1, of the Amended Plat of Lot 2, Block 1, Adam & Mollie Walter Subdivision, First Filing, situated in the NW1/4 of Section 19, T 01S, R 26E, P.M.M., in the City of Billings, Yellowstone County, Montana hereinafter referred to as "Tract".

WHEREAS, OWNER has submitted to the City a Petition for Annexation to CITY for OWNER Tract; and

WHEREAS, OWNER desires to annex Tract to CITY; and

WHEREAS, CITY has approved the Petition for Annexation by Resolution No. _____ for Tract contingent that a Development Agreement be executed between CITY and OWNER to identify required off-site infrastructure improvements and guarantees of those improvements associated with said Tract.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties do hereby agree as follows:

1. *Sanitary Sewer.* The Tract will be served by extension of existing sanitary sewer mains in Annafeld Subdivision and/or East Lane. OWNER will be responsible for connecting to the sanitary sewer system at the time of development and shall be responsible for payment of CITY wastewater system development fees at the time of connection to the sanitary sewer.

The OWNER will be required to reimburse the CITY for a portion of the construction costs relating to the trunk sanitary sewer main previously installed along the southern boundary of Lot 2A. If the City's Rules and Regulations (Dated June 2017) are modified to include a reimbursement, then the payment will be in accordance with that change.

Payment will include half of the cost of the installation of a 12-inch lateral main fronting the property. Payment may be appropriated to reflect actual frontage of individual development phases. Payment shall be made prior to issuance of building permits within each development phase.

2. *Water.* The Tract will be served by extension of existing water mains in Annafeld Subdivision and/or in Elysian Road. OWNER will be responsible for connecting to the water mains at the time of development and shall be responsible for payment of CITY water system development fees at the time of connection.

   The OWNER will be required to reimburse the CITY for a portion of the construction costs relating to the water main previously installed in Elysan Road. If the City's Rules and Regulations (Dated June 2017) are modified to include a reimbursement, then the payment will be in accordance with that change.

   Payment will include half of the cost of the installation of a 12-inch lateral main fronting the property. Payment may be appropriated to reflect actual frontage of individual development phases. Payment shall be made prior to issuance of building permits within each development phase.

3. *Storm Drain.* The Tract will be served by extension of existing storm drains in Annafeld Subdivision. The OWNER will manage storm drainage in accordance with the version of the City of Billings Stormwater Management Manual adopted at the time Tract development.

   A Waiver of Right to Protest all future storm drain facilities shall be executed with this agreement.

4. *Elysian Road.* OWNER shall participate in the construction of the Elysian Road street improvements including, but not limited to asphalt pavement, curb and gutter, and sidewalk through a Special Improvement District. It is anticipated that the Special Improvement District utilized to construct the

Elysian Road improvements will be created in 2021. All Street improvements will be constructed to the City of Billings Standards.

5. *Other Public Improvements.* For any other improvements not specifically listed in this Agreement, the CITY shall rely on the attached Waiver filed concurrently herewith, to insure the installation of any or all remaining public improvements. Said improvements shall include, but not be limited to, street construction and paving, curb, gutter, sidewalks, driveways, storm drainage, and street lighting. The attached Waiver, waiving the right to protest the creation of one or more Special Improvement Districts, by this reference is expressly incorporated herein and part hereof.

8. *Compliance.* Nothing herein shall be deemed to exempt the OWNER Tract from compliance with any current or future City laws, rules, regulations, or policies that are applicable to the development, redevelopment, or use of the subject property.

9. *Runs with Land.* The covenants, agreements, and all statements in this Agreement and in the incorporated and attached Waiver shall run with the land and shall be binding on the heirs, personal representatives, successors, and assigns of the respective parties.

10. *Attorney's Fees.* In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs, including those fees and costs of in-house counsel.

11. *Amendments and Modifications.* Any amendments or modifications of this Agreement shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

"OWNER" MCCALL DEVELOPMENT, INC.

By: _____

Title: _____

STATE OF MONTANA)
:ss
County of Yellowstone)

On this ____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the person who signed the foregoing instrument as_____ of OWNER, and who acknowledged to me that said OWNER executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

_____
Notary Public in and for the State of Montana
Printed name:_____
Residing at:_____
My commission expires:_____

This Agreement is hereby approved and accepted by City of Billings, this ___ day of _____, 20___.

"CITY" CITY OF BILLINGS, MONTANA

By:_____
Mayor

Attest:_____
City Clerk

STATE OF MONTANA)
:ss
County of Yellowstone)

On this _____ day of_____, 20___, before me, a Notary Public for the State of Montana, personally appeared _____, and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

_____
Notary Public in and for the State of Montana
Printed name:_____
Residing at:_____
My commission expires:_____

Approved as to Form:

_____
City Attorney

WAIVER OF RIGHT TO PROTEST

FOR VALUABLE CONSIDERATION, the undersigned, being the Owner of the hereinafter described real property, do hereby waive the right to protest the formation of one or more special improvement district(s) for street light maintenance and energy, and for the construction of streets, street widening, sidewalks, survey monuments, street name signs, curb and gutter, street lights, driveways, traffic signals, and traffic control devices, parks and park maintenance, trails, sanitary sewer lines, water lines, storm drains (either within or outside the area), and other improvements incident to the above which the City of Billings may require.

This Waiver and Agreement is independent from all other agreements and is supported by sufficient independent consideration to which the undersigned are parties, and shall run with the land and shall be binding upon the undersigned, their successors and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana.

The real property hereinabove mentioned is more particularly described as follows:

Lot 2A, Block 1, of the Amended Plat of Lot 2, Block 1, Adam & Mollie Walter Subdivision, First Filing, situated in the NW1/4 of Section 19, T 01N, R 26E, P.M.M., in the City of Billings, Yellowstone County, Montana

"OWNER" MCCALL DEVELOPMENT, INC.

By: _____

Title:_____

STATE OF MONTANA)
:ss.
County of Yellowstone)

On this ____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the person who signed the foregoing instrument as the _____ of OWNER, and who acknowledged to me that said OWNER executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

_____
Notary Public in and for the State of Montana
Printed name:_____
Residing at:_____
My commission expires:_____

Regular **3.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: Public Hearing - Ward Boundary Expansion Ordinance First Reading - Annexation 20-04

PRESENTED BY: Monica Plecker

Department: Planning & Community Services **Division:** Planning

RECOMMENDATION

Staff recommends the City Council hold a public hearing and approve this ordinance on first reading, adding recently annexed property to Ward III.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Quarnburg Farming Corporation and McCall Development submitted a petition to annex land using the provisions of Section 7-2-4600, MCA. The property is located both north and south of Elysian Road and east of East Lane. The property is described as Lot 1, of QFC Subdivision, First Filing, recorded May 15, 2019, under Document No. 3882956, on file and of record in the Records of Yellowstone County; and Lot 2A, Block 1, of the Amended Plat of Lot 2, Block 1, Adam And Mollie Walter Subdivision, First Filing, Recorded April 18, 2019 under Document No. 3880645, on file and of record in the Records of Yellowstone County. Including all adjacent rights-of-way of Elysian Road, East Lane, Bike Path Right-Of-Way as shown on said QFC Subdivision. The property contains 37.381 gross and 34.917 net acres.The property is zoned Highway Commercial and Planned Development and will be used for new residential development.

Upon Council approval, this annexation requires a change in the boundaries of Ward III. Two readings are required for this action. The first reading of the ordinance is tonight at this Council meeting, along with a public hearing, and the second reading is scheduled for January 11, 2020.

ALTERNATIVES

City Council may:

- Approve adding the subject property to Ward III, or;
- Disapprove adding the subject property to Ward III.

Disapproval will not modify the boundary of Ward III and will create a problem where property inside the City Limits is not within a City Ward.

FISCAL EFFECTS

This item has no impact on the Planning Division Budget.

Attachments

Ward Boundary Ordinance

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE CITY OF BILLINGS, AMENDING BILLINGS MUNICIPAL CODE, CHAPTER 11, ELECTIONS, IN PARTICULAR, SECTION 11-102(c), WARD BOUNDARIES; AND CHANGING THE WARD BOUNDARIES ESTABLISHED THEREIN BY ADDING CERTAIN NEWLY ANNEXED REAL PROPERTY TO WARD III PROVIDING FOR CERTIFICATION AND REPEALING OF ALL ORDINANCES AND RESOLUTIONS INCONSISTENT THEREWITH.

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

1. AMENDMENT. Pursuant to Billings Municipal Code, Section 11-102(c) and the State Law, Billings Municipal Code, Section 11-102(c) Ward Boundaries is hereby amended by adding to Ward III the following described real property:

   Tracts of Land situated in the SE ¼ of Section 13, T.1S., R.25E, the SW ¼ of Section 18, and the NW ¼ of Section 19, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows:

   Lot 1, of QFC Subdivision, First Filing, recorded May 15, 2019, under Document No. 3882956, on file and of record in the Records of Yellowstone County;

   Lot 2A, Block 1, of the Amended Plat of Lot 2, Block 1, Adam And Mollie Walter Subdivision, First Filing, Recorded April 18, 2019 under Document No. 3880645, on file and of record in the Records of Yellowstone County.

   Including all adjacent rights-of-way of Elysian Road, East Lane, Bike Path Right-Of-Way as shown on said QFC Subdivision

   Said annexation containing 37.381 gross and 34.917 net acres

   (# 20-04) See Exhibit "A" Attached

2. CERTIFICATION. Pursuant to M.C.A. Section 13-3-103, the above change and alteration is hereby certified to the election administrator by the City Council, and the City Administrator or his designee is hereby directed to certify the changes and alterations and to deliver a map showing the boundaries of the ward, the streets, avenues and alleys by name and the ward by number, to the election administrator not more than ten (10) days after the effective date of this ordinance.

3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.

PASSED by the City Council on the first reading this 14th day of December, 2020.

PASSED by the City Council on the second reading this 11th day of January, 2021.

THE CITY OF BILLINGS:

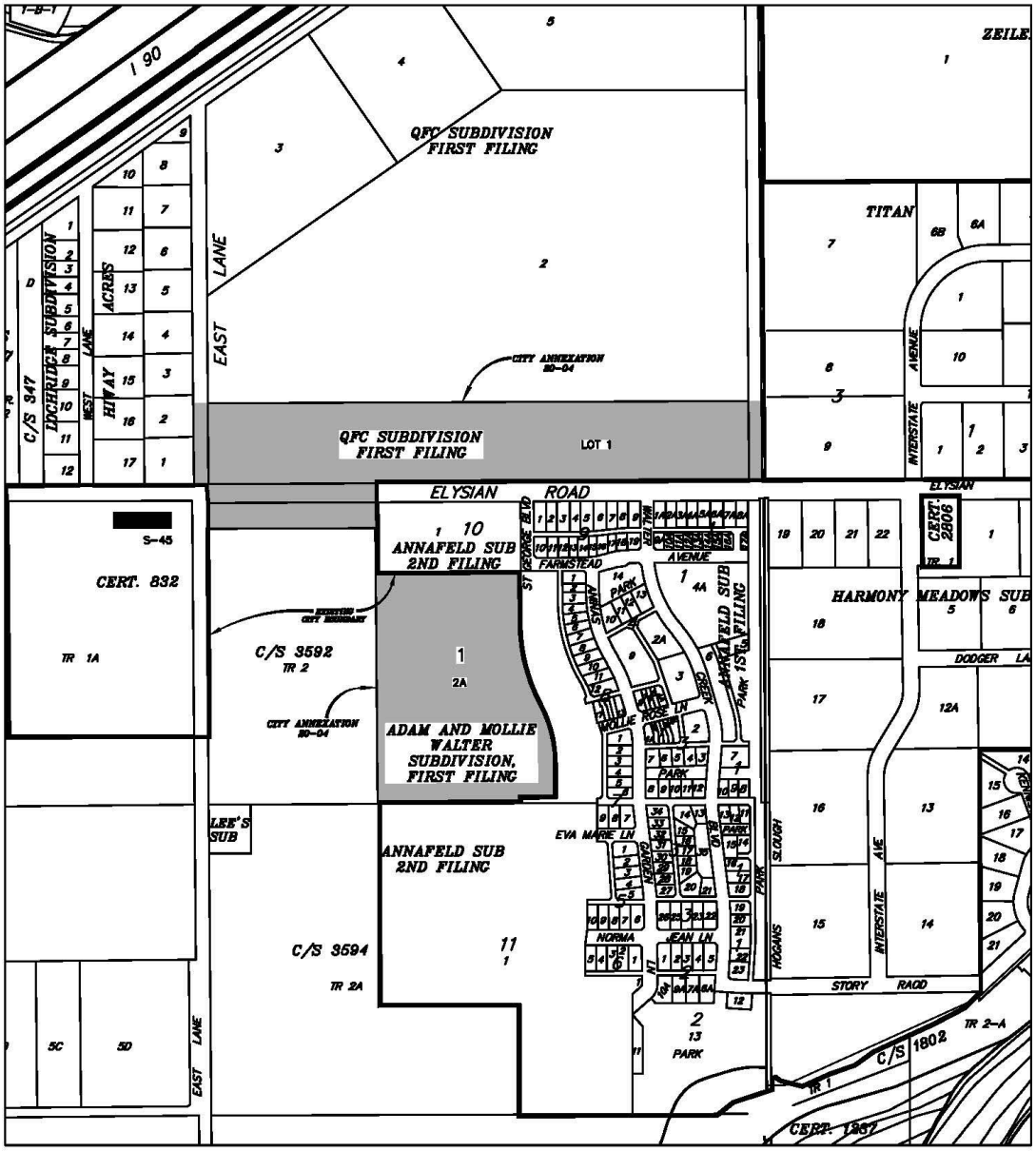
_____
William A. Cole, MAYOR

ATTEST:

BY: _____
Denise Bohlman, CITY CLERK

(AN 20-04)

EXHIBIT "A"


I 90
QFC SUBDIVISION FIRST FILING
EAST LANE
CITY ANNEXATION RD-04
QFC SUBDIVISION FIRST FILING
LOT 1
ELYSIAN ROAD
ANNAFELD SUB 2ND FILING
CERT. 832
TR 1A
C/S 3592
TR 2
ADAM AND MOLLIE WALTER SUBDIVISION, FIRST FILING
ANNAFELD SUB 2ND FILING
C/S 3694
TR 2A
LEE'S SUB
EAST LANE
TITAN
HARMONY MEADOWS SUB
CERT. 2806
C/S 1802
TR 2-A
CERT. 1287
DODGER LA
EVA MARIE LN
NORMA
JEAN LN
STORY
RAOD
HOGANS SLOUGH PARK
INTERSTATE AVENUE
ST GEORGE BLVD
FARMSTEAD AVENUE
PARK

Regular **4.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: Project ReCode - Zoning Code Amendment and Zoning Map Update - Continued 1st Reading and Public Hearing

PRESENTED BY: Nicole Cromwell

Department: Planning & Community Services **Division:** Planning

RECOMMENDATION

The City Zoning Commission conducted seven public hearings on the Zoning Code Amendments and Zoning Map Update. At the final public hearing on October 14, 2020, the Zoning Commission voted 5-0 to recommend approval of the Zoning Code Amendment and the Zoning Map Update to the City Council.

The City Council began the 1st Reading of the Ordinance for the Zoning Code Amendment and the Zoning Map Update at its meeting on November 9 and continued the 1st Reading and kept the hearing open. A second session of 1st Reading was held on November 23, 2020. Again, the Council continued the 1st Reading and kept the hearing open. The City Council may complete its 1st Reading action and public hearing process at this meeting.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The City Zoning Commission has concluded a series of seven public hearings reviewing the Zoning Code Amendments and Map Update through Project Re:Code, a three-year collaborative effort initiated by the Yellowstone County Board of Planning in June 2017. The mission of the initiative by the Board was to ensure the zoning regulations for the City and County were updated to help implement the Growth Policies and community goals. The current regulations were first adopted in the County in 1972, have not been thoroughly updated since adoption, and were no longer meeting the needs of the community.

The new code will replace the existing zoning code in its entirety (BMCC Chapter 27). The 2016 Billings Growth Policy and the Project Steering Committee set of Guiding Principles were the foundation of all the work and drafting of the new code. The Steering Committee consisted of 18 members appointed by the City/County Planning Board to oversee and guide the community effort to re-draft the zoning for the city and county. The Steering Committee appointed four Working Groups to tackle the labor intensive work of reading, editing, and creating this new code. Those Working Groups were: Urban Issues, County Issues, Landscaping and Signs. Each member of the Steering Committee and Working Groups put in literally hundreds of volunteer hours to make this code update possible. The City and County each contributed funds for the hiring of a consultant team to work with staff and the Working Groups. The consultant team provided expertise in writing zoning
codes, legal issues in land use, urban design, landscape design, assessing neighborhood character and local design knowledge.

The draft code is a uniquely Billings zoning code. You will not read this code and think of Boise, ID, Rapid City, SD or Bozeman, MT. We did take best practices from peer cities and used them to fit our local needs and future vision for improving the quality of development and supporting

attraction of new businesses and residents to our community. The consultant team and our volunteers crafted this code to fit this city and to help it achieve its stated growth goals in the City's 2016 Growth Policy:

> **"In the next 20 years, Billings will manage its growth by encouraging development within and adjacent to the existing City limits, but preference will be given to areas where City infrastructure exists or can be extended within a fiscally constrained budget and with consideration given to increased tax revenue from development. The City will prosper with strong neighborhoods with their own unique character that are clean, safe, and provide a choice of housing and transportation options."**

ALTERNATIVES

Before making a decision of the proposed Zoning Code Amendments and the Zoning Map Update, the City Council shall consider the Zoning Commission proposed findings of the ten review criteria.

1. Whether the new zoning is designed in accordance with the growth policy; The proposed Zoning Amendments and Map Updates are consistent with the 2016 Billings Growth Policy Statement and Growth Guidelines:
Statement: "I*n the next 20 years, Billings will manage its growth by encouraging development within and adjacent to the existing City limits, but preference will be given to areas where City infrastructure exists or can be extended within a fiscally constrained budget and with consideration given to increased tax revenue from development. The City will prosper with strong neighborhoods with their own unique character that are clean, safe, and provide a choice of housing and transportation options."*
Growth Guidelines:
Essential Investments (relating to public and private expenditures to public values)

- Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings.
- Developed parks that provide recreation, special amenities (community gardens, dog parks, viewing areas), and active living opportunities are desirable for an attractive and healthy community
- Natural landscapes are important because they define the uniqueness of Billings and help protect the environment
- Landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors
- Infill development and development near existing City infrastructure may be the most cost effective
- The history and heritage of Billings are cornerstones of our community Neighborhoods that are safe and attractive and provide essential services are much desired
- Infrastructure and service investments that stabilize or improve property values, secure future utility costs, consider maintenance costs, and improve our environmental quality far into the future (i.e.. energy efficient) are desirable

Place Making (enhance, maintain, preserve and improve existing public places):

- Enhancement and maintenance of public spaces and buildings through City stewardship is integral to a vibrant community
- Public and private partnerships are valuable for creating enhanced entryways into Billings
- Locally grown foods help sustain agriculture, provide healthy options, and support local businesses
- Encouraging the installation of art in public spaces enhances the places and showcases

the talents and diversity of the community

Community Fabric (attractive, aesthetically pleasing, uniquely Billings)

- Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity
- Attractive street scapes provide a pleasant and calming travel experience in urban and suburban neighborhoods
- Outdoor public spaces provide casual and relaxing gathering areas for people Cost-effective landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors

Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods)

- Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels
- Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, good will and social interaction
- Safe and livable neighborhoods can be achieved through subdivision design walkable access to public spaces
- Implementation of the Infill Policy is important to encourage development of underutilized properties

Home Base (healthy, safe and diverse housing options)

- A mix of housing types that meet the needs of a diverse population is important The Housing Needs Assessment is an important tool to ensure Billings recognizes and meets the demands of future development
- Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe
- Homes that are safe and sound support a healthy community
- Accessory dwellings units provide an important type of affordable housing options if compatible

Mobility and Access (transportation choices in places where goods and services are accessible to all)

- Connecting people to places with transportation choices is vital to the well-being of Billings' residents, businesses and visitors
- Safe and accessible transportation systems benefit everyone's quality of life Affordable public transit is much desired
- Development oriented to transit routes will provide more transportation choices and is preferred

Prosperity (promoting equal opportunity and economic advancement)

- Predictable, reasonable City taxes and assessments are important to Billings' taxpayers
- A diversity of available jobs can ensure a strong Billings' economy Successful businesses that provide local jobs benefit the community Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses
- Retaining and supporting existing businesses helps sustain a healthy economy

As the Steering Committee and Working Groups considered each code section for the City of Billings, these Growth Guidelines and the Guiding Principles set forth by the Steering Committee

in January 2018 were front and center to the discussions and decision making. The proposed Zoning Code and the Zoning Map update meet and exceed each one of the guidelines listed above. The proposed code conserves the un-renewable resource of land so the city can better meet the needs of all its residents, businesses, newcomers, and visitors now and into the future.

2. Whether the new zoning is designed to secure from fire and other dangers;

The new zoning requires minimum setbacks, open and landscaped areas and building separations in most of the new zone districts. The new zoning, as do all zoning districts, provides adequate building separations and density limits to provide security from fire and other dangers. The proposed code is more predictable for public safety services by eliminating the unlimited height in the multi-family zone districts, and by making site design for safe access part of the development requirements for new construction.

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

Public health, public safety and the general welfare will be promoted by the proposed zoning code update. The proposed neighborhood zone districts remove the unnecessary 1972 suburban zoning designation from Billings' first neighborhoods, restoring property equity throughout these districts and removing the past necessity for variances just to maintain existing quality neighborhood development. The new neighborhood zone districts reflect the development character of existing zones rather than imposing a pattern that does not exist and never existed in these areas of Billings. The new code allows developers and builders to choose this historical development pattern for new neighborhoods as well. The Planned Neighborhood Development zoning tool will allow the city to plan new neighborhoods in partnership with owners so these newly annexed areas fit as the city continues to grow. The PND rules allows the city to be a full participant at the table rather than accepting a zone decision and neighborhood plan developed started in the county without city input.

4. Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;

Transportation: The proposed zoning code should help the city provide transportation across the entire spectrum of options from public transit, private vehicles, walking and biking. Sprawling development patterns of homogenous land uses separated by miles from different land uses is an unsustainable development pattern that does not align with the future community vision in the Growth Policy. It unnecessarily increases vehicle trips, drives up demand for parking spaces, wider and more abundant high speed arterial streets, contributes to air pollution and unhealthy life styles. The proposed code will enable new neighborhoods to be close to everyday services, will require amenities that support walking (street trees), and allow compact site designs that are currently prohibited by our out-of-date zoning.

Water & Sewer: The proposed code will make extension and renewal of existing city water and sewer services more sustainable by allowing traditional development patterns to persist and to be replicated in new neighborhoods.

Schools and Parks: Schools and parks should be sustainable with the new zoning code. The creation of new Public zone districts specific for these public facilities will help maintain these large pieces of the community fabric in neighborhoods. Demand for additional classroom space further and further from the urban core may persist for some time, but the sustainability and renewal of close in neighborhoods should provide more opportunity for in-fill that will maintain student populations within existing schools. Parks will be part of every new Planned

Neighborhood Development and will be developed. The requirement can count towards the state requirement for dedication of parkland for new residential subdivisions (or payment of cash-in-lieu), but every new neighborhood will have at least a small gathering space to improve the sociability and resiliency of these new areas.

5. Whether the new zoning will provide adequate light and air;

The proposed zoning, as does the current zoning, provides for sufficient setbacks to allow for adequate separation between structures and adequate light and air.

6. Whether the new zoning will effect motorized and non-motorized transportation;

The new zoning has updated off-street parking requirements that better reflect the parking demand for land uses. This will allow businesses to supply the right amount of parking and for neighborhoods to be assured off street parking is adequate for new developments. The new code supports the efforts of many of our neighborhoods by allowing existing neighborhood service business to stay in place. Non-motorized travel should also be improved with the new standards for zone districts that require street front landscaping for all new development, and the provision for at least one bike parking rack at new businesses.

7. Whether the new zoning will promote compatible urban growth;

The new zoning does promote compatibility with urban growth. The City and County will have separate zoning codes but the new code requires the use of a Planned Neighborhood Development (PND) process to ensure better compatibility between the city and the county.

8. Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses;

This criteria is not necessarily applicable other than the Zoning Map Update will place each zoned parcel into a new zone district that correlates to the existing zoning of the property and the existing or intended uses of the property. For example, a manufactured home park in a single family zone district would update to Residential Manufactured Home.

9. Whether the new zoning will conserve the value of buildings;

In general, the new zoning code should conserve the value of buildings throughout the City. The Zoning Map update seeks to ensure that current development and zoning is preserved and not placed in a nonconforming status whenever possible.

10. Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings.

The zoning map update will encourage the most appropriate use of land in the City of Billings.

FISCAL EFFECTS

The proposed amendment and zoning map update should not have a significant effect on the Planning Division budget. The Division has developed some application fees that will apply to some of the new types of administrative processes outlined in the code to help cover costs. These fees have already been approved as part of the FY21 Planning Division budget.

Attachments

Exhibit A Complete Code December Adoption Draft
Exhibit B1 Zoning Map Updates
Exhibit B2 Draft Zoning Maps (Before Updates)
Zoning Map Legend
Exhibit C Amendments and Adjustments to Exhibit A
Clarifications of Council and Community Questions and Concerns
ReCode City Legal Review

ORDINANCE 20-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY **DELETING SECTIONS 27-100, 27-200, 27-300, 27-400, 27-600, 27-700, 27-800, 27-900, 27-1000, 27-1100, 27-1200, 27-1300, 27-1400, 27-1500, 27-1600, 27-1700 & 27-1800; AND BY MOVING SECTION 27-500 TO SECTION 6-700 BMCC AND RENAMING SECTION 6-700 "HISTORIC PRESERVATION"; AND BY AMENDING SECTION 6-1201, 6-1202 and 6-1203 BMCC AS SET FORTH IN SECTION 5. BELOW; AND BY ADOPTING NEW CODE SECTIONS 27-100 THROUGH 27-1800 AS SET FORTH IN EXHIBIT A OF THIS ORDINANCE; AND BY ADOPTED THE ZONING MAP UPDATE AS SET FORTH IN EXHIBIT B OF THIS ORDINANCE; AND BY ADOPTING THE MINOR AMENDMENTS TO EXHIBIT A AS SET FORTH IN EXHIBIT C.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:

Section 1. **RECITALS.** *Title 76, Chapter 2, Part 3, MCA,* and *Sections 27-302 and 27-1502, BMCC,* provide for amendment to the City Zoning Regulations and Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning text amendment and the Zoning Map update for all property within the city limits. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. 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 ten (10) criteria required by state law.

Section 2. **DESCRIPTION.** The Zoning Code Amendments and the Zoning Map Update shall apply to all land within the City of Billings

Section 3. **ZONING TEXT AMENDMENT.** The new sections of the Zoning Code are contained in Exhibit A attached to this ordinance.

Section 4. **ZONING MAP UPDATE.** The Zoning Map Update is contained in Exhibit B attached to this ordinance.

Section 5. **TEXT AMENDMENT.** Sections 6-1201 through 6-1203 of the BMCC is specifically amended as follows:

ARTICLE 6-1200. - SITE DEVELOPMENTS

Sec. 6-1201. - Purpose.

The purpose of this article is to establish and impose as conditions precedent to site developments certain requirements on each development or redevelopment of real property within the city.

Sec. 6-1202. - Compliance with all laws.

Prior to or contemporaneous therewith a developer developing or redeveloping real property within the city shall comply with all subdivision laws and regulations, zoning laws, health laws and the following provisions:

(1) Off-street parking requirements, section ~~6-1203~~ 27-1300;

(2) Fences and hedges, section ~~6-1204~~ 27-1200;

(3) Visibility at intersections, section ~~6-1205~~ 27-1800;

(4) Curbs, gutters and sidewalks, section 6-1206;

(5) Security guarantee, section 6-1207;

(6) Curb cut regulations, section 6-1208;

(7) Storm drainage requirements, section 6-1209;

(8) Site development variances, section 6-1210.

~~Sec. 6-1203. - Off-street parking requirements.~~

~~(a) *Required.* There shall be provided at the time of erection of any building or structure or at the time of any change in occupancy of any building or structure minimum off-street parking accommodations meeting the provisions of this section.~~

~~(b) *Location:*~~

~~(1) Off-street parking facilities shall be located as hereinafter specified. Where a distance is specified, such distance shall be in walking distance measured from the nearest point of the parking facility to the nearest point of the lot that such facility is required to serve. The off-street parking shall not be located across a major arterial street except when both properties are contiguous to an intersection with traffic-control lights. Off-street parking should not be located across a minor arterial or collector street from the business or residence.~~

~~(2) For one-and two-family dwellings, off-street parking is required on the same building site with the building they are required to serve.~~

~~(3) For multiple dwellings, retirement homes, lodging and boarding houses, etc., off-street parking is required within the walking distance of one hundred (100) feet.~~

~~(4) For hospitals, sanitariums, convalescent homes, nursing homes, rest homes, homes for the aged and asylums, off-street parking is required within six hundred (600) feet for employees and three hundred (300) feet for visitors.~~

~~(5) For uses other than those specified above, off-street parking within four hundred (400) feet is required.~~

~~(c) *Expansion and enlargement.* Whenever any building is enlarged in height or in ground coverage, off-street parking shall be provided for the expansion or enlargement in accordance with the requirements of this section, provided, however, that no parking space be provided in the case of enlargement or expansion, where the number of parking spaces required for such expansion or enlargement is less than ten (10) percent of the parking spaces required for the enlarged facility as specified in this section. Nothing in this provision shall be construed to require off-street parking spaces for the portion of such building existing on May 3, 1972.~~

~~(d) *Nonconforming uses.* Nothing in this section shall be deemed to prevent the voluntary establishment of off-street parking or loading facilities to serve any existing use of land or buildings even though nonconforming provided that all regulations herein governing the location, design and operation of such facilities are adhered to.~~

(e) *Mixed occupancies.* In the case of mixed uses, the total requirements for the various uses shall be computed separately. The total requirements are to be the sum of the area computed. Off-street parking facilities for one (1) use shall not be considered as a substitute for joint use.

(f) *Use not specified.* In the case of a use not specifically mentioned in the Table of Minimum Standards the requirements for off-street parking facilities shall be determined by the building official. Such determination shall be based upon the requirements for the most comparable use listed.

(g) *Central business district.* The table of minimum standards contained in subsection (j) of this section does not apply to that portion of the city zoned central business district or to the East Billings parking overlay district as defined in section 27-1460, except as specifically provided in this section.

(h) *Authority for joint use or lease of additional parking spaces.* The building official may authorize the joint use or lease of parking facilities for the following uses or activities under conditions specified:

(1) Up to fifty (50) percent of the parking facilities required by this section for primarily "night time" uses such as theaters, bowling alleys, bars, restaurants and related uses, may be supplied by certain other types of buildings, or uses herein referred to as "day time" uses such as banks, offices, retail, personal service shops, clothing, food, furniture, manufacturing or wholesale and related uses.

(2) Up to one hundred (100) percent of the parking facilities required by this section for a church or for an auditorium incidental to public or parochial school, may be supplied by the off-street parking facilities provided by uses primarily of a "day time" nature.

(i) *Conditions required for joint use or lease.* The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use, shall be located within five hundred (500) feet of such parking facilities, in addition to which:

(1) The application shall show that there is no substantial conflict in the principal operating hours at the two (2) buildings or uses for which a joint use of off-street parking facilities is proposed.

(2) The applicant shall present to the building official a legal agreement (lease) executed by the parties concerned for joint use or lease of off-street parking facilities. The lease must be for a minimum of ten (10) years and contain a notification requirement whereby the city will be informed in writing of any termination or complication experienced during the term of the lease.

(j) *Table of minimum standards.* Required parking spaces shall be in conformance with the following table and where alternative standards are indicated, the greater requirement applies in conflicting computation; where the total quota results in a fraction the next highest full unit shall be provided.

TABLE OF MINIMUM STANDARDS—OFF-STREET PARKING

Use	Space Required
Warehouses, and freight terminals	10 spaces for the first 20,000 sq. ft. of area and 1 space for each additional 10,000 sq. ft. or 0.6 spaces per employee
Wholesale business	5 spaces for the first 1,000 sq. ft. of area and 1 additional space for each 1,000 sq. ft. or 0.6 spaces per employee
Food or beverage places with sale and consumption on	1 per 100 sq. ft. of gross floor area

premises	
Motor vehicle, machinery, plumbing, heating, ventilating, building material supplies, sales and services	1 per 1,000 sq. ft. of gross floor area plus 1 per employee
Retirement homes and housing projects for the elderly which have received a declaratory ruling from the Montana Human Rights Commission allowing sale or lease of the units exclusively to persons sixty (60) years of age or older	1—6 dwelling units 0.5 space/dwelling unit 7—18 0.33 space/dwelling unit over 18 0.25 spaces/dwelling unit minimum of 5 spaces
Motel and motor courts	1 per sleeping room plus 0.5 spaces per employee per shift
Hotels	1 per sleeping room plus 0.5 spaces per employee per shift
Hospitals (with less than 100 beds based upon state licensed bed count) and institutions	1½ spaces for each 1,000 sq. ft. of total area or 1.2 spaces per bed
Hospitals (with over 100 beds based upon state licensed bed count)	1.2 spaces per bed
Theaters	1 per 4 seats
Churches, auditoriums, bingo parlors [1] and similar places of assembly	1 per 4 seats or 1 per 100 linear inches of pew or 1 per 65 sq. ft. of gross floor area used for assembly purposes
Stadiums, sports arenas and similar open assemblies	1 per 4 fixed seats plus 1 per 100 sq. ft. of assembly space without fixed seats
Bowling alleys	6 per alley
Medical doctor and dental clinics or offices located within the medical corridor:	
— If less than 10,000 sq. ft. of floor area	1 per 200 sq. ft. of gross floor area
— If over 10,000 sq. ft. of floor area and under 30,000 sq. ft. of	50 plus 1 per 250 sq. ft. in excess of

floor area	10,000 sq. ft.
— If over 30,000 sq. ft. of floor area and under 100,000 sq. ft. of floor area	130 plus 1 per 300 sq. ft. in excess of 30,000 sq. ft.
— If over 100,000 sq. ft. of floor area	363 plus 1 per 350 sq. ft. in excess of 100,000 sq. ft.
Medical doctor and dental clinics located outside the medical corridor	1 per 200 sq. ft. of gross floor area
Medical and dental clinic	1 per 200 sq. ft. of gross floor area
Banks, business and professional offices	1 per 300 sq. ft. of gross floor area
Mortuaries	1 per 4 seats in the principal auditorium
Other retail:	
If less than 5,000 sq. ft. of floor area	1 per 200 sq. ft. of gross floor area
If over 5,000 sq. ft. of floor area	25 plus 1 per 300 sq. ft. in excess of 5,000 sq. ft.
Manufacturing uses, research testing and processing, assembling, all industries	1 per 2 employees on maximum shift but not less than 1 per 800 sq. ft. of gross floor area
Libraries and museums	1 per 500 sq. ft. of gross floor area
School, elementary, and junior high public, private or parochial	5 spaces plus one per classroom with minimum auditorium requirements
School, high school, college public or private	1 per each employee and 1 per 5 students with minimum auditorium requirements
Service stations, and drive-in restaurants	1 per 80 sq. ft. gross floor area, with 10 spaces minimum requirement

Residential, single-family or duplex	2 per dwelling unit
Residential, multifamily	1 per one bedroom dwelling unit 1.5 per two or more bedroom dwelling unit
Fraternity and sorority	1 per 2 sleeping rooms or 1 per 3 beds, whichever is greater
Boarding houses, lodging homes and similar uses	1 per dwelling unit or lodging unit
Convalescent homes, nursing homes, rest homes	1.5 spaces for each 1,000 sq. ft. of total area

;footrule;

[1]**NOTE:** For purposes of this section, bingo parlor is defined as a gambling establishment primarily and principally engaged in conducting live bingo and/or keno games.

(k) *Space requirements or employees.* Space requirements for employees shall be computed by the number of employees on shift during peak parking demand.

(l) *Handicapped parking.* Gross area shall provide parking for the handicapped as provided in the building code.

(m) *Off-street loading—Retail and commercial.* In any district, any building or part thereof having a gross floor area of ten thousand (10,000) square feet or more which is to be occupied by a use requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained on the same lot with such building at least one (1) off-street loading space, plus one (1) additional loading space for each twenty thousand (20,000) feet or major fraction thereof of gross floor area. Each loading space shall be not less than twenty (20) feet in width, twenty-five (25) feet in length, and fourteen (14) feet in height. Such loading space shall be located so as to preclude backing maneuvers on the public right-of-way.

(n) *Off-street loading—Warehouse and wholesale.* Off-street loading space for warehouse, wholesale shipping and similar facilities will be determined by the city engineer. Such loading space shall be located so as to preclude backing maneuvers on the public right-of-way.

(o) *Screening required.* Screening in the form of walls, architectural fences or dense coniferous hedges shall be required where any parking facility has a common boundary with any residentially zoned property.

(p) *Reserved.*

(q) *Construction:*

(1) *Generally.* Plans for parking lots shall be submitted to the building official. After approval by the city engineer the building official may issue a construction permit. A permit shall be obtained before construction of any parking facility is started.

(2) *Surfacing.* Surfacing is required for all off-street parking, loading, storage, sales, rental or service areas for vehicles including service stations and used-car lots. Surfacing shall be designed by accepted engineering methods and subject to the approval of the city engineer.

(3) *Drainage.* Drainage is required for all surfaced areas as approved by the city engineer. Surface water shall not be drained across public sidewalks or alleys.

(4) *Walkway.* Walkways five (5) feet in width shall be provided between any building and an adjacent parking lot.

(5) *Lighting.* Lighting shall be directed away from residential areas and public streets.

(6) *Bumper curb*. A raised bumper curb of concrete six (6) inches high is required for all parking stalls adjacent to the property line and where necessary to ensure pedestrian access.

(7) *Traffic-control devices.* Parking stalls shall be designated by pavement markings. All traffic-control devices such as pavement markings, signs, rails, curbs and other developments shall be installed and completed as shown on the approved plans.

(8) *Maintenance.* Maintenance of all areas provided for off-street parking shall include removal and replacement of dead and dying trees, grass and shrubs, removal of dirt, trash, and weeds, repair and maintenance of drain and repair of traffic control devices, signs, lights, standards, fences, walls, surfacing materials, curbs, sidewalks and railings.

(9) *Accesses.* The accesses to the parking lot will be governed by the curb cut policy.

(r) *Limited access through the alley.* Customer access via an alley to any commercial use on a lot which is adjacent to an alley which abuts an "R" zone shall not be permitted over that alley.

(s) *Minimum dimensions.* All off-street parking facilities shall be developed with not less than a nine (9) feet stall width. All other minimum dimensions will be based upon standards on file in the engineer's office.

(t) *Ramped driveway access:*

(1) A ramped driveway exit rising up to a public sidewalk must have a transition section that is almost level (maximum slope five (5) percent) before intersecting the sidewalk to prevent the hood of the car from obscuring the driver's view of pedestrians on the walk. The transition should be a minimum of sixteen (16) feet long.

(2) With a sloped drive, a transition shall always be provided to ensure adequate clearance for the vehicles using the drive.

(3) The egress shall be free of vision obstructions.

(u) *Site improvement time limit.* By the following July first of the year after the principal structure has been occupied, the requirements of this section and section 6-1206 shall be completed. Section 6-1206 shall not be applicable when a subdivision is covered by a subdivision improvements agreement.

***Section 5*. <u>EFFECTIVE DATE</u>**. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

***Section 6.* <u>REPEALER</u>**. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

***Section 7*. 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.

PASSED by the City Council on first reading this_____of _____, 20__.

PASSED, ADOPTED and APPROVED on second reading this _____ of_____, 20__

CITY OF BILLINGS

BY:_____

William A. Cole, Mayor

Attest:

BY:_____

Denise R. Bohlman, City Clerk

Project ReCode Zoning Code Amendment and Zoning Map Update



Project Re:Code

City of Billings
2020 Zoning Code Update

December Adoption Draft

ARTICLE 27-100: GENERAL PROVISIONS

SECTION 27-101 TITLE

This chapter and maps shall be known and cited as the City of Billings Zoning Code and is referred to herein as the "Zoning Code."

SECTION 27-102 PURPOSE

A. The Zoning Code, classifications, and the districts as herein set forth are in accordance with MCA 76-2-301, et seq., Municipal Zoning.

B. This Zoning Code has been established in accordance with the 2016 City of Billings Growth Policy and ancillary and related policy documents, including but not limited to adopted neighborhood plans, area plans, and City Council adopted policies related to growth and development of City services. The Zoning Code has been deemed necessary and developed with consideration, among other things, to the character of each zoning district and its peculiar suitability for particular uses, to conserve the value of buildings, to stabilize property values, to preserve recreation and agriculture lands from conflict with urban development, to promote the interest of health, safety and general welfare, to secure safety from fire and to provide adequate open space for light and air, and to facilitate the economic provision of adequate transportation, water, sewers, schools, parks and other public requirements. To achieve these goals, this Zoning Code shall govern the height and size of buildings and structures, the percentage of lots that may be occupied, the size of yards and open space, the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes within the Billings city limits.

C. The City of Billings City Council further declares these zoning regulations are adopted for the following specific purposes:

1. To promote and guide development consistent with the goals and objectives of the Growth Policy and area plans;
2. To prevent waste and inefficiency in land use;
3. To encourage innovations in residential development and renewal so that the needs of the community for housing may be met by greater variety in type and design of dwellings and by conservation of open space; and
4. To provide adequate land and space for the development of commercial and industrial uses and to encourage such developments in locations calculated to benefit the community at large and in a manner consistent with the goals and objectives of the Growth Policy and area plans.

SECTION 27-103 SCOPE

A. This chapter applies to all lands within the City of Billings.

B. In their interpretation and application, the provisions of this Zoning Code may be regarded as the minimum requirements for the protection of the public health, safety, comfort, prosperity, and welfare.

C. Whenever the requirements of this chapter are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive or that imposing the higher standards shall govern. Applicants are responsible for complying with private restrictions, such as covenants and deed restrictions, applicable to their property. The City does not enforce private restrictions.

SECTION 27-104 SEPARABILITY CLAUSE

If any provision of this Zoning Code or its application to any person or circumstances is held invalid, the remainder of the Zoning Code or the application of the provision to other persons or circumstances is not affected.

SECTION 27-105 EFFECTIVE DATE AND ARCHIVED ZONING CODE

This Zoning Code shall become effective on_____. The zoning code that was effective immediately prior to this Zoning Code shall be retained and referred to as the Archived Zoning Code. One copy of the Archived Zoning Code shall remain of record in the Planning and Community Services Office and one copy shall be stored in the City Clerk's office, either in hard copy or electronically. An unofficial public copy may also be maintained on the City's website.

SECTION 27-106 SCHEDULE OF FEES, CHARGES, AND EXPENSES

The city council shall establish a schedule of fees, charges and expenses and a collection procedure for appeals and other matters pertaining to this chapter. This schedule may be amended from time to time by resolution of the city council.

SECTION 27-107 TRANSITIONAL PROVISIONS

A. EXISTING APPROVALS

This Zoning Code is not intended to abrogate or annul any building permit, certificate of occupancy, variance, or other lawful permit issued before the effective date of this Zoning Code. Applications and permits that have not achieved final approval as of the effective date of this Zoning Code shall be processed according to the provisions of this section.

B. APPROVED PROJECTS

1. Validity

(a) Except for planned developments approved prior to the effective date of this Zoning Code, permits and approvals issued pursuant to the Archived Zoning Code that are valid on the effective date of this Zoning Code shall remain valid until their expiration date. Projects with valid approvals or permits may be carried out in accordance with the development standards in effect at the time of approval, provided that the permit or approval is valid and has not lapsed.

(b) Where construction has started pursuant to a building permit validly issued by the City of Billings Building Division prior to the effective date of this Zoning Code , it may be completed under the regulations in effect at the time of issuance without regard to this Zoning Code; provided, that construction is begun within six months of the effective date and diligently prosecuted to completion. Upon completion, the structure may be occupied under a City of Billings certificate of occupancy by the use for which originally designated, even if the structure or use is nonconforming under the terms of this Zoning Code.

2. Changes

No provision of this Zoning Code shall require any change in the plans, construction, or designated use of any structure for which a building or planning permit has been issued prior to the effective date.

3. Extensions

The decision-making body that granted the original approval may renew or extend the time of a previous approval if the project remains in compliance with the required standards or criteria for the original approval. Any extension granted shall not exceed the time specified for the extension of the specific permit approval in Art. 27-1600, Administrative Procedures.

C. RE-APPLICATION

Any re-application for an expired project approval shall meet the standards in effect at the time of re-application.

D. PLANNED DEVELOPMENTS AND MASTER SITE PLANS APPROVED PRIOR TO THE EFFECTIVE DATE

1. Any planned development identified on the zoning map and approved prior to the effective date shall remain valid. Planned Developments that refer to zone districts not included in this Zoning Code shall use the Archived Zoning Code requirements. For example, a reference to an underlying zone district of "Community Commercial" shall refer to the use table, use standards, and other requirements for that zone district in the Archived Zoning Code.
2. Planned Development and Master Site Plan approvals that predate the adoption of this Zoning Code shall be narrowly interpreted and are limited to the specified terms of approval. Where a term was not defined or a process not specified in the PD or MSP approval, the most closely similar provision of this Zoning Code shall be applied. For example, if a planned development does not specify a process for amendment, the process for amending planned development approvals in this Zoning Code will be used.

E. APPLICATIONS IN PROGRESS

1. Completed Applications

(a) Complete applications submitted before the effective date and pending approval at the time of adoption of this Zoning Code may, at the applicant's option, be reviewed wholly under the terms of the previous zoning code. If approved, these projects may be carried out in accordance with the development standards in effect at the time of application. Any re-application for an expired permit shall meet the standards in effect at the time of re-application.

(b) Complete preliminary subdivision and check print certificate of survey applications submitted prior to the effective date of this Zoning Code shall continue to be processed as long as they are in compliance with the terms of the previous zoning code. The lots created may be conforming or nonconforming to the terms of this Zoning Code. The owner or agent may request written confirmation of conformance or non-conformance with this Zoning Code.

2. No Applications Submitted

Projects for which no application has been submitted and accepted as complete prior to the effective date shall be subject to all requirements and standards of this Zoning Code.

3. Lapsing

Regardless of whether a completed application has been received prior to the adoption of this Zoning Code, any permit or approval issued following the adoption of this Code shall be subject to the lapsing provisions of Section 27-1612.

F. LAPSING OF PREVIOUS APPROVALS

If a development permit or approval was approved prior to the effective date of this Zoning Code and that type of permit or approval did not have a lapsing date, but this Zoning Code provides a lapsing date for that type of permit or approval, then the permit or approval shall be subject to lapsing under Section 27-1612, but the lapsing periods set forth in Section 27-1612 shall be deemed to begin running on the effective date of this Zoning Code, not the date of the prior permit or approval.

G. SPECIAL USE PERMITS DEEMED APPROVED

If (a) a use of land or structures was listed as a permitted use in a specific zone district under the previous zoning code, and (b) that use of land or structures was established on property in that district prior to the adoption of this Zoning Code, and (c) the same use of land or property is now listed as a special review use in the same district in Table 27-1000.1, then the established use shall be deemed to have received a special review approval and shall be a legal, conforming use of land. Upon request by the property owner and submission that the use was established prior to approval of this Zoning Code, the zoning coordinator shall provide written confirmation of the legal, conforming status of the use.

SECTION 27-108 VIOLATIONS CONTINUE

Any violation occurring under the previous Zoning Code will continue to be a violation under this Zoning Code and be subject to penalties and enforcement pursuant to Sec. 27-1700, Violations, Enforcement, and Remedies, unless the use, development, construction, or other activity currently complies with the provisions of this Zoning Code.

ARTICLE 27-200: Zone Districts and Official Zoning Map

SECTION 27-201 ZONE DISTRICTS

A. It is the intent of this article to establish zones (zone districts or zoning districts) 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 article to make it possible to efficiently and economically design and install public facilities of such size and capacity to adequately meet the needs resulting from a defined intensity of land use.

B. To carry out the provisions of this article, the City is hereby divided into the following zone 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.

Table 27-200.1 Zone Districts Established

Abbreviation	District Name
N1	First Neighborhood Residential
N2	Mid-Century Neighborhood Residential
N3	Suburban Neighborhood Residential
NX1	Mixed Residential 1
NX2	Mixed Residential 2
NX3	Mixed Residential 3
RMH	Residential Manufactured Home
NO	Neighborhood Office-Residential
NMU	Neighborhood Mixed-Use
CMU1	Corridor Mixed-Use 1
CMU2	Corridor Mixed-Use 2
CBD	Central Business District
DX	Downtown Support
CX	Heavy Commercial
I1	Light Industrial
I2	Heavy Industrial
EBURD	East Billings Urban Redevelopment District
P1	Parks and Open Space
P2	Public, Civic, and Institutional, Small
P3 Civic	Civic Campus
P3 Ed	Educational Campus
P3 Med	Medical Campus

SECTION 27-202 OFFICIAL ZONING MAP

A. The boundaries of the zone districts are 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 article. The Official Zoning Map shall be identified by the signature of the mayor, attested by the city clerk, and shall bear the words "the Official Zoning Map of the City of Billings". 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 Planning Division and the Billings City Clerk. An electronic version of the official map may be displayed on the City of Billings website or other online venue at the discretion of the City Administrator.

B. All references in this Zoning Code to the zoning map shall be construed as references to the Official Zoning Map.

C. Changes made in district boundaries shall be promptly entered on the zoning map after amendment by the city council. Amendments to the zoning map shall not become effective until entered on the map.

D. No changes of any nature shall be made in the zoning map or matter shown thereon except in conformity with the provisions set forth in this Zoning Code. In the event the hard copy of the Official Zoning Map is damaged or destroyed, a new version shall be printed and submitted to the city council for review. No such map shall have the effect of amending the official zoning map or any subsequent amendment thereof.

SECTION 27-203 RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

A. The following rules shall be applied as necessary to interpret the official zoning map. Rules of interpretation may be applied either singularly or jointly, as needed.

1. Boundaries indicated as appearing to follow the centerline of streets, highways, or alleys shall be construed to follow such centerlines.

2. Boundaries indicated as appearing to follow platted lot lines shall be construed as following such lot lines.

3. Boundaries indicated as appearing to follow the City's jurisdictional boundary shall be construed as following the jurisdictional boundary.

4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

5. Boundaries indicated as following shorelines shall be construed to follow such shorelines. In the event of change in the shoreline, they shall be construed as moving with the actual shoreline.

6. 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.

B. Boundaries indicated as parallel to or extensions of features indicated in above Subsections A.1 through A.6 shall be so construed.

C. 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 amending the official zoning map.

SECTION 27-204 APPLICATION AND GENERAL RULES

A. Within the various zone districts and as indicated on the zoning map and subject to the requirements of those districts in Articles 27-300 through 27-900, 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 allowed in the zone district in which such building, land, or use is located unless otherwise regulated by the provisions of Article 27-1500, Nonconformities.

B. The regulations set forth by this Zoning Code within each zone shall be minimum regulations and shall apply uniformly to each class or type of structure or land except as otherwise specifically stated in this Zoning Code.

Article 27-300 Neighborhood Districts

SECTION 27-301 DISTRICTS ESTABLISHED

The neighborhood zoning districts are established in Table 27-300.1. When this zoning code refers to "neighborhood" zoning districts, it is referring to these districts.

TABLE 27-300.1 NEIGHBORHOOD DISTRICTS

Symbol	Neighborhood District Name
N1	First Neighborhood Residential
N2	Mid-Century Neighborhood Residential
N3	Suburban Neighborhood Residential
NX1	Mixed Residential 1
NX2	Mixed Residential 2
NX3	Mixed Residential 3
RMH	Residential Manufactured Home

SECTION 27-302 DISTRICT DESCRIPTIONS

Neighborhood districts are primarily intended to allow a mix of residential uses within appropriately scaled buildings to maintain and promote the desired physical character of neighborhoods within the city.

A. N1: FIRST NEIGHBORHOOD RESIDENTIAL

The N1 district is intended to continue the existing character of single-and two-family homes in the first residential neighborhoods developed in the early part of the twentieth century in the city. This district may also be used for new neighborhoods designed with similar characteristics of the first neighborhoods. These characteristics include parking/garages located in the rear of the lot, pitched roofs, and doors and windows on the front facades. Building and garage location are specified in the regulations, with basic parameters for front doors and windows.

B. N2: MID-CENTURY NEIGHBORHOOD RESIDENTIAL

The N2 district is intended to continue the existing character of the residential neighborhoods with single-and two-family homes developed during the middle of the twentieth century. This district may also be used for new neighborhoods designed with similar characteristics of the mid-century neighborhoods. These characteristics include homes wide on the lot, single garages located in the front façade though less than 35% of the facade, low pitched roofs, and doors and windows on the front facades. Building and garage location are specified in the regulations, with basic parameters for front doors and windows.

C. N3: SUBURBAN NEIGHBORHOOD RESIDENTIAL

The N3 district is intended for residential neighborhoods primarily with single-family homes. Characteristics include wide lots and attached garages typically located on the front building façade, often greater than 35% of the façade. Basic setback and height parameters apply.

D. NX1: MIXED RESIDENTIAL 1

The NX1 district is intended to continue the character of the first neighborhoods with single-family, two-family, and small-scale multiple-family homes with 3 to 4 units. Multiple-family homes are intended to match the scale of the neighborhood single-family homes with characteristics such as building width, parking and garages location, roof design, and doors and windows on the front facades.

E. NX2: MIXED RESIDENTIAL 2

The NX2 district is intended for small- and mid-scale multiple-family homes with 3 to 8 units, in small neighborhood nodes. The buildings are oriented to the streets in walkable blocks with doors and windows on front facades and parking/garages located behind the buildings.

F. NX3: MIXED RESIDENTIAL 3

The NX3 district is intended for large-scale multiple-family homes in larger neighborhood nodes. The buildings may include larger apartment buildings with more than eight units per structure. The development may have an internal private street system for access throughout the larger node with walkable blocks. Buildings are oriented to the street with doors and windows on front facades and parking/garages located behind the buildings. Covered parking may include rows of canopies or enclosed garages. Common open space, shared recreational facilities, or central gathering spaces are generally provided for residents.

G. RMH: RESIDENTIAL MANUFACTURED HOME

The RMH district is intended to provide stable environments for individual manufactured homes, manufactured home parks, and compatible accessory uses.

SECTION 27-303 REGULATIONS APPLICABLE TO ALL NEIGHBORHOOD DISTRICTS

All buildings must comply with the general regulations and the specific regulations per each district, unless otherwise expressly stated in this Zoning Code. See Article 27-1500, Nonconformities, for existing buildings that do not fully conform to the district regulations.

A. ALLOWED USES

Allowed uses are provided in Article 27-1000.

B. EXISTING BUILDINGS

Existing buildings are not required to meet these regulations except as defined in Article 27-1500, Nonconformities.

C. SITE ACCESS FOR LOTS

1. Access to residences must be from any public or approved private street right-of-way.
2. All lots shall have one lot line located fully on a public or private street right-of-way, except one of every four lots in the development may be located on a shared open space with access provided by private easement.

D. PERMANENT STRUCTURES

All buildings constructed in any neighborhood district, except the RMH district, must be of permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise expressly stated in this code. Modular construction that meets state adopted building code is allowed.

E. ACCESSORY STRUCTURE REGULATIONS

1. Accessory structures are subject to Article 27-1000, Use-Specific Standards, except as defined in the district site and structure regulations.
2. Façade siding on accessory structures over 200 square feet in footprint must match the façade material and design of the principal structure to the maximum extent practicable.

F. EXCEPTIONS AND EXEMPTIONS

The following exceptions and exemptions may apply to the district site and structure regulations. Use specific standards in Article 27-1000 are still applicable.

1. Administrative Relief. Article 27-1600 defines administrative relief applicable to the site and structure regulations. Additional administrative relief may be noted throughout this article.
2. Utility Installations. The following structures are not required to comply with site and structure regulations applicable to a specific district.
   (a) Wireless communications facilities and uses
   (b) Public and private utility stations, substations, and associated utility station facilities
3. Public, Civic, and Institutional Uses. Public, civic, and institutional uses allowed in the district are required to the meet the district site and structure regulations, except the following standards apply:

(a) The minimum dimension of any build-to zone shall be treated as a minimum setback.

(b) Minimum heights are not required. Heights above the maximum allowed may be approved through an Administrative Relief, based upon similar civic structures on similar lots in the surrounding neighborhood. See Section 27-1614, Administrative Relief.

(c) Window, front door, and roof regulations are not required.

G. TRASH, RECYCLING, REFUSE LOCATIONS

For all buildings with five or more units, all trash, recycling, and other refuse areas must be located and treated as follows:

1. Trash, recycling, and other refuse areas must be located in the rear yard of the lot.
2. When no rear yard exists or when the rear yard is less than 10 feet in depth, trash, recycling, and other refuse areas may be located in the rear portion of an interior side yard.
3. Trash, recycling, and other refuse areas may be located inside the building with access doors off the rear or interior side facade. Access doors may be located off a non-primary frontage facade with Administrative Relief per Article 27-1614. Access doors must be opaque, screening a minimum of 80 percent of the opening.
4. See Article 27-1200 for required screening of trash, recycling, and other refuse areas.

H. ALLOWED ENCROACHMENTS

The following encroachments are permitted within setbacks as defined in Table 27-300.2. Encroachments are not allowed where a build-to zone is required.

TABLE 27-300.2 TABLE OF ALLOWED ENCROACHMENTS

Type of Encroachment	Front Setback	Side Setback	Rear Setback	Street-Side Setback	Additional Info
Eaves, gutters, cornices, other arch features	2 feet	2 feet	2 feet	2 feet	Projections over 2 feet in any yard count as lot coverage
Fireplaces Bay Windows	2 feet	2 feet	2 feet	2 feet	
Open or Enclosed Porches, Stoops	8 feet (N3, RMH) All others not less than 5 feet to front property line	None	2 feet	2 feet	
Open decks, Stairways & Landings	8 feet (N3 & RMH) All others not less than 5 feet to front property line	2 feet	2 feet	2 feet	Ramps providing an accessible way are exempt from these requirements

I. YARD TREATMENT

Build-to zones, and front, side and rear yards shall be a minimum of 60 percent landscape area. Driveways are not permitted within the minimum side setbacks.

J. FRONT ENTRANCES

The following standards apply only when required by the site and structure regulations for the district. Front building entrances shall be emphasized, adding interest to the building façade, through one or more of the following design features:

1. Roof or Canopy. The entrance is covered by a roof or canopy differentiating it from the overall building roof type.
2. Porch. The entrance is through a porch.
3. Sidelights and Transom. Sidelights and/or transom windows are included abutting the entrance door.
4. Recessed or Projecting Bay. The entrance is located in a separate bay of the building that is either recessed or projected from the front façade.
5. Other Design. Other designs adding emphasis and drawing attention to the entrance on the facade may be approved with Section 27-1614, Administrative Relief.

K. ARTERIAL SETBACKS

Minimum arterial setbacks as follows apply to all neighborhood districts:

1. No building or structure shall be erected or maintained within 50 feet of the centerline of an arterial street. In addition, no required parking area or portion thereof, including driving aisles, shall be constructed or located within 40 feet of the centerline of an arterial street. Any new construction that increases the number of required off-street parking spaces must locate these additional required parking spaces in areas that comply with these locational standards.
2. Approved signs and public use controls and systems, trees trimmed up eight feet and canopies with at least eight feet clearance, shall be permitted in this setback area. For the purpose of this subsection, canopies shall be defined as covers that are solely attached to and supported by the structure to which it is attached and which can be removed without destroying any part of that supporting structure. This shall only apply to canopies attached to the principal structure.
3. The designation of a street as an arterial shall be recommended by the city engineer, or in conformity with the most recent urban transportation plan.

SECTION 27-304 N1 DISTRICT

The following site and structure regulations apply to any lot in the N1 district. Refer to 27-303 for general regulations applicable to all districts and Table 27-300.3, below, for regulations specific to this district, keyed to illustrations in Figure 27-300(1). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-300.3 SITE AND STRUCTURE REGULATIONS

			REFERENCES
A.	**BUILDING SITING**		
1	Minimum Lot Width (feet) per principal building Maximum Lot Width (feet) per principal building	20 80	See 27-304.D for 2-unit buildings. See Article 27-1500 existing lots of record.
2	Maximum Front Building Width (feet)	65 per principal building	
3	Front Build-to Zone (feet)	8-20; match block face average	See Article 27-1800 for block face averaging instructions.
4	Street-Side Build-to Zone (feet)	5-15	
5	Side Setback (feet) Space Between Principal Buildings on Lot (feet)	5 minimum 10 minimum	See 27-304.D for side street lots
6	Rear Setback (feet)	5 minimum	
7	Accessory Building Yard Location	Rear	
8	Accessory Building: Min. Rear Setback (feet)	3, except 0 at alley	
9	Maximum Building Coverage (%)	60	.
10 11	Permitted Driveway Access Location Attached Garage Entrance Location	Alley, side street if no alley Rear, side, or street-side façade; front façade allowed maximum 15 feet in width and no more than 30% of facade	See BMCC Section 6-1200 for driveway access standards.
B.	**HEIGHT**		
12	Principal Building: Maximum Height (stories) Maximum Height (feet)	2.5 34	See Article 27-1800 for instructions for measuring height Accessory roof pitch shall match principal building
13	Accessory Building: Maximum Height (stories) Maximum Height (feet)	2; not taller than the principal structure 27	
C.	**WINDOWS, FRONT DOOR, ROOF**		
14	Minimum Window & Door Coverage: Front Façade (%)	15 measured per story of all full stories	Measured per each full and half story. See Article 27-1800 for information on measuring front façade window & door coverage
15	Front Door Location Entrance Treatment	Front Façade See 27-303.J for Front Entrance	See 27-304.D for 2-unit buildings.
16	Permitted Roof Types Minimum pitch, less than 2 stories Minimum pitch, 2 or more stories	Pitched, tower permitted 4:12 (rise:run) 3:12 (rise:run)	See Article 27-1800 for definition of roof types and exception for other allowed roof types. See Article 27-1500 for existing buildings

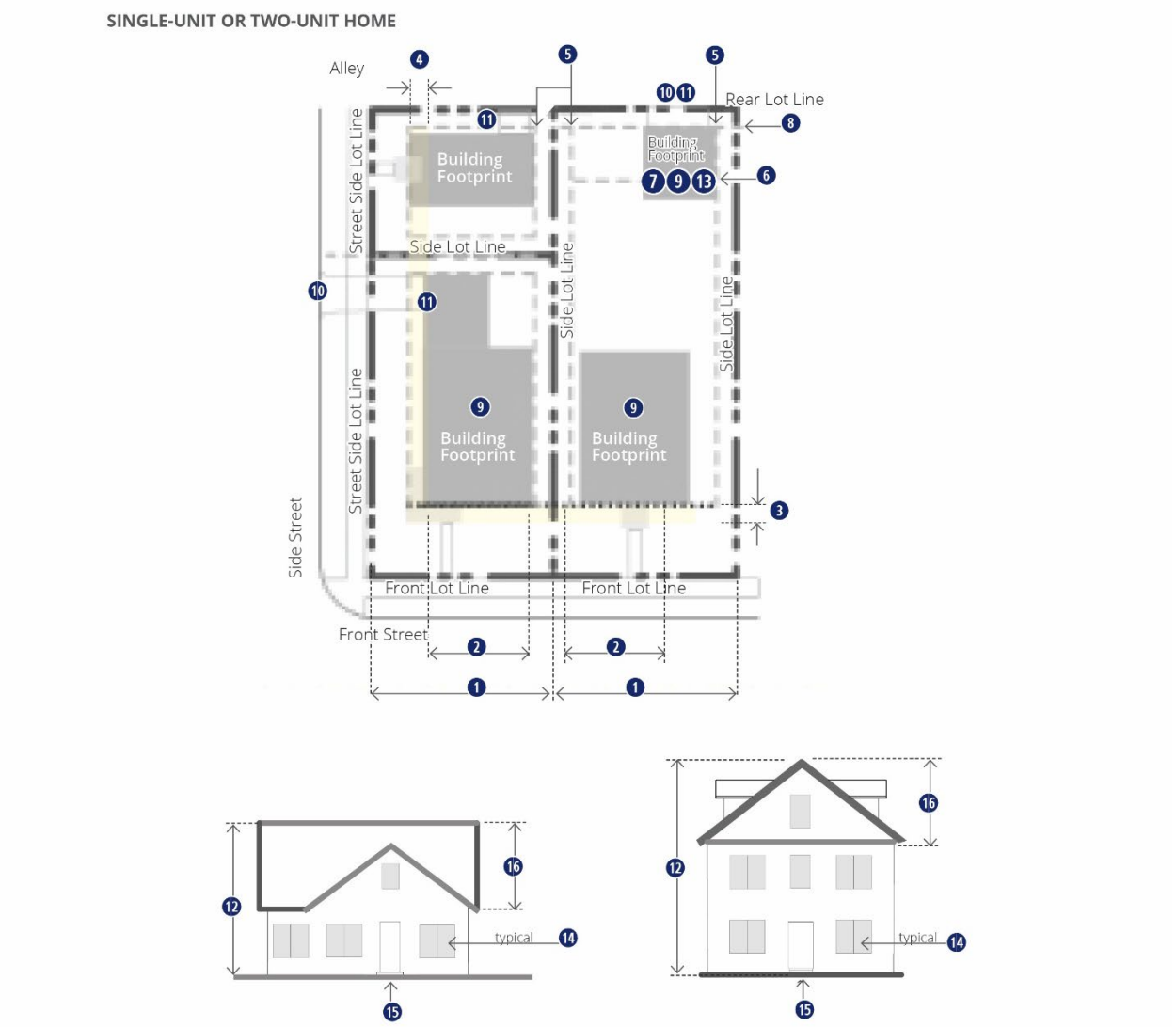


Figure 27-300(1). N1 district diagrammatic plans and elevations.

D. Supplemental Regulations

1. Side Street Lots. Side street lots are those lots located along the short end of blocks, where the front of the lot faces the side street and the depth of the lot is generally the width of most of the lots on the block. Lots with only side street frontage are allowed maximum building coverage of 80%.
2. The following applies to 2-unit buildings:

   (a) Configuration. Allowed configurations include the following: side-by-side units, stacked units, front and rear units, all located in the principal building; two principal buildings on one lot; or a principal building with an accessory building (see Article 27-1000). For side-by-side units, the lot may be split to allow a fee simple configuration with a zero side yard setback and shared wall between the two units.

   Entrance. One entrance is permitted per street facade, except for side-by-side units on separate lots.

SECTION 27-305 N2 DISTRICT

The following site and structure regulations apply to any lot in the N2 district. Refer to 27-303 for general regulations applicable to all districts and Table 27-300.4, below, for regulations specific to this district, keyed to illustrations in Figure 27-300(2). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-300.4: SITE AND STRUCTURE REGULATIONS

	A. BUILDING SITING		REFERENCES
1	Minimum Lot Width(feet) per principal building Maximum Lot Width (feet) per principal building	50 120	See 27-305.D for 2-unit buildings. See Article 27-1500 existing lots of record.
2	Maximum Front Building Width (feet)	80 per principal building	
3	Front Build-to Zone (feet)	10-20; match block face average	See Article 27-1800 for block face averaging instructions
4	Street-Side Build-to Zone (feet)	10-15	
5	Side Setback (feet) Space Between Principal Buildings on Lot (feet)	5 minimum 10 minimum	
6	Rear Setback (feet)	5 minimum	See 27-305.D for side street lots
7	Accessory Building Yard Location	Rear	
8	Accessory Building: Rear Setback (feet)	3 minimum, except 0 at alley	
9	Maximum Total Building Coverage (%)	40	
10	Permitted Driveway Access Location	Any	See BMCC Section 6-1200 for driveway access standards
11	Attached Garage Entrance Location	Any façade; front façade limited to no more than 35% of façade	
	B. HEIGHT		
12	Principal Building: Maximum Height (stories). Maximum Height (feet)	1.5; 2 stories on maximum 60% of footprint 27	
13	Accessory Building: Maximum Height (stories)	1.5 stories, no taller than the principal building	Accessory roof pitch shall match principal building
	C. WINDOWS, FRONT DOOR, ROOF		
14	Minimum Window & Door Coverage: Front Façade (%)	15 per story	Measured per each full and half story. See Article 27-1800 for information on measuring window and door facade coverage
15	Front Door Location	Street Façade	See 27-305.D for 2-unit buildings.
16	Permitted Roof Types Minimum pitch Maximum pitch	Low pitched, flat 3:12 (rise:run) 6:12 (rise:run)	See Article 27-1800 for definition of roof types and exception for other allowed roof types.

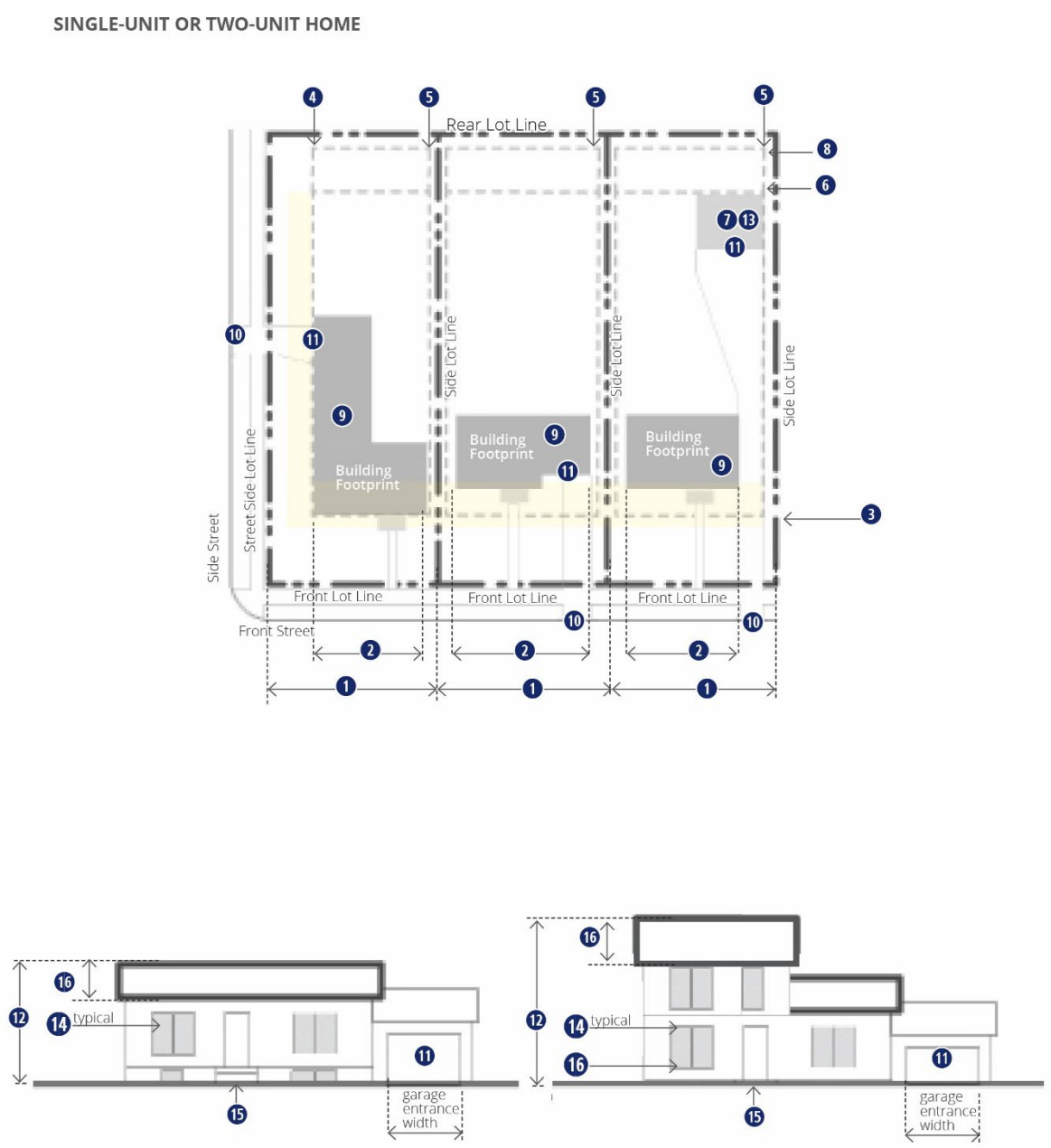


Figure 27-300(2). N2 district diagrammatic plans and elevations.

D. Supplemental Regulations

1. Side Street Lots. Side street lots are those lots located along the short end of blocks, where the front of the lot faces the side street and the depth of the lot is generally the width of most of the lots on the block. Lots with only side street frontage are allowed maximum building coverage of 80%.
2. The following standards apply to 2-unit buildings:

   (a) Configuration. Allowed configurations include the following: side-by-side per below, stacked units, front and rear units, all located in the principal building; two principal buildings on one lot; or a principal building with an accessory building (see Article 27-1000).

   (b) Side-by-side units in N2 shall be located perpendicular to the street in a U-shaped configuration with a courtyard or shared yard. The lot may be split to allow a fee simple configuration with a zero side yard setback and shared wall between the two units. Two units attached end to end are permitted with a maximum width along the street of 60 feet.

   (c) Entrance. One entrance is permitted on the street, except for side-by-side units on separate lots, the entrances may be located off the courtyard.

SECTION 27-306 N3 DISTRICT

The following site and structure regulations apply to any lot in the N3 district. Refer to 27-303 for general regulations applicable to all districts and Table 27-300.5, below, for regulations specific to this district, keyed to illustrations in Figure 27-300(3). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-300.5: SITE AND STRUCTURE REGULATIONS

	A. BUILDING SITING		REFERENCES
1	Minimum Lot Width (feet) per principal building Minimum Lot Size (square feet) per principal building	65 none	See Article 27-1500 existing lots of record. See 27-306.C for exemption from minimum lot widths.
2	Maximum Building Width (feet)	None	
3	Front Setback (feet)	20 minimum	
4	Street-Side Setback (feet)	10 minimum	
5	Side Setback (feet) Space Between Principal Buildings on Lot (feet)	5 minimum 10 minimum	
6	Rear Setback (feet)	5 minimum	.
7	Accessory Building Yard Location	Rear	
8	Accessory Building: Rear Setback (feet)	5 minimum, except 0 at alley	
9	Maximum Total Building Coverage (%)	40	
10	Permitted Driveway Access Location	Any	See BMCC Section 6-1200 for driveway access standards.
11	Attached Garage Entrance Location	Any façade; front façade limited to no more than 50% of façade	
	B. Height		
	Principal Building: Maximum Height (stories) Maximum Height (feet)	3 34	See Article 27-1800 for instructions for measuring height. Accessory roof pitch shall match principal building
	Accessory Building: Maximum Height (stories)	1.5 stories, no taller than the principal building	

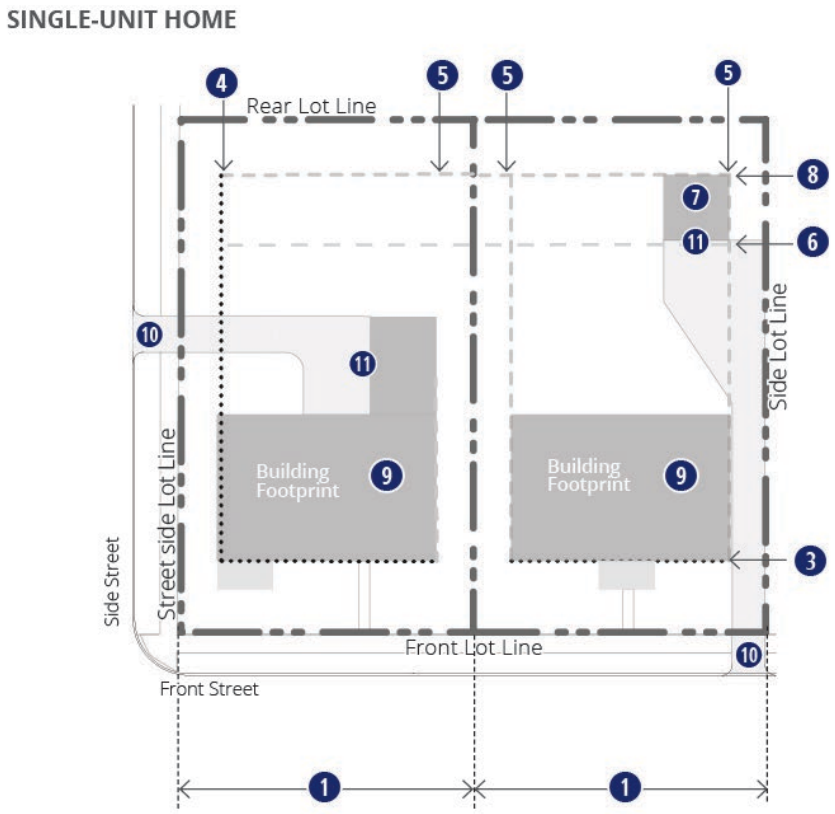


Figure 27-300(3). N3 district diagrammatic plan.

C. Supplemental Regulations

Lots on cul-de-sacs and flag lots are exempt from minimum lot width regulations. See also Article 27-1500, Nonconfomities, for existing lots of record.

SECTION 27-307 NX1 DISTRICT

The following site and structure regulations apply to any lot in the NX1 district. Refer to 27-303 for general regulations applicable to all districts and Table 27-300.6, below, for regulations specific to this district, keyed to illustrations in Figure 27-300(4). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-300.6 SITE AND STRUCTURE REGULATIONS

	A. BUILDING SITING	Single or Multi-Unit Building	Side-by-Side Attached Units	REFERENCES
1	Minimum Lot Width (feet) per principal building	20 for 1 or 2 units; 50 for 3 or more units	50	See Article 27-1500 for existing lots of record. Side-by-side means units attached along front façade. See 27-307.D for fee simple side-by-side attached units.
2	Maximum Front Building Width (feet)	60	80, 4 units; 120, 4 units on side street	See 27-307.D for fee simple side-by-side attached units.
3	Front Build-to Zone (feet)	8-20; match block face average		See Article 27-1800 for block face averaging instructions. See definitions for front and street-side. See 27-307.D for through lots. Refer to 27-1802 for visibility at intersections. See 27-303.K for arterial setback regulations.
4	Street-Side Build-to Zone (feet)	8-15		
5	Side Setback (feet) Space Between Principal Buildings on Lot (feet)	5 minimum 10 minimum		See 27-307.D for side street lots.
6	Rear Setback (feet)	5 minimum		See 27-307.D for side street lots.
7	Accessory Building Yard Location	Rear	Rear	See Article 27-1800 for explanation of yards.
8	Accessory Building: Rear Setback (feet)	5 minimum or 0 at alley		
9	Maximum Building Coverage (%)	60		See 27-307.D for side street lots.
10	Permitted Driveway Access Location	Alley, side street; front street if no side street is available		See BMCC Section 6-1200 for driveway access standards.
11	Attached Garage Location Allowed Garage Entrance	Rear half of the building; Rear or side adjacent to street façade only		
	B. HEIGHT			
12	Principal Building: Maximum Height (stories) Maximum Height (feet)	2.5 27	2.5 27	See Article 27-1800 for definition of half story.
13	Accessory Building: Maximum Height (stories)	1.5, no taller than the principal building		Accessory roof pitch shall match principal building
	C. WINDOWS, FRONT DOORS, ROO			
14	Minimum Window & Door Coverage: Front Façade (%)	15 per story	15 per story	Measured per each full and half story. See Article 27-1800 for information on measuring door & window coverage.
15	Front Door Façade Location & Number of Doo	1 on street façade per building	1 per unit or street facade	See 27-307.D for multiple buildings on a courtyard.
	Entrance Treatment	See 27-303.J for Front Entrance		

16	Permitted Roof Types	Parapet, pitched; tower permitted	See Article 27-1800 for definition of roof types and exception for other allowed ro types.

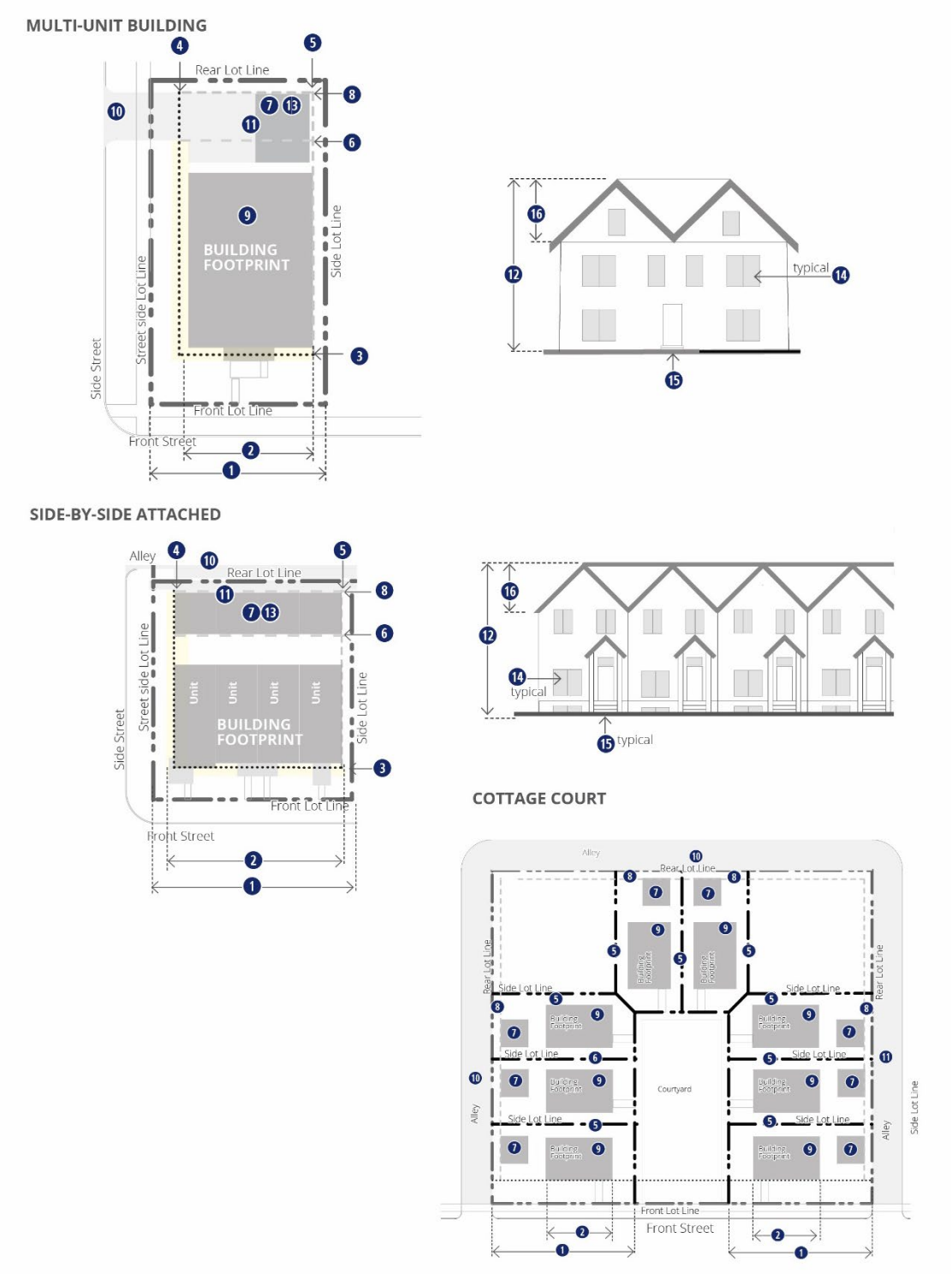


Figure 27-300(4). NX1 district diagrammatic plan.

D. Supplemental Regulations

1. Courtyard Configuration. For multiple buildings and side-by-side attached units with a courtyard, entrances may be located off the courtyard, except every unit abutting a street frontage must include the principal entrance on the street.
2. Through Lots. For developments on lots that extend through a block and addresses on two streets, buildings must front both streets and have entrances on each street.
3. Fee Simple Side-by-Side Units. For fee simple side-by-side units, the lot width may be smaller; however, the building, comprised of multiple units, shall total meet the minimum regulations.
4. Side Street Frontage. For corner lots, all lot lines other than the front and street-side are side lot lines and, for parking and accessory buildings, the Zoning Coordinator shall determine where the rear of the lot is located.
5. Open Space. One of the following open space types must be provided for every three contiguous acres of NX1 district:

   (a) Parklet. A parklet is a landscaped open space with a minimum 70% living plant material and a minimum of 20,000 square feet in area, with at least 100 feet of street frontage.

   (b) Green. A green is a larger, landscaped space, a minimum of one acre in size, with at least 200 feet of street frontage.

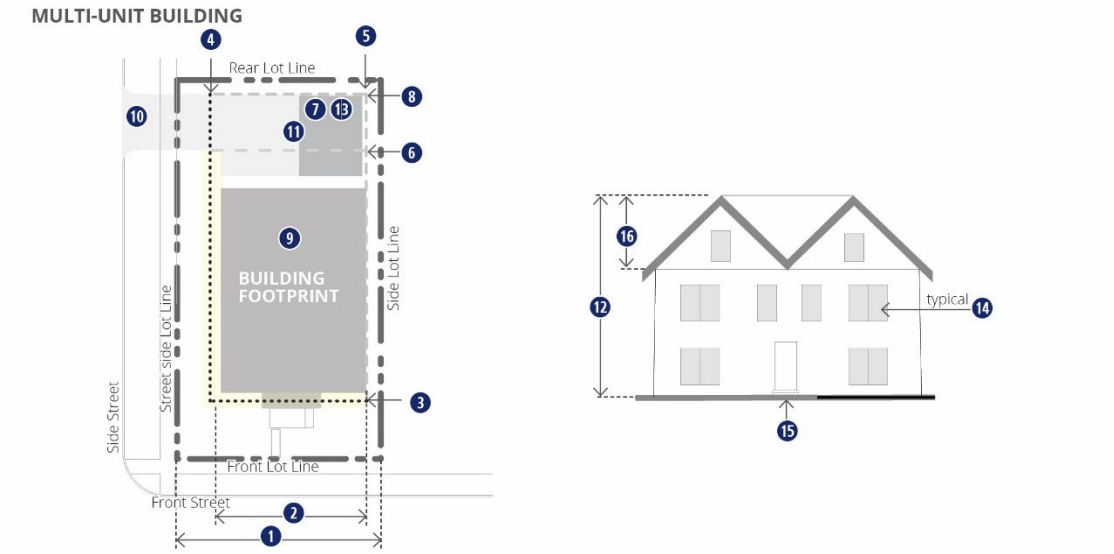
   (c) Natural Area. A natural area is a large area, a minimum two acres in size, defined to conserve a natural feature, such as a stream, wetland or woodland. At least 50 feet of street frontage is required for a natural area.

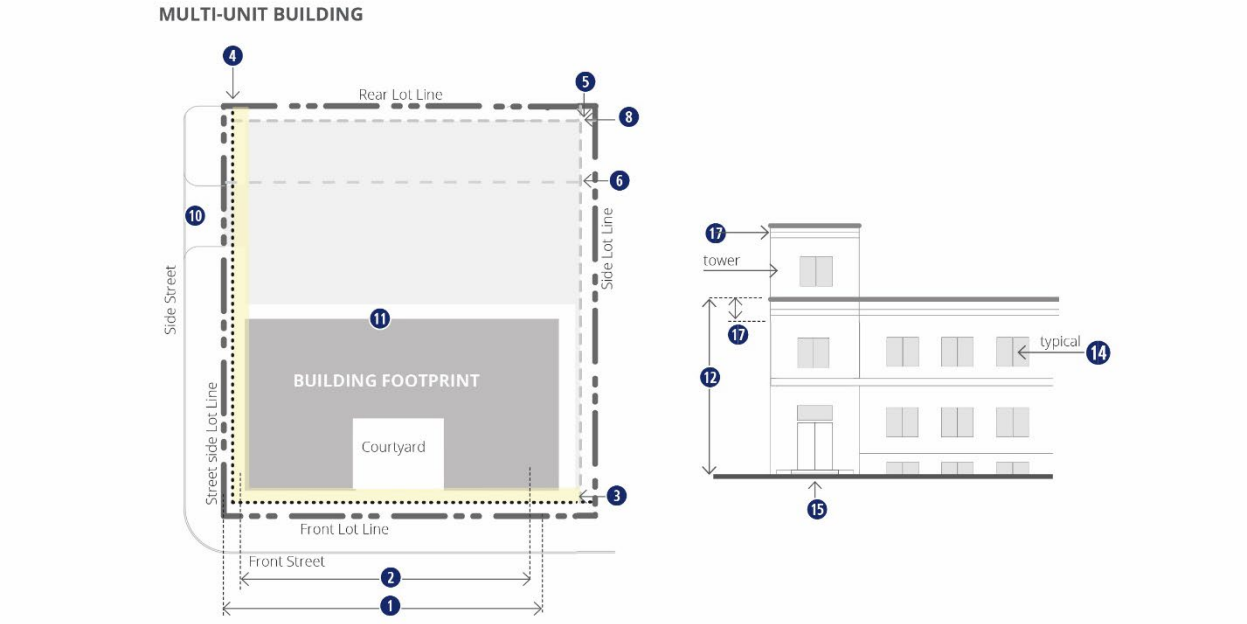
SECTION 27-308 NX2 AND NX3 DISTRICT

The following site and structure regulations apply to any lot in the NX2 and NX3 district. Refer to 27-303 for general regulations applicable to all districts and Table 27-300.7, below, for regulations specific to this district, keyed to illustrations in Figure 27-300(5). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-300.7 SITE AND STRUCTURE REGULATIONS

	A. BUILDING SITING	Multi-Unit Building	Side-by-Side Units	REFERENCES
1	Minimum Lot Width (feet) per principal building	20 for 2 units; 50 for 3 or more units	50	See Article 27-1500 for existing lots of record.
	~~Minimum Lot Area (square feet)~~	~~7000; None for 2 units~~	~~None~~	
2	Maximum Building Width (feet)	16 ft per ground floor unit	8 units/172 feet on any frontage	See 27-307.D for fee simple row building units.
3	Front Build-to Zone (feet)	10-20		See definitions for front and street-side. See 27-303.K for arterial setback regulations. See 27-307.D for through lots. Refer to 27-1800 for visibility at intersections.
4	Street-Side Build-to Zone (feet)	5-15		
5	Side Setback (feet) Space Between Principal Buildings on Lot (feet)	5 minimum; 15 abutting N1, N2, N3, or RMH districts 10 minimum		
6	Rear Setback (feet)	10 minimum; 20 abutting N1, N2, N3, or RMH districts		
7	Accessory Building Yard Location	Rear		See Article 27-1800 for definition of yards.
8	Accessory Building: Rear Setback (feet)	7.5		
9	Maximum Building Coverage (%)	60		
10	Permitted Driveway Access Location	Alley, side street; front street if no side street is available		See BMCC Section 6-1200 for driveway dards
11	Attached Garage Location Allowed Garage Entrance	Rear half of the building; Rear or street-side façade only		
	B. HEIGHT			
12	Principal Building: Minimum Height (stories)	2	1.5 for NX2; 2 for NX3	See Article 27-1800 for definition of half story.
	Maximum Height (stories)	3 for NX2; 4 for NX3	2.5 for NX2; 3 for NX3	
13	Accessory Building: Maximum Height (stories) Maximum Height (feet)	1.5 27	1.5 27	Accessory roof pitch shall match principal building
	C. WINDOWS, FRONT DOOR, ROOF			
14	Minimum Window & Door Coverage: Front Façade (%)	15 per story	15 per story	Measured per each full and half story. See Article 27-1800 for information on measuring door & window coverage.
15	Front Door Façade Location & Number of Doors	1 per building on street façade	1 per unit on street facade	See Article 27-1800 for multiple buildings on a courtyard
	Entrance Treatment	See 27-303.J for Front Entrance		
16	Permitted Roof Types	Parapet, pitched, flat; tower permitted		See Article 27-1800 for definition of roof types and exception for other allowed roof types.


MULTI-UNIT BUILDING
Rear Lot Line
BUILDING FOOTPRINT
Side Lot Line
Street side Lot Line
Side Street
Front Lot Line
Front Street
typical


MULTI-UNIT BUILDING
Rear Lot Line
Side Lot Line
Side Street
BUILDING FOOTPRINT
Courtyard
Street side Lot Line
Front Lot Line
Front Street
tower
typical

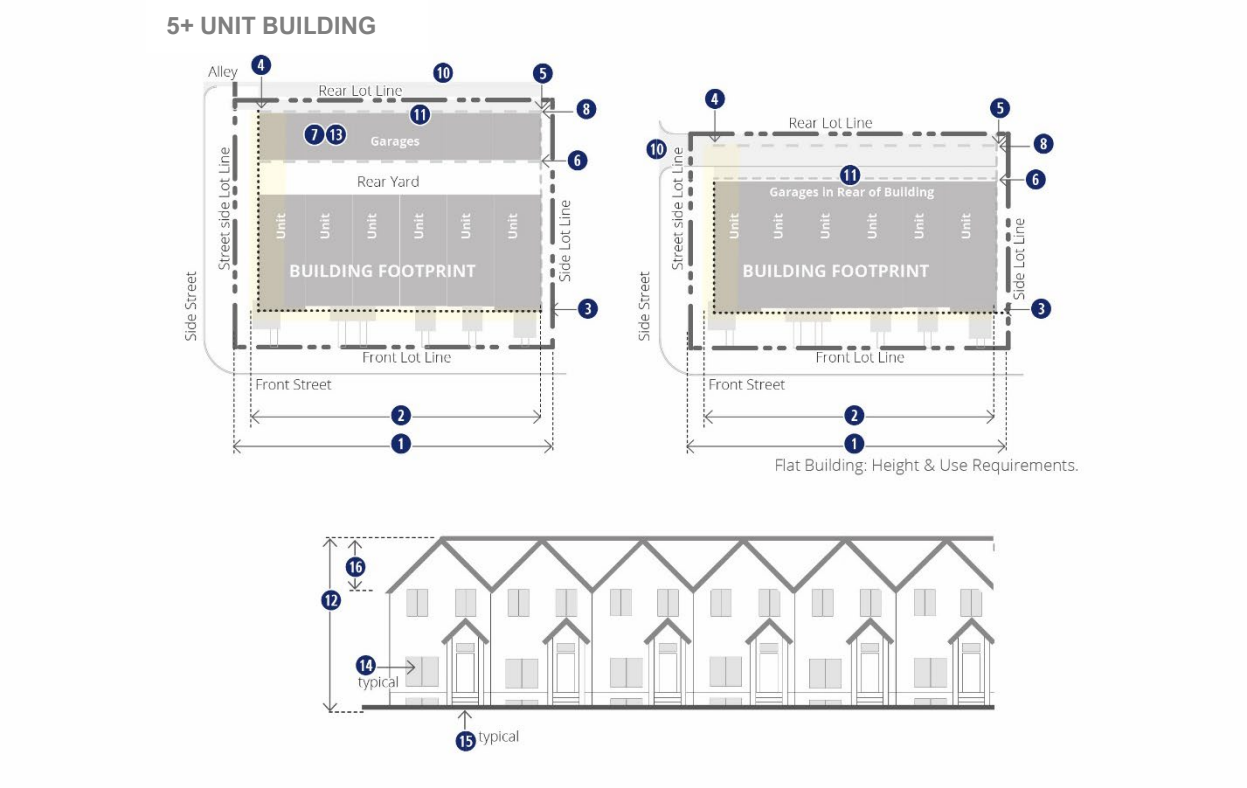


Figure 27-300(5). NX2 and NX3 district diagrammatic plans.

D. Supplemental Regulations

1. Courtyard Configuration. For multiple buildings and side-by-side attached units with courtyards, entrances may be located off a courtyard, except every unit abutting a street frontage must include the principal entrance on the street.
2. Through Lots. For developments on lots that extend through a block and addresses on two streets, buildings must front both streets and have entrances on each street.
3. Fee Simple Side-by-Side Units. For fee simple side-by-side units, the lot width may be smaller; however, the building, comprised of multiple units, shall total meet the minimum regulations.
4. Side Street Frontage. For corner lots, all lot lines other than the front and street-side are side lot lines and, for parking and accessory buildings, the Zoning Coordinator shall determine where the rear of the lot is located.
5. Open Space. One of the following open space types must be provided for every three contiguous acres of NX2 district:

   (a) Parklet. A parklet is a landscaped open space with a minimum 70% living plant material and a minimum of 20,000 square feet in area, with at least 100 feet of street frontage.

   (b) Green. A green is a larger, landscaped space, a minimum of one acre in size, with at least 200 feet of street frontage.

   (c) Natural Area. A natural area is a large area, a minimum two acres in size, defined to conserve a natural feature, such as a stream, wetland or woodland. At least 50 feet of street frontage is required for a natural area.

SECTION 27-309 RMH DISTRICTS

The following site and structure regulations apply to any lot in the RMH district. Refer to 27-303 for general regulations applicable to all districts and Table 27-300.8, below, for regulations specific to this district. See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-300.8 SITE AND STRUCTURE REGULATIONS

A. BUILDING SITING		REFERENCES
Minimum Lot Size (square feet)	3,000 per principal building	
Front Setback (feet)	20 minimum	
Street-Side Setback (feet)	10 minimum	
Side Setback (feet)	8 minimum	See 27-309.C for site built structures.
Rear Setback (feet)	8 minimum	
Accessory Building Yard Location	Rear and side yard	
Maximum Total Building Coverage (%)	50	
B. HEIGHT		
Principal Building: Maximum Height (feet)	34	See Article 27-1800 for instructions for measuring height
Accessory Building: Maximum Height (feet)	40 and no taller than principal building	Accessory Roof Pitch shall match Principal Building

C. Supplemental Regulations

1. Open Space. One of the following open space types must be provided for every 3 acres of RMH district:

   (a) Parklet. A parklet is a landscaped open space with a minimum 70% living plant material and a minimum of 20,000 square feet in area, with at least 100 feet of street frontage.

   (b) Green. A green is a larger, landscaped space, a minimum of one acre in size, with at least 200 feet of street frontage.

   (c) Natural Area. A natural area is a large area, a minimum two acres in size, defined to conserve a natural feature, such as a stream, wetland or woodland. At least 50 feet of street frontage is required for a natural area.

2. Manufactured home, Type 1: A manufactured home that was certified on or after January 1, 1990, and that satisfies each of the following additional criteria:

   (a) The pitch of the home's roof has a minimum vertical rise of three inches for each 12 inches of horizontal run (3:12), and the roof is finished with a type of shingle that is commonly used in standard residential construction;

(b) The exterior siding consists of wood, hardboard, aluminum or vinyl siding comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction; and

(c) A continuous, permanent perimeter foundation is installed under the home.

3. Manufactured home, Type 2: A manufactured home that does not satisfy the criteria necessary to qualify the house as a Type 1 manufactured home.
4. Site-Built Structure. A site-built structure complying with the State Building Code may be setback a minimum of 5 feet from the side lot line.

Article 27-400 Commercial and Mixed-Use Districts

SECTION 27-401 DISTRICTS ESTABLISHED

The commercial and mixed-use zoning districts are established in Table 27-400.1.

TABLE 27-400-1. COMMERCIAL & MIXED-USE DISTRICTS

Symbol	Neighborhood District Name
CBD	Central Business District
DX	Downtown Support
CMU1	Corridor Mixed-Use 1
CMU2	Corridor Mixed-Use 2
NMU	Neighborhood Mixed-Use
NO	Neighborhood Office-Residential
CX	Heavy Commercial

SECTION 27-402 DISTRICT DESCRIPTIONS

Commercial and mixed-use districts are primarily intended to allow a mix of uses within appropriately scaled buildings to maintain and promote the desired physical character of the downtown and commercial nodes and corridors within the city.

A. CBD: CENTRAL BUSINESS DISTRICT

The CBD district is the downtown mixed-use core intended to continue the existing character of the highly walkable downtown commercial corridors with storefronts on the ground story and upper story residential, lodging, and office uses.

B. DX: DOWNTOWN SUPPORT

The DX district is intended primarily for use surrounding the (CBD) district and would accommodate highly walkable, higher intensity office and residential uses in support of the CBD.

C. CMU1: CORRIDOR MIXED-USE

The CMU1 district is intended to accommodate commercial and other uses along transportation corridors to promote development that is comfortably accessible via all modes of transportation, including motor vehicles, bicycles, and walking. Commercial uses in the CMU1 district may be somewhat larger in scale and more flexible than the neighborhood mixed-use district, including more auto-oriented uses such as gas stations. While ground stories along streets are intended for commercial uses, the upper stories could accommodate residential and/or office uses.

D. CMU2: CORRIDOR MIXED-USE AND COMMERCIAL CENTERS

The CMU2 district is similar in intent to CMU1, supporting commercial and other uses along transportation corridors to promote development that is comfortably accessible via all modes of transportation, including motor vehicles, bicycles, and walking. CMU2 differs from CMU1 as it is meant to accommodate larger-scale commercial, warehouse-style buildings, and other uses in multiple buildings on larger, deeper parcels along corridors. While ground stories along streets are intended for commercial uses, the upper stories could accommodate residential and/or office uses.

E. NMU NEIGHBORHOOD MIXED-USE

The NMU district is intended to accommodate a mix of uses, primarily located along neighborhood corridors, that are highly walkable and accessible to pedestrians. Includes ground story uses focused on daily needs primarily for adjacent neighborhood residents, such as corner stores, personal services, and small restaurants. Upper stories accommodate residential and/or office uses.

F. NO: NEIGHBORHOOD OFFICE

The NO district is intended to accommodate office and office/residential uses on neighborhood corridors and internal neighborhood locations where other commercial uses are inappropriate. This district is meant to be highly walkable and accessible to pedestrians and to fit well with the context of adjacent neighborhood residential buildings, when located on corners or block ends.

G. CX: HEAVY COMMERCIAL

The CX district is intended for heavy commercial, wholesale, warehouse-distribution facilities, and contractor commercial uses. This district allows outdoor storage and accommodates truck traffic. This district is intended to be located along corridors where proximity to residential and walkable mixed-use development is limited. Basic setback and height parameters apply.

SECTION 27-403 REGULATIONS APPLICABLE TO ALL COMMERCIAL AND MIXED-USE DISTRICTS

All buildings must comply with the general regulations of this section and the specific regulations per each district, unless otherwise expressly stated in this ordinance.

A. ALLOWED USES

Allowed uses are provided in Article 27-1000.

B. EXISTING BUILDINGS

Existing buildings are not required to meet these regulations except as defined in Article 27-1500.

C. SITE ACCESS

All lots shall have one lot line located fully on a public or approved private street right-of-way.

D. PERMANENT STRUCTURES

All buildings constructed in any commercial and mixed-use district must be of permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise expressly stated in this code.

E. ACCESSORY STRUCTURE REGULATIONS

Accessory structures are subject to Article 27-1008, Accessory Uses, unless otherwise defined in these district regulations.

F. EXCEPTIONS AND EXEMPTIONS

The following exceptions and exemptions may apply to the district site and structure regulations. Use specific standards in Article 27-1000 are still applicable.

1. Administrative Relief. Article 27-1600 defines administrative relief applicable to the site and structure regulations. Additional administrative relief may be noted throughout this article.

2. Outdoor Recreation Uses. Outdoor parks and recreation and outdoor participant sports and recreation uses are exempt from compliance with district site and structure regulations, except that:
   (a) If a building is incorporated, the building shall meet the regulations of either an accessory kiosk per 27-1000 or an allowed building type.
   (b) Side and rear setbacks for any applicable district must be met.
3. Utility Structures. The following structures are not required to comply with site and structure regulations applicable to a specific district.
   (a) Wireless communications facilities and uses 27-1000.
   (b) Public and private utility stations, substations, and associated utility station facilities.
4. Public, Civic, and Institutional Uses. Public, civic, and institutional uses allowed in the district are required to the meet the district site and structure regulations, except the following applies:
   (a) The minimum dimension of any build-to zone shall be treated as a minimum setback.
   (b) Minimum heights are not required. Heights above the maximum allowed may be approved through Administrative Relief approval, based upon similar civic structures on similar lots in the surrounding neighborhood.
   (c) Window, front door, and roof regulations are not required.

G. YARD TREATMENT

All yards must consist of landscape areas, patio space, or sidewalk space, unless otherwise expressly stated. Paved vehicular areas are limited to specific locations per the applicable district site and structure regulations. Driveways may cross through yards as follows:

1. Where permitted as access to the lot, driveways may cross perpendicularly through the front or street side yards, except as otherwise expressly stated.
2. In all commercial and mixed-use districts, driveways may cross perpendicularly through the side and rear yards to connect to parking on adjacent lots.
3. Side Yard Parking Lots. Some districts permit side yard parking lots. Side yard parking lots must not encroach on the front yard and must not encroach upon the minimum side setback, except as otherwise expressly stated.
4. Rear Yards. Paved vehicular areas (parking lots, loading areas, drives) are typically required to be located in the rear yard; however, minimum rear yard setbacks also apply to parking lots, unless otherwise stated.

H. FRONT AND SIDE STREET FRONTAGES

Per the district regulations, certain site and structure regulations apply to building facades and edges along front and side streets. For example, windows and a principal entrance may be required, or parking locations, driveways, and garage entrances may be restricted along these street frontages. Front lot lines must be provided as follows:

1. Establishment. All parcels must have a front lot line established by one of the following methods.
   (a) For lots with only one lot line abutting a street, that lot line shall be the front lot line.
   (b) For lots on corners, front lot lines are established by the Zoning Coordinator, based upon an approved Planned Neighborhood District (PND), the street classification, or the orientation of adjacent and abutting buildings.

(c) For CMU1 and CMU2 districts, when a new street is established perpendicular to a front street listed above, the Zoning Coordinator may approve the use of the new street for the front lot line, provided the new perpendicular street is at least 300 feet in length, connects to another street at both ends, provides a second way out of the development, and is treated with streetscape, sidewalks, and on-street parking.

(d) For NMU or NO districts located on corners of primarily residential neighborhoods, the side street is the preferred location of the front lot line with the intent of locating business entrances off side streets as opposed to sharing the front street with residential entrances.

(e) Multiple Front Streets. If multiple front streets abut a lot, the front line may be designated by the Zoning Coordinator, considering the following:

(1) The configuration of other parcels along the street, including fronts of buildings and locations of vehicular access, are more consistent with street-side lot line requirements; and

(2) No plans for front street designation in the future exist for the proposed street-side frontage.

2. Open Space Frontage. Where a lot or parcel contains or abuts open space designated as a P1 district, the frontage of a building abutting the open space must comply with front lot line requirements.
3. Main Parking Lots. Where a main parking lot is internal to a site, the facades fronting the main parking lot must be treated as front facades.
4. Through Lots. Where a lot extends between two front streets essentially parallel to each other, both frontages shall be treated as front lot lines.

(a) Where a commercial and mixed-use district double frontage lot is deeper than 120 feet and shares a front street with an N district, residential development shall be provided consistent with front lot line requirements for any NX district.

(b) Where a commercial and mixed-use district double frontage lot shares a front street with an N district, the rear of all buildings shall be screened from any front street by another building or landscape screening.

5. Corners. At corners of buildings on streets, front lot line façade treatments, including, but not limited to, ground-story doors and windows must be continued around the corner along the side street for a minimum of 30 feet.

I. TRASH, RECYCLING, REFUSE LOCATIONS

Unless otherwise defined by the site and structure regulations, all trash, recycling, and other refuse areas must be located and treated as follows:

1. Trash, recycling, and other refuse areas must be located in the rear yard of the lot or in the alley with city approval.
2. When no rear yard exists or when the rear yard is less than 10 feet in depth, trash, recycling, and other refuse areas may be located in the rear portion of an interior side yard.
3. Trash, recycling, and other refuse areas may be located inside the building with access doors off the rear or interior side facade. Access doors must be opaque, screening a minimum of 80% of the opening.
4. See Article 27-1200 for required screening of trash, recycling, and other refuse areas.

J. FRONT ENTRANCES

The following applies only when required by the site and structure regulations for the district. Front building entrances shall be emphasized, adding interest to the building façade, through one or more of the following design features:

1. Roof or Canopy. The entrance is covered by a roof or canopy differentiating it from the overall building roof type.
2. Porch. The entrance is through a porch.
3. Sidelights and Transom. Sidelights and/or transom windows are included abutting the entrance door.
4. Recessed or Projecting Bay. The entrance is located in a separate bay of the building that is either recessed or projected from the front façade.
5. Other Design. Other designs adding emphasis and drawing attention to the entrance on the facade may be approved with a design exception.

K. ARTERIAL SETBACKS

Minimum arterial setbacks as follows apply to all commercial and mixed-use districts, except CBD and DX districts:

1. No building or structure shall be erected or maintained within 50 feet of the centerline of an arterial street. In addition, no required parking area or portion thereof, including driving aisles, shall be constructed or located within 40 feet of the centerline of an arterial street. Any new construction that increases the number of required off-street parking spaces, must locate these additional required parking spaces in areas that comply with these locational standards.
2. Approved signs and public use controls and systems, trees trimmed up eight feet and canopies with at least eight feet clearance, shall be permitted in this setback area. For the purpose of this subsection, canopies shall be defined as covers that are solely attached to and supported by the structure on which it is attached to and which can be removed without destroying any part of that supporting structure. This shall only apply to canopies attached to the principal structure.

The designation of a street as an arterial shall be recommended by the city engineer, or in conformity with the most recent urban transportation plan.

L. COMMERCIAL & MIXED-USE DISTRICTS ADJACENT TO NEIGHBORHOOD AND RESIDENTIAL USES

All commercial and mixed-use districts and uses located within 50 feet of any neighborhood residential zoning district, including a planned development that allows residential use, shall comply with these site development standards:

1. All buildings in excess of 30 feet in height shall be setback a minimum of 30 feet from a property line that adjoins a residential zone and a minimum of 10 feet from a property line that parallels but does not adjoin a residential zone.
2. All outdoor lighting, with the exception of signage, shall have full cutoff shields so no part of the fixture or lens projects below the cutoff shield. Light pole standards must be 15 feet in height or less. Height includes the fixture, the base and the supporting pole.
3. Mechanical equipment, including but not limited to air conditioning units, air handling units, back-up power generators, installed at ground level or on a roof must be fully screened from view. The screening shall be at least the height of the mechanical equipment. Mechanical equipment that generates or expected to generate noise in excess of 55 decibels within three feet of the equipment location must provide sound abatement or suppression, which may require the equipment to be enclosed in a structure.

4. Loading docks, if necessary or required by the operation, must be located the farthest distance practicable from the residential zone. However, if the property adjoins an arterial street, the loading dock must be set back far enough such that no trucks will be loading, unloading, or backing within the street. Loading shall be done from alleys when possible.
5. Outdoor storage of merchandise or equipment must be within an area enclosed with a sight-obscuring fence at least six feet in height that is architecturally coordinated in color and design with the building. Vehicle sales lots and plant materials may be displayed outside of an approved building or enclosed area so long as they are on the same site wherein the business displays the bulk of its goods for sale. Outside promotional displays are allowed during business hours only.
6. No fascia of a building or canopy may be internally illuminated.
7. No signs may be placed on a building wall that parallels a residential zone. No freestanding advertising signs may be placed within 30 feet of a property line that adjoins a residential zone or within 10 feet of a property line that parallels a residential zone.
8. No outdoor waste storage on the commercial or industrial property shall be located within 30 feet of a property line that adjoins a residential zone or within 10 feet of a property line that parallels a residential zone. This requirement shall not apply where the property is separated from a residential zone or residential use by an alley or street. All on-site solid waste storage shall be located within an area enclosed with a solid, masonry wall that is architecturally coordinated in color and design with the building.
9. No outdoor announcement system or music system, whether permanent or temporary, is allowed.
10. Existing developments that do not conform to one or more of these development standards, will follow the regulations as stipulated in Section 27-1100, Proportionate Compliance.

SECTION 27-404 CBD DISTRICT REGULATIONS

1. Development in the CBD district is subject to compliance with the regulations of general applicability specified in 27-403.
2. Any parking garage located along a street must contain occupiable building space along at least 30% of the ground floor of at least one street facade.

SECTION 27-405 DX DISTRICT

The following site and structure regulations apply to any lot in the DX district. Refer to 27-403 for general regulations applicable to all districts and Table 27-400.2, below, for regulations specific to this district, keyed to illustrations in Figure 27-400(1). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-400-2. SITE & STRUCTURE REGULATIONS

	A. BUILDING SITING		REFERENCES
1	Build to Corner	required	
2	Maximum Building Coverage (%)	85	
3	Minimum Front Lot Line Coverage (%)	85	See 27-405.E for allowed courtyards.
4	Front Build-to Zone (feet)	5 to 15	See 27-403.H for location of front and street-side frontages. See 27-405.E for minimum pedestrian area
5	Street-Side Build-to Zone (feet)	5 to 10	
6	Minimum Side Setback (feet)	5; 10, if abutting N or NX district	
7	Minimum Rear Setback (feet)	10 for parking, 20 for building; 0 if abutting an alley	
	B. PARKING SITING		
8	Surface or Accessory Parking Yard Location	Rear; limited side yard	See 27-1300 for explanation of limited side yard parking.
9	Permitted Driveway Access Location Permitted Garage Entry Facade Location	Alley, side street, front street if no alley or side street is available Rear, side, or side street facade	See 27- 1300 for driveway access exceptions
10	Parking Location within Building	Allowed fully in any basement and behind required occupiable building space of all other stories	See Occupiable Building Space regulation below in 11. See 27-1800 for definition of basement.
11	Occupiable Building Space along Front Facade, Minimum Depth (feet)	20 all full-story floors; not required in any basement or half story	See 27-1800 for definition of Occupiable Building Space.
	C. HEIGHT		
12	Overall: Minimum Height (stories) Maximum Height (stories)	2 5; step-backs required within 50 feet of N or NX district	See 27-405.E for stepped-back stories.
13	All Stories: Minimum Height (feet) Maximum Height (feet)	9 14	Stories are measured floor to floor.
	D. WINDOWS, DOORS, ROOF		
14	Window & Door Coverage: All Stories Street Facades (%)	15 minimum per story	Blank wall limitations apply to front facades per 27-1800 27-403.H requires front facade windows to turn corners.
15	Number of Front Entrances	Minimum 1 per every 120 feet of facade	See 27-403.J for Front Entrance regulations.
16	Permitted Roof Types	Parapet, pitched, flat; tower permitted	See 27-1800 for definition of roof types and exception for other allowed roof types.

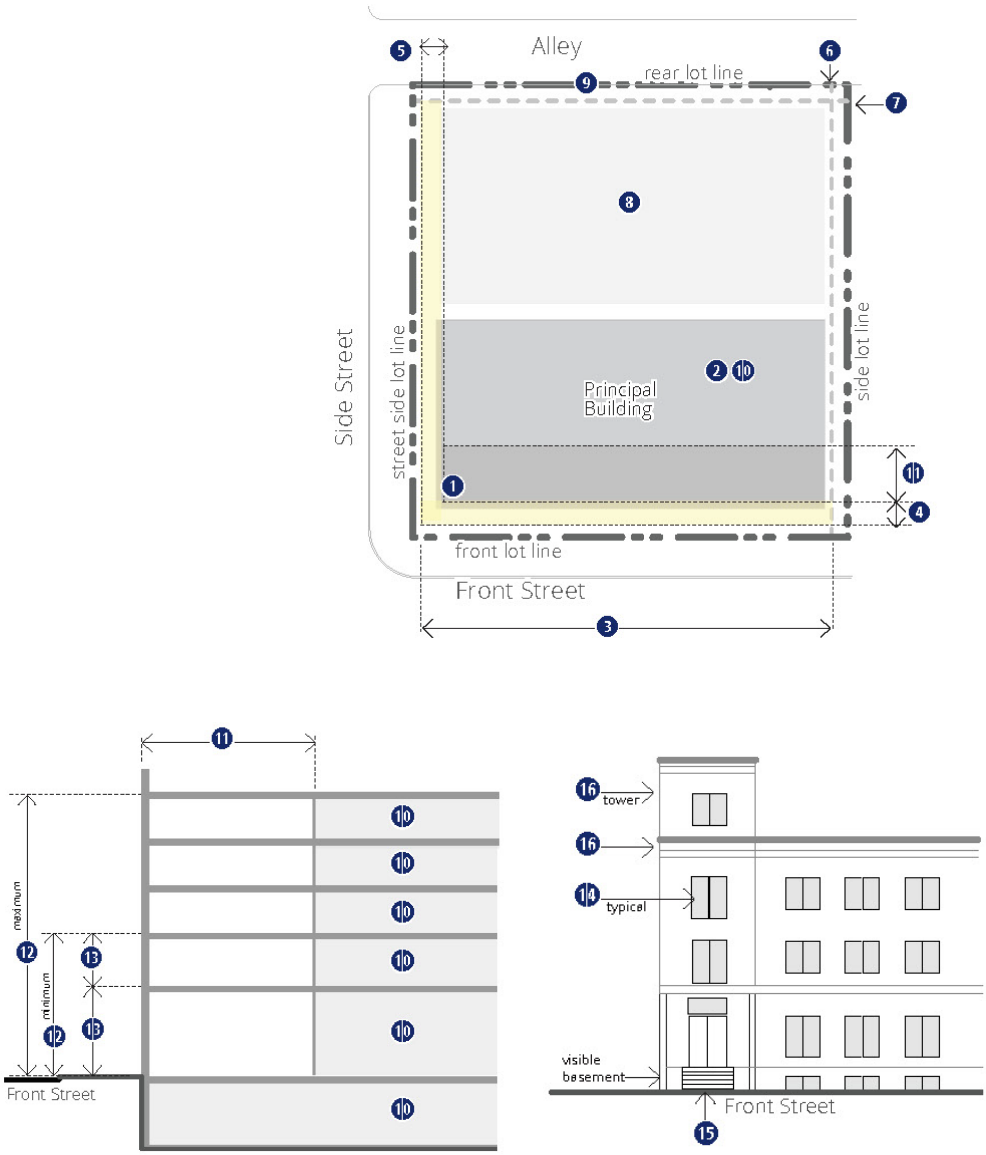


Figure 27-400(1). DX district diagrammatic plans and elevations.

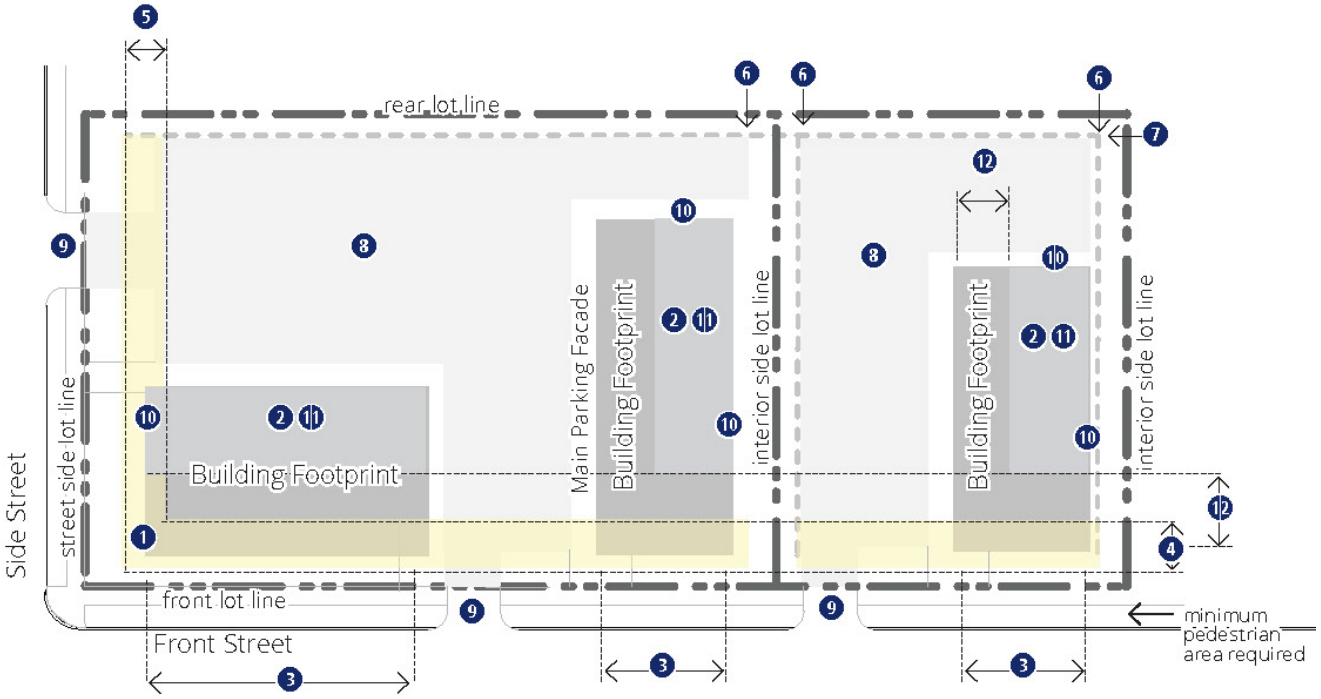
E. Supplemental Regulations

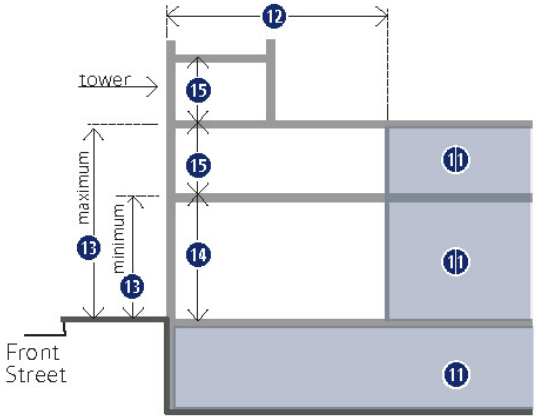
1. Courtyards. One courtyard, maximum of 30% of facade width or 50 feet wide, whichever is less, may count towards the minimum primary building frontage.
2. Height Step-Backs at N or NX Districts. Where N or NX zoning districts exist abutting the parcel or are located across an alley from the parcel, any story over the second story or over 35 feet above grade shall be set back from the rear property line a minimum of 50 feet. Frontage landscape buffer is required per Article 27-1200 where more than 10-foot ground story rear setback exists.
3. Minimum Pedestrian Frontage. When any front or street-side property line is within 8 feet or less of the back of curb, the build-to zone shall be measured from 8 feet off the back of curb to allow adequate pedestrian area.

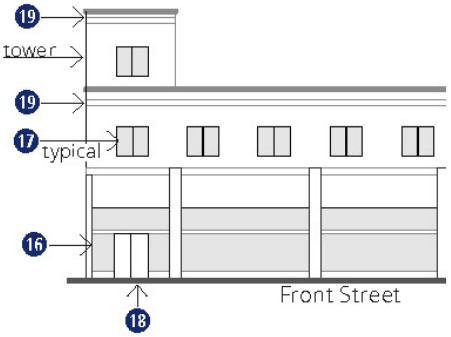
The following site and structure regulations apply to any lot in the CMU districts. Refer to 27-403 for general regulations applicable to all districts and Table 27-400.3, below, for regulations specific to this district, keyed to illustrations in Figure 27-400(2). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-400-3. SITE & STRUCTURE REGULATIONS

	A. BUILDING SITING	CMU1	CMU2	REFERENCES
1	Build to Corner	required		
2	Maximum Building Coverage (%)	65	50	
3	Minimum Front Lot Line Coverage (%)	65	50	See 27-406.E for allowed courtyards.
4	Front Build-to Zone (feet)	5 to 20	10 to 20	See 27-403.H for location of front and street-side frontages. See 27-403.K for arterial setback regulations. See 27-406.E for minimum pedestrian area
5	Street-Side Build-to Zone (feet)	5 to 20	5 to 20	
6	Side Setback (feet)	5 minimum; 10, if abutting N, NX, or RMH district		
7	Rear Setback (feet)	10 minimum; 25 if abutting N, NX, or RMH district		See 27-406.E for through lots.
	B. PARKING SITING			
8	Surface or Accessory Parking Yard Location	Rear, internal, side		See 27-1800 for explanation of yards.
9	Permitted Driveway Access Location	See 27-1305 for driveway access locations.		
10	Permitted Garage Entry Facade Location	Rear, side, or street-side facade		
11	Parking Location within Building	Allowed fully in any basement and behind required occupiable building space of all other stories		See Occupiable Building Space regulation below in 12. See 27-1800 for definition of basement.
12	Occupiable Building Space along Front Facade, Minimum Depth (feet)	20 all full-story floors; not required in any basement or half story		See 27-1800 for definition of Occupiable Building Space.
	C. HEIGHT			
13	Overall Stories: Maximum Height (stories)	4; step-backs required within 50 feet of N, NX, or RMH district		See 27-406.E for stepped-back stories.
14	Ground-Story: Minimum Height (feet)	12		See 27-406.E for allowable increased ground story height. Stories are measured floor to floor.
	Maximum Height (feet)	18		
15	Upper Stories: Minimum Height (feet)	9		
	Maximum Height (feet)	12		
	D. WINDOWS, DOORS, ROOF			
16	Window & Door Coverage: Ground-Story Front Facades (%)	65 minimum between 2 and 8 feet above sidewalk		Blank wall limitations apply to front facades per 27-1800 27-403.H requires front facade windows to turn corners.
17	Window & Door Coverage: All Stories Front Facades (%)	15 minimum per story		
18	Number of Front Façade Entrances	Principal entrances 1 per every 60 feet of facade		See 27-403.J for Front Entrance regulations.
19	Permitted Roof Types	Parapet, pitched, flat; tower permitted		See 27-1800 for definition of roof types and exception for other roof types.


rear lot line
Side Street
street side lot line
Building Footprint
Main Parking Facade
Building Footprint
interior side lot line
Building Footprint
interior side lot line
front lot line
Front Street
minimum pedestrian area required


tower
maximum
minimum
Front Street


tower
typical
Front Street

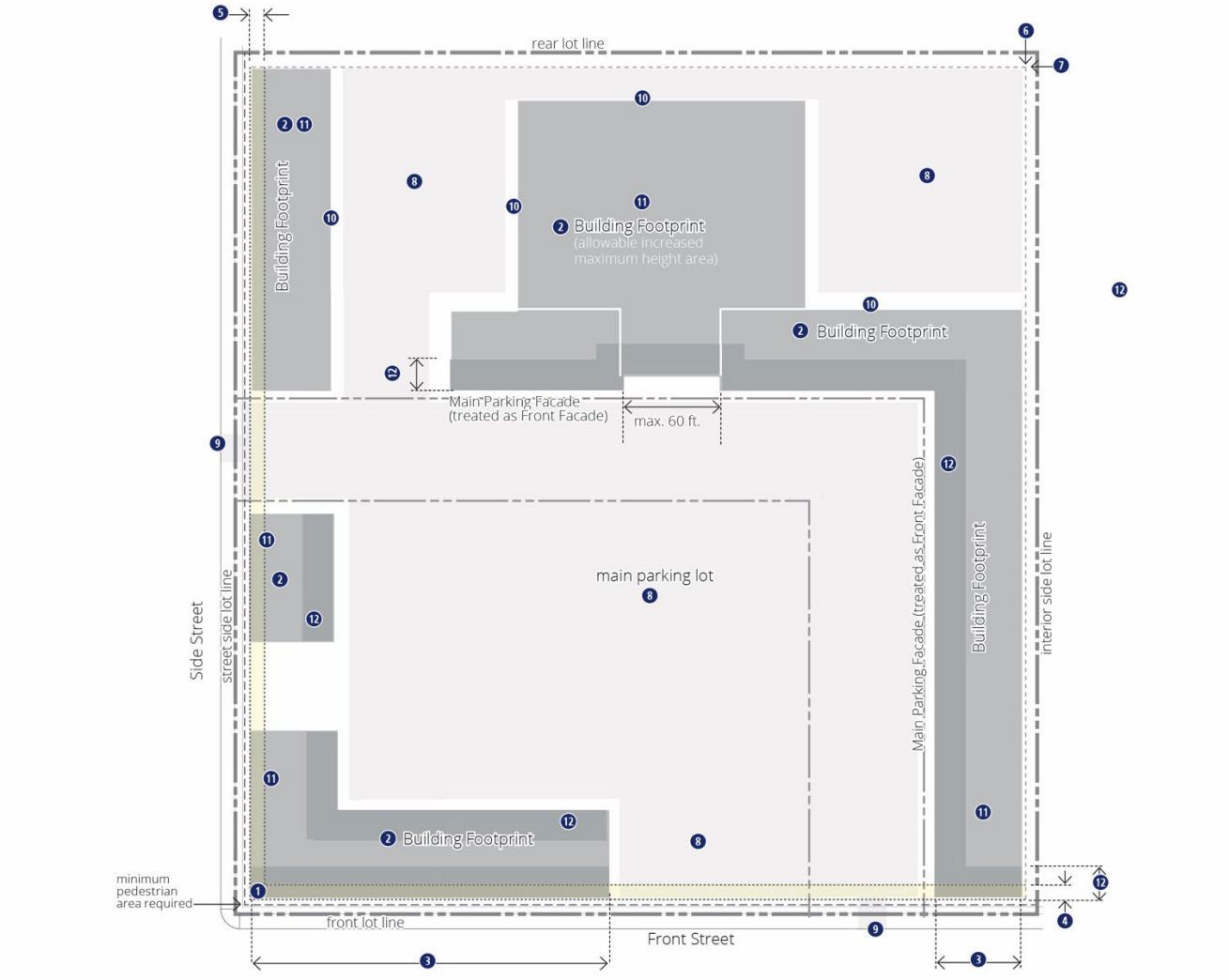


Figure 27-400(2). CMU district diagrammatic plans and elevations.

E. Supplemental Regulations

1. Courtyards. One courtyard, maximum of 30% of facade width or 50 feet wide, whichever is less, may count towards the minimum primary building frontage.
2. Minimum Pedestrian Frontage. When any front or corner property line is within 8 feet or less of the back of curb, the build-to zone shall be measured from 8 feet off the back of curb to allow adequate pedestrian area.
3. Height Step-backs at N, NX, RMH Districts. Where N, NX, or RMH zoning districts abut the parcel or are located across an alley from the parcel, any story over the second story or over 35 feet above grade shall be set back from the rear property line a minimum of 50 feet. Where the ground story is setback more than 10 feet from the rear lot line, the frontage landscape buffer is required per Article 27-1200. Refer to Figure 27-400(3).
4. Increased Ground Story Height. Maximum ground story height in CMU2 only may be increased up to 28 feet with a maximum horizontal length along any primary or main parking frontage of 60 feet. The 60-foot increment of increased height may occur once for every 140 feet of building frontage. Lower scaled commercial spaces may front the large-format space to achieve the maximum frontage and number of entrances required along the frontage.
5. Through Lots. Refer to 27-403.H.4

6. Pedestrian Pathway. In CMU2, direct, continuous separate pedestrian pathways are required connecting the sidewalk along the primary frontage to each shop door on the main parking lot frontage and dividing parking lots into segments no longer than 300 feet in length. The pathway shall include the following:

   (a) Streetscape is required along the pedestrian pathway per Article 27-1200. Pavement shall be small unit pavers, concrete scored in less than 4-foot increments, or other similar material approved by the Zoning Coordinator.

   (b) Perpendicular crossings of parking drives are permitted, but the pavement shall match the pathway.

   (c) Parallel paths to parking shall be located in a raised median or island or a protected pathway.

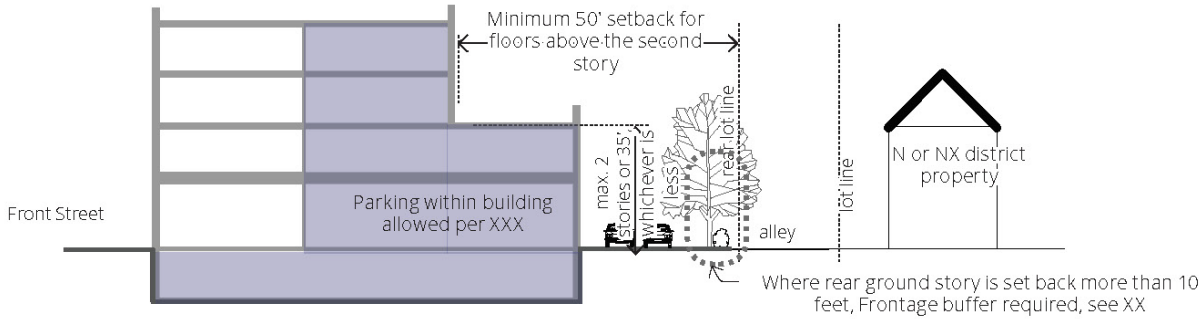


Figure 27-400(3). Height Step-Backs at N, NX, and RMH Districts.

The following site and structure regulations apply to any lot in the NMU district. Refer to 27-403 for general regulations applicable to all districts and Table 27-407.4, below, for regulations specific to this district, keyed to illustrations in Figure 27-407(1). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-400-4. SITE & STRUCTURE REGULATIONS

	A. BUILDING SITING	NMU	REFERENCES
1	Build to Corner	required	
2	Maximum Building Coverage	75	
3	Front Street Building Width (feet)	None	On corners in residential neighborhoods the side street may have the front lot line.
4	Minimum Front Lot Line Coverage (%)	90	See 27-407.E for allowed courtyards. On corners in residential neighborhoods the side street may have the front lot line.
5	Front Build-to Zone (feet)	5 to 20	See 27-403.H for location of front and street-side frontages. See 27-403.K for arterial setback regulations. See 27-407.E for minimum pedestrian area and expanded build-to zone with front yard parking.
6	Street-Side Build-to Zone (feet)	5 to 20	
7	Minimum Side Setback (feet)	5	
8	Minimum Rear Setback (feet)	5	See 27-407.E for through lots.
	B. PARKING SITING		
9	Surface or Accessory Parking Yard Location & Configurations	Rear, limited side yard, limited front yard	See 27-1802.B for explanation of allowed parking configurations.
10	Permitted Driveway Access Location Permitted Garage Entry Facade Location	See 27-1305 for driveway access locations. Rear, side, or street-side facade	
11	Parking Location within Building	Allowed fully in any basement and behind required occupiable building space of all other stories	See Occupiable Building Space regulation below in 12. See 27-1800 for definition of basement.
12	Occupiable Building Space along Front Facade, Minimum Depth (feet)	20 all full-story floors; not required in any basement or half story	See 27-1800 for definition of Occupiable Building Space.
	C. HEIGHT		
13	Overall Stories: Maximum Height (stories)	2	
14	Ground-Story: Minimum Height (feet) Maximum Height (feet)	10 16	Stories are measured floor to floor.
15	Upper Stories: Minimum Height (feet) Maximum Height (feet)	9 11	
	D. WINDOWS, DOORS, ROOF		
16	Window & Door Coverage: Ground-Story Front Facades (%)	45 minimum between 2 and 8 feet above sidewalk	Blank wall limitations apply to front facades per 27-1800 27-403.H requires front facade windows to turn corners.
17	Window & Door Coverage: All Stories Front Facades (%)	15 minimum per story	
18	Number of Front Façade Entrances	Principal entrances 1 per every 60 feet of façade	See 27-403.J for Front Entrance regulations.
19	Permitted Roof Types	Parapet, pitched, flat; tower permitted	See 27-1800 for definition of roof types and exception for other allowed roof types.

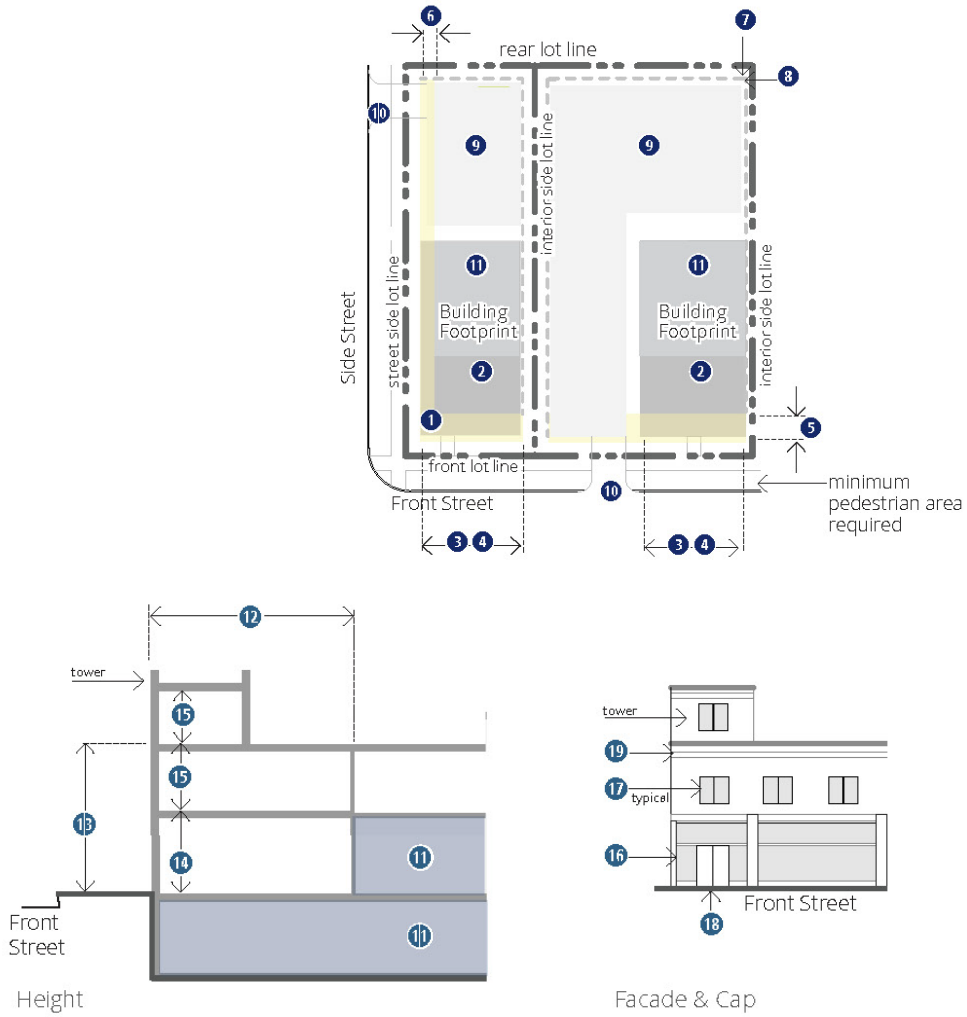


Figure 27-400(4). NMU district diagrammatic plans and elevations.

E. Supplemental Regulations

1. Courtyards. One courtyard, maximum of 30% of facade width or 50 feet wide, whichever is less, may count towards the minimum primary building frontage.
2. Minimum Pedestrian Frontage. When any front or corner property line is within 8 feet or less of the back of curb, the build-to zone shall be measured from 8 feet off the back of curb to allow adequate pedestrian area.
3. Front Yard Parking Expanded Build-to Zone. Where limited front yard parking is used, the build-to zone may be expanded to between 5 and 45 feet. Refer to 27-1802.B for explanation of limited front yard parking configuration.
4. Through Lots. Refer to 27-403.H.4.

The following site and structure regulations apply to any lot in the NO district. Refer to 27-403 for general regulations applicable to all districts and Table 27-400.5, below, for regulations specific to this district, keyed to illustrations in Figure 27-400(5). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-400-5. SITE & STRUCTURE REGULATIONS

A.	BUILDING SITING		REFERENCES
1	Build to Corner	required	
2	Maximum Building Coverage	75	
3	Front Street Building Width (feet)	None; 120 maximum in residential neighborhoods with N or NX district zoning adjacent or abutting	On corners in residential neighborhoods the side street may have the front lot line. See 27-403.H for location of front and street-side frontages. See 27-403.K for arterial setback regulations See 27-408.E for minimum pedestrian area
4	Front Setback (feet)	10	
5	Street-Side Setback (feet)	8	
6	Minimum Side Setback (feet)	8	
7	Minimum Rear Setback (feet)	5 for parking and 20 for building; 0 if abutting an alley	See 27-408.E for through lots.
B.	PARKING SITING		
8	Surface or Accessory Parking Yard Location & Configurations	Rear, limited side yard, limited front yard	See 27-1802.B for explanation of allowed parking configurations.
9	Permitted Driveway Access Location Permitted Garage Entry Facade Location	See 27-1305 for driveway access locations. Rear, side, or street-side facade	
10	Parking Location within Building	Allowed fully in any basement and behind required occupiable building space of all other stories	See Occupiable Building Space regulation below in 11.
11	Occupiable Building Space along Front Facade, Minimum Depth (feet)	20 all full-story floors; not required in any basement or half story	See 27-1800 for definition of Occupiable Building Space.
C.	HEIGHT		
12	Overall Stories: Maximum Height (stories)	2.5	
13	All Stories: Minimum Height (feet) Maximum Height (feet)	9 12	Stories are measured floor to floor.
D.	WINDOWS, DOORS, ROOFs		
14	Window & Door Coverage: All Stories Front Facades (%)	15 minimum per story	Blank wall limitations apply to front facades per 27-1800.
15	Number of Front Façade Entrances	One principal entrance per every 120 feet of front façade	See 27-403.K for Front Entrance regulations.
16	Permitted Roof Types	Parapet, pitched; tower permitted	See 27-1800 for definition of roof types and exception for other allowed roof types.

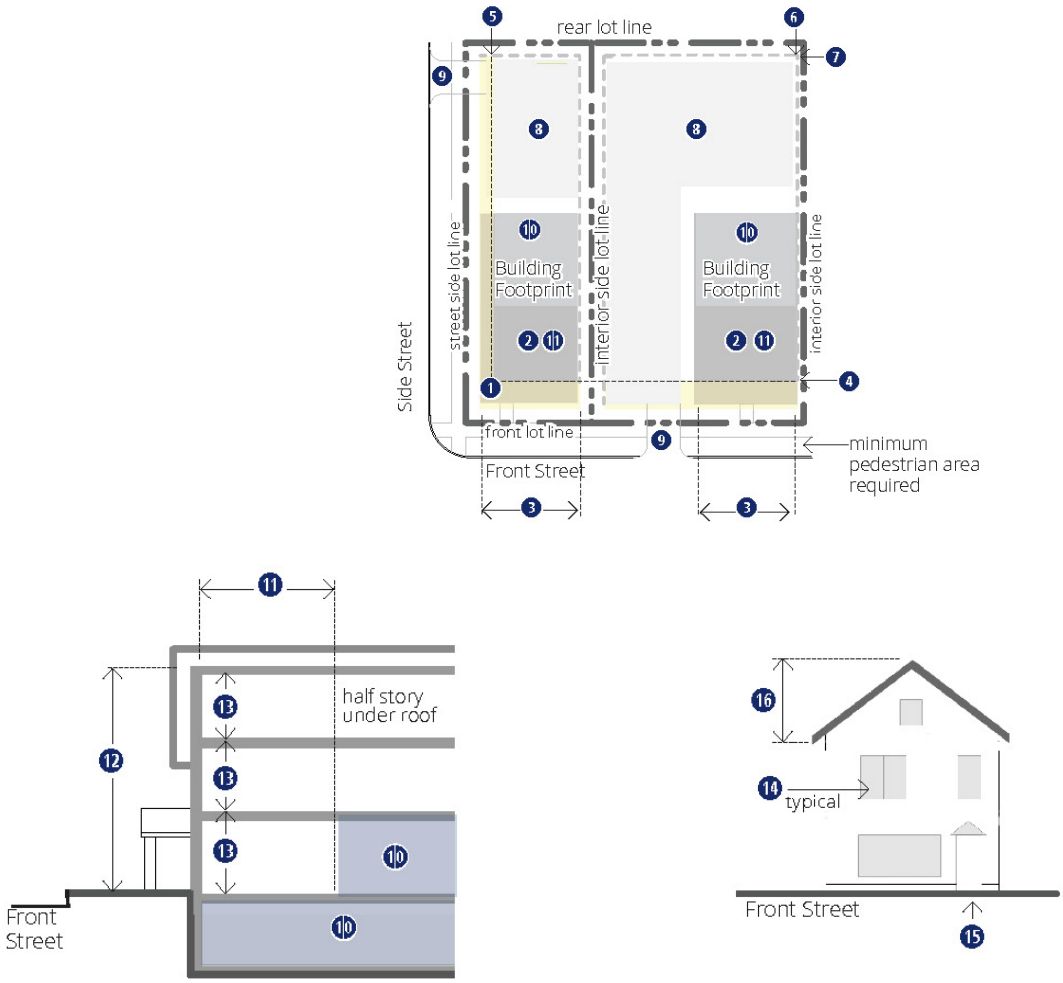


Figure 27-400(5). NO district diagrammatic plans and elevations.

E. Supplemental Regulations

1. Minimum Pedestrian Frontage. When any front or corner property line is within 8 feet or less of the back of curb, the build-to zone shall be measured from 8 feet off the back of curb to allow adequate pedestrian area.
2. Through Lots. Refer to 27-403.H.4.

The following site and structure regulations apply to any lot in the CX districts. Refer to 27-403 for general regulations applicable to all districts and Table 27-400.6, below, for regulations specific to this district, keyed to illustrations in Figure 27-400(6). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-400-6. SITE & STRUCTURE REGULATIONS

A.	BUILDING SITING		REFERENCES
q	Maximum Building Coverage (%)	50	
w	Front Setback (feet)	20 minimum	See 27-403.K for arterial setback regulations
e	Street-Side Setback (feet)	10 minimum	
r	Side Setback (feet)	0; 10 minimum if abutting N, NX or RMH district	
t	Rear Setback (feet)	10 minimum ; 0 if abutting an alley	
B.	PARKING SITING		
y	Surface or Accessory Parking Yard Location	Side or Rear	
u	Loading Location	Rear, Interior Side	
i	Permitted Driveway Access Location	See 27-1305 for driveway access locations.	
C.	HEIGHT		
o	Overall: Maximum Height (feet)	60	

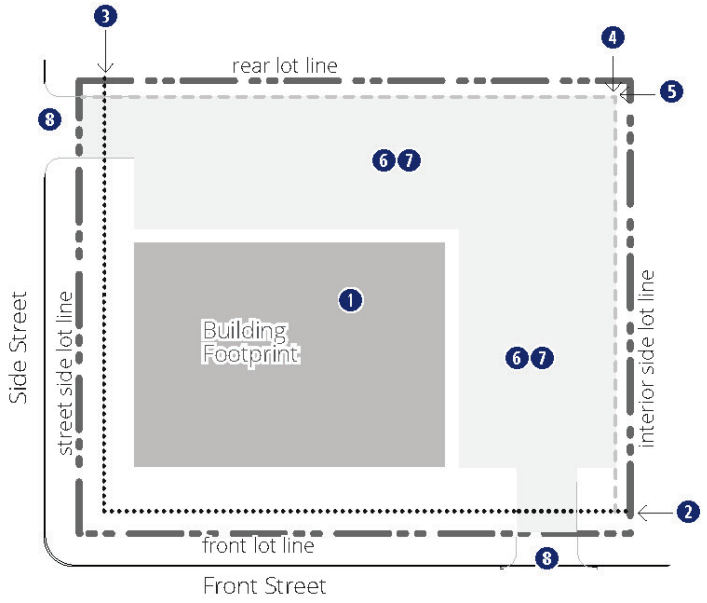


Figure 27-400(6). CX district diagrammatic plan.

D. Supplemental Regulations

1. [reserved].

Article 27-500 PUBLIC DISTRICTS

SECTION 27-501 PUBLIC DISTRICT DESCRIPTIONS

Public districts are intended to identify and allow for the establishment of public, quasi-public, and civic uses in the community.

A. P1: PARKS AND OPEN SPACE

The P1 district is intended to protect and preserve open spaces that are held in either public or private ownership. P1 districts may include parks, open spaces, trails, wetlands, floodplains, environmentally sensitive areas, and unique habitats and landscapes. To preserve access to clean air, pure water, natural recreation areas, and scenic natural beauty, the subdivision and development of land is restricted in P1 districts.

B. P2: PUBLIC, CIVIC, AND INSTITUTIONAL, SMALL

The P2 district is intended to be used for small-scale civic and community service structures and uses, such as religious assembly, public safety facilities, and schools, within either a neighborhood or commercial setting. A maximum of two principal buildings are permitted per lot in a P2 district.

C. P3: CAMPUS

The P3 district is intended for public and civic uses involving multiple structures that are developed in a campus-like environment. P3 zoning is available for medical campuses, educational campuses, and civic campuses with three or more principal buildings.

SECTION 27-502 REGULATIONS APPLICABLE TO ALL PUBLIC DISTRICTS

All buildings must comply with the general regulations and the specific regulations per each district, unless otherwise expressly stated in this code.

A. ALLOWED USES

1. Primary Uses

Permitted primary and accessory uses allowed in public districts are designed on the following tables.

(a) Table 27-1000.1: Primary Use Table

(b) Table 27-1000.2: Permitted Accessory Uses

B. PERMANENT STRUCTURES

All buildings constructed in any Public District must be permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise expressly stated in this code.

C. APPLICABLE SITE DEVELOPMENT REGULATIONS

In addition to the district-specific site development standards, development in the Public Districts is required to comply with the site development standards in Articles 27-1200 (Landscaping), 27-1300 (Off-Street Parking) through 27-1400 (Signs) .

SECTION 27-503 P1: PARKS AND OPEN SPACE

A. SITE AND STRUCTURE REGULATIONS

Development shall be reviewed through Section 27-16__, Site Plan Review.

B. DISTRICT-SPECIFIC REGULATIONS

[Reserved]

SECTION 27-504 P2: PUBLIC, CIVIC, AND INSTITUTIONAL; P3 CIVIC CAMPUS, P3 MEDICAL CAMPUS, AND P3 EDUCATIONAL CAMPUS

The following site and structure regulations apply to any lot in a P2 or P3 district.

A. PRIMARY BUILDINGS

1. P2: A maximum of two primary buildings per lot are permitted in a P2 district.
2. P3: A minimum of three primary buildings per lot are required for P3 zoning.

B. SITE DIMENSIONAL STANDARDS

Development along exterior lot lines that face, are adjacent to, or within 150 feet of different zone districts (i.e., not P2 or P3) shall comply with the following exterior dimensional standards, as further described below the table:

Table 27-500.1: P2 and P3 Site Dimensional Standards

Standard	Adjacent Zone Districts		
	Column 1 N1-3, NX1-3, or RMH	Column 2 NO, NMU, CMU1, CMU2, DX, CX	Column 3 Mixed Adjacent Districts
Build-to/Setback (feet)			
Front build-to zone	8-20	5-15	Standards from larger-scale district; 27-504.B.1(c).
Street side build-to zone	5-15	5-10	
Side setback	10	10	
Rear setback	10	10	
Maximum Height (feet)			
Primary building(s)	35	50[1]	
Accessory building(s)	27	27	
Permitted Exceptions	27-504.B.2	27-504.B.2	27-504.B.2
Notes	[1] Step-backs required when adjacent to N, NX, or RMH; see 27-400		

1. Front Build-To Zone and Setback Standards

The front built-to zone and side and rear setback standards for lots in a P2 or P3 district shall be determined by adjacent zone districts as follows:

(a) Adjacent N1-4 or NX1-3 Districts. Where the primary frontage of a lot zoned P2 or P3 is adjacent to N1-4 or NX1-3 on all sides of the frontage, development on the P2 or P3 lot shall meet the standards of Table 27-500.1, Column 1.

(b) Adjacent NO, NMU, CMU, or DX Districts. Where the primary frontage of a lot zoned P2 or P3 is adjacent to NO, NMU, CMU, DX, or CX districts on all sides of the frontage,

development on the P2 or P3 lot shall meet the standards of Table 27-500.1, Column 2.

(c) Where the primary frontage of a lot zoned P2 or P3 is adjacent to different zone districts on any side of the frontage (as measured on the same side of any public street), development on the primary frontage of the P2 or P3 lot shall comply with the standards for the larger-scale adjacent district. For example, a lot with a west-facing primary frontage that has CMU1 zoned property to the north and NX3 zoned property to the south shall be developed according to the CMU1 site and structure regulations.

2. Maximum Height Exceptions

The height limitations in Table 27-500.1 may be exceeded as follows:

(a) The maximum height limit shall not apply to spires, belfries, cupolas, antennas, water towers or tanks, chimneys or smokestacks, power transmission lines, cooling or elevator towers, or similar and necessary appurtenances not used for human occupancy.

(b) Structures permitted in P2 or P3 districts may exceed the height limitations of the district if the minimum depth of the front, side and rear yard setbacks are increased two feet for every one foot by which the structure exceeds the height limitation of the district. This allowed height shall not exceed two times the allowed height in the zoning district in which it is located except by approved variance.

3. Applicable District-Category Regulations

(a) P2 lots developed according to N1-4 or NX1-3 district standards shall also comply with Section 27-303, Regulations Applicable to All Neighborhood Districts, except for Section 27-303.J, Front Entrances.

(b) P2 lots developed according to CBD, DX, CMU1, CMU2, NMU, or NO district standards shall also comply with Section 27-403, Regulations Applicable to All Commercial and Mixed-Use Districts, except for Section 27-403.J, Front Entrances.

4. Parking Location

New surface parking shall be located interior to the campus, defined as at least 150 feet from any required build to or setback line at the exterior boundary of the district.

ARTICLE 27-600 INDUSTRIAL DISTRICTS

SECTION 27-601 INDUSTRIAL DISTRICT DESCRIPTIONS

Industrial districts are intended for the location of structures, uses, and activities that produce goods from extracted and raw materials or from recyclable or previously prepared materials, including the design, storage, distribution, and handling of these products and the materials from which they are produced. Research and technology uses and services are appropriate in industrial districts along with support offices and services.

A. I1: LIGHT INDUSTRIAL

The light industrial zone is intended to accommodate a variety of business, warehouse, and light industrial uses related to wholesale plus other business and light industries. Low intensity light industrial development can be compatible with adjacent commercial zones. I1 zoning should provide locations directly accessible to arterial and other transportation systems that can conveniently serve the business and industrial centers of the city and county.

B. I2: HEAVY INDUSTRIAL

This district accommodates larger or more intensive manufacturing and distribution facilities and related support services. Heavy industrial sites will have ready access to necessary utilities and at least two or more major transportation routes. Characteristics of the uses in this district may include outdoor storage areas, truck traffic, production of goods from raw materials, and multiple worker shifts. Some may involve large structures on large parcels.

SECTION 27-602 REGULATIONS APPLICABLE TO ALL INDUSTRIAL DISTRICTS

All buildings must comply with the general regulations and the specific regulations per each district, unless otherwise expressly stated in this code.

A. ALLOWED USES

Allowed uses are provided in Section 27-1000.

B. EXISTING BUILDINGS

Existing buildings are not required to meet these regulations except as defined in Section 27-1100, Proportionate Compliance.

C. SITE ACCESS FOR LOTS

Access to industrial uses must be from any public or approved private street right-of-way.

D. APPLICABLE SITE DEVELOPMENT REGULATIONS

Development in the industrial districts is required to comply with the site development standards in Articles 27-1200 (Landscaping), 27-1300 (Parking) through 27-1400 (Signs).

E. ACCESSORY STRUCTURE AND USE REGULATIONS

Accessory structures are subject to Section 27-1000, except as defined in the district-specific regulations.

F. INDUSTRIAL USES LOCATED ADJACENT TO NEIGHBORHOOD AND RESIDENTIAL USES

All industrial districts and uses located within 50 feet of any neighborhood residential zoning district, including a planned development that allows residential use, shall comply with these site development standards:

1. All buildings in excess of 30 feet in height shall be setback a minimum of 30 feet from a property line that adjoins a residential zone and a minimum of 10 feet from a property line that parallels but does not adjoin a residential zone.
2. All outdoor lighting, with the exception of signage, shall have full cutoff shields so no part of the fixture or lens projects below the cutoff shield. Light pole standards must be 15 feet in height or less. Height includes the fixture, the base and the supporting pole.
3. Mechanical equipment, including but not limited to air conditioning units, air-handling units, back-up power generators, installed at ground level or on a roof must be fully screened from view. The screening shall be at least the height of the mechanical equipment. Mechanical equipment that generates or expected to generate noise in excess of 55 decibels within three feet of the equipment location must provide sound abatement or suppression, which may require the equipment to be enclosed in a structure.
4. Loading docks, if necessary or required by the operation, must be located the farthest distance practicable from the residential zone. However, if the property adjoins an arterial street, the loading dock must be set back far enough such that no trucks will be loading, unloading, or backing within the street. Loading shall be done from alleys when possible.
5. Outdoor storage of merchandise or equipment must be within an area enclosed with a sight-obscuring fence at least six feet in height that is architecturally coordinated in color and design with the building. Vehicle sales lots and plant materials may be displayed outside of an approved building or enclosed area so long as they are on the same site wherein the business displays the bulk of its goods for sale. Outside promotional displays are allowed during business hours only.
6. No fascia of a building or canopy may be internally illuminated.
7. No signs may be placed on a building wall that parallels a residential zone. No freestanding advertising signs may be placed within 30 feet of a property line that adjoins a residential zone or within 10 feet of a property line that parallels a residential zone.
8. No outdoor waste storage on the commercial or industrial property shall be located within 30 feet of a property line that adjoins a residential zone or within 10 feet of a property line that parallels a residential zone. This requirement shall not apply where the property is separated from a residential zone or residential use by an alley or street. All on-site solid waste storage shall be located within an area enclosed with a solid, masonry wall that is architecturally coordinated in color and design with the building.
9. No outdoor announcement system or music system, whether permanent or temporary, is allowed.
10. Existing developments that do not conform to one or more of these development standards, will follow the regulations as stipulated in Section 27-1100, Proportionate Compliance.

G. ARTERIAL SETBACKS

1. No building or structure shall be erected or maintained within 50 feet of the centerline of an arterial street. In addition, no required parking area or portion thereof, including driving aisles, shall be constructed or located within 40 feet of the centerline of an arterial street. Any new construction that increases the number of required off-street parking spaces,

must locate these additional required parking spaces in areas that comply with these locational standards.

2. Approved signs and public use controls and systems, trees trimmed up eight feet and canopies with at least eight feet clearance, shall be permitted in this setback area. For the purpose of this subsection, canopies shall be defined as covers that are solely attached to and supported by the structure on which it is attached to and which can be removed without destroying any part of that supporting structure. This shall only apply to canopies attached to the principal structure.

3. The designation of a street as an arterial shall be recommended by the city engineer, or in conformity with the most recent urban transportation plan.

H. OUTDOOR MERCHANDISE DISPLAY

Bufferyards and required landscaping shall not be used for the displaying of merchandise.

SECTION 27-603 INDUSTRIAL SITE AND STRUCTURE REGULATIONS

A. I1: LIGHT INDUSTRIAL DIMENSIONS

Development in Light Industrial district shall comply with the following:

TABLE 27-600.1 SITE AND STRUCTURE REGULATIONS

Minimum Lot Area (square feet)	N/A
Required Setbacks (feet, minimum) [1]	
Front	20
Side	0
Side Adjacent to Street	10
Rear	0
Height (feet, max)	70
Lot Coverage (%, max)	75
Notes:	
[1] Unless otherwise specified in Section 27-602.F.	

B. I1: HEAVY INDUSTRIAL DIMENSIONS

Development in Heavy Industrial district shall comply with the following:

TABLE 27-600.2. SITE AND STRUCTURE REGULATIONS

Minimum Lot Area (square feet)	N/A
Required Setbacks (feet, minimum) [1]	
Front	20
Side	0
Side Adjacent to Street	10
Rear	0
Height (feet, max)	N/A
Lot Coverage (%, max)	75
Notes:	
[1] Unless otherwise specified in Section 27-602.F.	

ARTICLE 27-700 PLANNED DEVELOPMENT

SECTION 27-701 INTENT

A. The intent of planned development zoning is to provide flexible land use and design regulations through the creation of individualized planned developments (PD) that both meet the City's growth policies and provide a specific benefit to the community.

B. It is further intended that each PD zone will be a separate zone, each having differing design criteria to provide for the uses and improvements based on its particular site-specific situation.

C. A PD zone is intended to replace the previous zoning classification of the subject property. Areas rezoned in accordance with this chapter shall be designated with a distinct name in reference to the owner or place. For example, Willowbrook or Shiloh Village are distinct PD names.

D. The PD zoning district is unique among the zoning districts in that it allows zoning and/or site development standards to be "customized" to fit its particular site and/or development situation. With due consideration of public health, safety, and the general welfare, the city council can approve a PD that permits greater or lesser standards in such areas as use, bulk, height, parking, signage, landscaping, lot sizes or other elements. This may also include permitting the development of civic or recreational amenities such as religious centers, schools, tennis centers, swimming centers, and other recreational activities such as an equestrian center within the City limits, provided that such an amenity is an integral part of the overall development scheme of the PD. However, these considerations for allowing greater or lesser standards should be balanced within the PD. For example, permitting a wider range of uses in a PD could be approved, in exchange for a greater amount of open space than a similar project, not located in a planned development zone, would be required to provide.

SECTION 27-702 OBJECTIVES

The planned development shall be designed to meet the following objectives:

A. To permit the development of planned industrial, commercial, or mixed-use development zones, while protecting the character and quality of adjacent uses.

B. To permit flexibility in design and use of an individually owned property or a group of separately owned properties to allow for economy, convenience and amenity in development.

C. Preserve, enhance, and retain the existing natural environmental qualities in the landscape such as topographic variation, views, water areas and native vegetation.

SECTION 27-703 APPLICABILITY

A. PD zoning is applicable to parcels of 10 acres or greater.

B. PD zoning is not applicable as a rezoning option in areas zoned N1-3, NX 1-3, NO, NMU, CMU1, CMU2, DX, or EBURD.

C. PD zoning is separate from and may not be used as a substitution for or in conjunction with PND zoning. Any PD project proposals will be evaluated for the applicability of a PND before starting the PD process.

D. PD zoning may not be used to provide a site-specific solution to a single issue that can be resolved through a more appropriate administrative means.

SECTION 27-704 APPLICATION PROCESS

Generally applicable procedures for review and decision on a planned development application are established in Section 27-1600, Administrative Procedures. They are summarized here for applicant convenience.

A. COMMON PROCEDURES CHECKLIST

Planned developments generally require the following steps:

Table 27-700.1: Planned Development

Common Procedure	Section	Required
Key: /R/ Required, /O/ Optional, n/a Not Applicable		
Pre-Application Meeting	**27-1603**	**R**
Neighborhood Meeting	**27-1604**	**R**
Application Submission Meeting	**27-1605**	**R**
Staff Review and Report	**27-1607**	**R**
Public Notice	**27-1608**	**R**
Review and Decision	**27-1610**	**R**

B. PRE-APPLICATION

1. The applicant is encouraged to submit a proposed PD project for conceptual review with City staff. This review is intended to receive input from staff and to indicate any potential problem areas before a formal application is submitted.
2. If the project is required to go through the subdivision review process, it is recommended that this platting process occur concurrently with the PD zone change process.

C. MASTER SITE PLAN

A PD application shall be accompanied by a Section 27-1619, Master Site Plan.

D. NOTIFICATION

Notification shall be provided in the same manner as a Section 27-1628, Zone Change.

SECTION 27-705 DECISION CRITERIA

The city zoning commission and city council shall review the PD proposal against the following criteria to determine whether the development concept demonstrates that the PD has some significant advantages over a standard development allowed under base zoning standards. "Significant advantages" in this context may include, but are not limited to, one or more of the following:

A. The PD is consistent with the provisions of applicable adopted growth policies and any adopted specific plans;

B. The PD protects, preserves, and/or manages areas of significant natural resources beyond the requirements of the base zoning regulations;

C. The general arrangement of proposed uses in the PD better integrates future development into the surrounding neighborhood, either through more compatible street layout, architectural

styles and housing types, or by providing better transitions between the surrounding neighborhood and the PD with compatible development or open space buffers;

D. Areas of open space, their intended levels of use, and their relationship to other proposed uses in the PD provide enhanced opportunities for community gathering areas;

E. The PD features outstanding site design and construction; such as enhanced architectural design and materials; best management practices for on-site storm water management, green building materials, water and energy efficiency, and/or horticultural activities;

F. Site design in the PD will create a diverse neighborhood with a mix of housing choices; and

G. The PD features enhanced opportunities for walkability or transit ridership, including separated parking bays, off street walking paths, shorter pedestrian routes than vehicular routes, linkages to or other provisions for bus stops, etc.

SECTION 27-706 ZONING COMMISSION ACTION

The city zoning commission shall review and hold a public hearing on the PD zone change and make a recommendation to the city council on the zone change, In addition, the city zoning commission shall also make a recommendation to the city council on the master site plan.

SECTION 27-707 CITY COUNCIL ACTION

The city council shall review, hold a public hearing and take action on the PD zone change per Section 27-1628. In addition, the city council shall also take action on the master site plan.

SECTION 27-708 MODIFICATIONS

Any major modification of the approved development plan requested by the applicant shall be processed using the same procedures for a new application. Minor modifications shall be requested through Section 27-1614, Administrative Relief.

SECTION 27-709 PRE-EXISTING PLANNED DEVELOPMENTS

PD zoning that predates the adoption of this Zoning Code (Pre-Existing PD) shall conform to the following requirements:

A. Pre-Existing PDs may not be expanded unless the existing district plus the expansion will meet the 10-acre minimum size requirement.

B. Where the terms of a Pre-Existing PD are silent as to a specific aspect of development, the provisions of this Zoning Code apply. An applicant may seek a zoning code interpretation to determine relevant standards.

C. Modifications to a Pre-Existing Planned Development shall be processed using the same procedure as that for a new PD application unless a specific procedure was agreed to and memorialized as part of the original PD adoption.

ARTICLE 27-800 PLANNED NEIGHBORHOOD DEVELOPMENT

SECTION 27-801 GENERAL

A. INTENT

These regulations are intended to allow large and medium sized parcels to use a set of design elements and a combination of zone districts that produces a walkable, sociable, and resilient urban design.

B. APPLICABILITY

1. Annexed Land. All undeveloped parcels equal to or greater than 3 acres requesting annexation into the City must meet these PND regulations, submitting the PND application concurrent with the annexation request. City of Billings public services, including, but not limited to, water and sewer, are required. Developed parcels and parcels designated as a P district in their entirety are not subject to this requirement.
2. Optional Applicability. Any parcels equal to or greater than 3 acres within city boundaries and with City of Billings' public services, including, but not limited to, water and sewer, may follow these PND regulations.
3. For the purposes of PND review, in addition to other requirements, the following shall be shown on the site plan:
   (a) All abutting land owned or under contract for purchase by owners of the subject property;
   (b) All abutting undeveloped parcels for which site plans or subdivision plats have been approved or submitted for approval to any governmental body; and
   (c) All actual or planned transportation facilities including without limitation streets, trails, bikeways, pedestrian ways, alleys, half-streets and similar motorized or non-motorized transportation facilities.
   (d) All actual or planned water, wastewater, storm water or public utility facilities, corridors or services.
4. A PND shall be submitted and approved in whole as a zone change on the parcel but subdivision, building siting, and construction may occur as separate and distinct phases and approvals.
5. Refer to section 27-1628 for zone change procedures.

SECTION 27-802 ZONING DISTRICTS

Planned Neighborhood Developments (PNDs) shall include a mix of multiple zoning districts as a neighborhood development plan (site plan). The mix of zoning districts is determined by the type of PND the developer intends to build. The selection of a PND is guided by an adopted growth policy plan, preferred land use plan, neighborhood or area plan, or other city adopted land use, development, transportation or similar plans and policies.

A. DETERMINATION OF PND TYPE

1. Table of PND Types. Refer to Table 27-800.1 for available types of PNDs. The applicant must choose only one type of PND. The Town Center PND, described below but not included in Table 27-800.1, is only permitted in the Lockwood area of Yellowstone County.
2. Multiple PND Types. The applicant must meet the regulation for one type of PND, except as follows:
   (a) For all sites up to 10 acres, only one of the PND types will be allowed on the site.
   (b) For developments over 10 acres, multiple PND types are allowed as long as at least 10 acres is applied to any one type. The PND plan must show boundaries for each PND type.

Table 27-800.1. Types of Planned Neighborhood Districts

Required Min. Acres	Types of PND	Zoning Districts: CMU1	CMU2	NMU	NO	NX1	NX2	NX3	N1	N2	N3	RMH	P1	P2	P3
3	**Mixed-Use MU PND** (City or County)	**R**	L	P	P	P	P	L	P	P	-	P	**R**	P	P
	Min. % of gross acres	10											5		3 buildings
	Max. % of gross acres	30		15	15			8							
3	**Mixed Residential MR PND** (City or County)	-	-	L	P	**R**	P	P	P	L	-	P	**R**	P	P
	Min. % of gross acres					25							10		
	Max. % of gross acres			10						20					
3	**Neighborhood N PND** (City or County)	-	-	L	L	L	L	-	**R** (mix of all 3 districts)			P	**R**	P	P
	Min. % of gross acres								5	20			10		
	Max. % of gross acres			10	10	20	20				50				

R = *Required.* Refer to specific development type regulations in section 27-802.

P = Allowed or *permitted.* Refer to specific development type regulations in section 27-802.

L = Allowed but *limited* per Table 27-800.1 or specific development type regulations in section 27-802.

- = Not allowed or permitted per specific development type regulations in section 27-802.

Table Notes:

All numeric values are percentages of the actual gross parcel area.

B. GENERAL LAYOUT OF NEW DISTRICTS

1. Location of CMU Districts

(a) CMU2 districts shall be located within 660 feet of an arterial or collector streets and not adjacent to or sharing a property line with any existing City or County N, RR, RMH, RMH-R, or A district.

(b) CMU1 districts shall be located within 1,320 feet of an arterial or collector street intersection and must be separated from any existing City or County N, RR or A district by a public street or alley.

(c) CMU districts areas shall be uninterrupted and continuous.

2. General Layout of PND Districts

(a) The same districts shall face each other across streets, including existing districts. This requirement excludes existing Yellowstone County zone districts RR, A, RMH, RMH-R, or N4. Similar districts within the same district category (e.g., NX1 and NX2 districts) may be located adjacent to or across the street from the new districts.

(b) More intense uses located on blocks with less intense uses shall be located on block ends.

(c) Changes in districts shall generally occur at a rear lot line, at an alley, or at corner parcels.

(d) N1, N2, and N3 districts shall not be located along arterial streets.

3. Minimum District Mix Regulations.

(a) Each type of Planned Neighborhood Development has required zoning districts.

(b) Zoning district area minimums and maximums are set as a percentage of the total land area.

(c) Variations from the minimum or maximum of up to two percent are allowed. Deviations greater than two percent will require a Variance approval from the Board of Adjustment.

C. TOWN CENTER PLANNED NEIGHBORHOOD DEVELOPMENT (TC-PND)

Town Center PNDs are required to provide at least three zone districts in addition to the P1 district as shown in Table 27-800.1. Refer to Table 27-800.1 for the allowed zoning districts available for use in the TC-PND.

1. CMU and NMU District. A maximum of 60% of the total TC-PND area may be designated for these zones.
2. CMU2 District. A maximum of 10% of the total TC-PND may be designated as a CMU2 zone.
3. N District. One NX1 district is required for each TC-PND. Additional N districts may be designated.

4. Additional Districts. A P3 zone must accommodate at least three buildings within the designated area. A P3 zone may not be greater than ten percent of the TC-PND area.

D. MIXED-USE PLANNED NEIGHBORHOOD DEVELOPMENT (MU-PND)

Mixed-Use PNDs are required to designate a minimum amount of CMU1 district with other permitted districts, in addition to the P1 district as shown Table 27-800.1. Refer to Table 27-800.1 for the allowed zoning districts available for use in the MU-PND.

1. CMU, NMU, or NO District. A maximum of 60% of the total MU-PND area may be designated for these zones.
2. CMU2 District. When at least 2 acres of CMU1, NMU, and/or NO district area is designated, a CMU2 district is permitted, so long as all the CMU, NMU and NO area is less than or equal to 60% of the total MU-PND area. All CMU2 districts must be within 660 feet of an arterial or collector street intersection.
3. Additional Districts.
   (a) Minimum Required Residential Mix. With more than five acres of residential districts, at least one NX districts shall be designated.
   (b) NX3 districts shall be limited to no more than eight percent of the total MU-PND area.
   (c) All P3 zones must accommodate at least three buildings within the designated area.
4. Other Districts. Other districts are allowed per Table 27-800.1.
5. P1 Districts. Public and private open space types required in section 27-803 must be zoned P1.

E. MIXED RESIDENTIAL PLANNED NEIGHBORHOOD (MR-PND)

Mixed Residential PNDs are required to provide one NX1 zone district in addition to the P1 district as shown in the locational requirements of Table 27-800.1. Refer to Table 27-800.1 for the allowed zoning districts available for use in the MR-PND.

1. NX District. A minimum of 25% of the MR-PND area must be zoned NX1.
2. A maximum of eight percent of the MR-PND area may be zoned NX3.
3. NMU District. The NMU district is limited to nodes at local street intersections up to ten percent of the MR-PND area.
4. N2 districts are limited to no more than 20% of the MR-PND area.
5. P1 Districts. Public and private open space types required in section 27-803 must be zoned P1.
6. Additional Districts.
   (a) With more than five acres of residential districts, at least one of the following districts must be included with a minimum area of at least 1/2 acre of development: NX2, or NX3 districts.

F. NEIGHBORHOOD PLANNED NEIGHBORHOOD (N-PND)

Neighborhood PNDs are required to provide two zone districts in addition to the P1 district as shown in Table 27-800.1. Refer to Table 27-800.1 for the allowed zoning districts available for use in the N-PND.

1. NMU District. The NMU district is limited to nodes at local street intersections and may be up to 10% of the total N-PND land area. No more than four local street intersections shall have an NMU zone district designated on two or more block ends.
2. NO District. The NO district may be designated at local street intersections and may not exceed 10% of the N-PND land area.
3. Additional Districts.
   (a) For all developments, at least two N districts shall be designated.
   (b) For developments over 40 acres, at least one NX district shall be designated and may not exceed 20% of the total N-PND area.
   (c) A maximum of 50% of the land area may include land designated as an N3 district with lot sizes over 15,000 square feet.
4. P1 Districts. Public and private open space types required in section 27-803 must be zoned P1.

SECTION 27-803 PRIVATE OPEN SPACE REQUIREMENTS

All PNDs must provide open space to ensure the walkability, sociability, and safety of residents and visitors.

A. NATURAL FEATURES

Where significant tree canopy or natural feature exist on the site, the open space shall be located in order to preserve the maximum amount of the existing trees or natural feature and maximize buffers from waterways and natural features.

B. TYPES OF OPEN SPACE

The following types of open space are required based on the type of PND selected.

1. The Town Center and Mixed Use PNDs are required to provide one of the following:
   (a) Plaza. A plaza must be at least 10,000 square feet in area and share street frontage with a CMU, NMU or P2 zone district. A plaza may provide areas for seasonal shopping or similar community activities. A plaza may be used to meet the required minimum dedication of open space for a subdivision within the TC-PND or MU-PND zone district. A plaza will be developed with landscaping and pedestrian facilities throughout.
   (b) Square. A square is similar to a plaza except it is surrounded by street frontage on all sides. A square must be at least 10,000 square feet in area and must be developed with landscaping and pedestrian facilities throughout. A square may be used to meet the required minimum dedication of open space for a subdivision within the TC-PND or MU-PND zone district.

2. The Mixed Residential and Neighborhood PNDs are required to provide one or more of the following:
   (a) Parklet. A parklet is a landscaped open space with a minimum 70% living plant material and a minimum of 20,000 square feet in area, with at least 100 feet of street frontage.
   (b) Green. A green is a larger, landscaped space, a minimum of one acre in size, with at least 200 feet of street frontage.
   (c) Natural area. A natural area is a large area, a minimum two acres in size, defined to conserve a natural feature, such as a stream, wetland or woodland. At least 50 feet of street frontage is required for a natural area.
3. All of the above required open space may be counted towards the minimum required dedication of open space for a subdivision within the Mixed Residential or Neighborhood PND zone districts.

C. P1 DISTRICT DESIGNATION

The open space must be zoned with the P1 zoning district.

D. TRAILS

New trails and trail connections shall be provided through and within the site, and any existing trails surrounding the site shall be continued through the PND, in accordance with the city open space and trail plans and master transportation plan, or as otherwise required.

SECTION 27-804 BLOCKS

Each development shall contribute to an interconnected system of streets and blocks as required by the city subdivision regulations in addition to the following requirements. Streets shall be located to result in the following block regulations.

A. MAXIMUM BLOCK FACE LENGTH

1. For CMU districts, the maximum block face length between street intersections shall be no more than 660 feet in length.
2. For all districts other than CMU, maximum block face length shall be no more than 800 feet.

B. MAXIMUM BLOCK PERIMETER

The maximum perimeter of any block shall be 2,200 feet.

C. CONNECTIVITY

1. Streets shall connect and continue existing or planned streets from adjoining areas.
2. Block faces at the maximum length above require pedestrian access at mid-block points to ensure walkability. Pedestrian access or walkways may be incorporated as a dedicated alley or as an easement between lots.

ARTICLE 27-900 EBURD

SECTION 27-901 EAST BILLINGS URBAN REVITALIZATION DISTRICT

A. PURPOSE

The purpose of the East Billings Urban Revitalization District (EBURD) zoning districts and requirements is to provide standards for development as called for in the East Billings Urban Revitalization District Master Plan, adopted by the city in July 2009. The zoning districts are intended to allow existing uses to continue while integrating new mixed use and residential development appropriately with form-based regulations.

This code will be reviewed and modified as needed on an annual basis by the Billings Industrial Revitalization District, Inc. and the city.

B. EBURD ZONING DISTRICTS

The areas and boundaries of the districts listed below are hereby established to scale as shown on the map entitled Billings Urban Zoning Jurisdiction, available at the City offices.

1. EBURD RSV: Rail Spur Village District

The Rail Spur Village District is intended to create a walkable neighborhood focused on residential uses with associated green spaces and commercial businesses with the appropriate form.

2. EBURD RSVMS: Rail Spur Village Main Streets District

The Rail Spur Village Main Streets include the extension of the Montana Avenue into the EBURD as well as the North 20th Street corridor from Montana Avenue to 6th Avenue North. This district is intended to create continuous, walkable, shopping and dining corridors with upper floor residential and office uses.

3. EBURD CW: Central Works District

The Central Works District is intended to allow a flexible mix of uses, including commercial and light industrial uses.

4. EBURD 13th: North 13th Street Main Street District

The North 13th Street Main Street is intended to provide a walkable, shopping and dining corridor with upper floor office and residential adjacent to the Central Works and Industrial Sanctuary districts, while allowing appropriate craftsman industrial and commercial businesses.

5. EBURD IS: Industrial Sanctuary District

The Industrial Sanctuary district is intended to allow a wide mix of industrial businesses within the area with limited form requirements.

C. SUSTAINABLE DEVELOPMENT MEASURES

1. Generally

The following sustainable development measures process shall be addressed by all developments in the EBURD districts.

(a) Requirements. The applicant shall achieve no less than five total points from any combination of the following sustainable development measures. No partial points will be accepted.

(b) Documentation. The applicant shall submit supporting documentation detailing how the development will achieve the measure in practice, on the site where it is proposed.

(c) Review and approval. Documentation on which measures and total number of points the applicant will achieve shall be indicated on the building permit application submitted to the city for review and approval.

2. Certified Green Buildings Measure (3 points)

(a) Action: Certify a new construction building or building undergoing major renovations through a green building rating system requiring review by an independent, third-party certifying body and approved by the zoning coordinator.

(b) Value. This measure earns the applicant three (3) points.

(c) Documentation. Required documentation includes registration of the project with the system, payment of all applicable fees for the rating system, and a draft scorecard showing the achieved credits or points.

3. Building Energy Efficiency Measure (2 points)

(a) Action

(1) New construction buildings. Newly constructed buildings must demonstrate an average 10 percent improvement over the energy code currently in effect in the city.

(2) Major renovation. Building must demonstrate an average five percent improvement over ANSI/ASHRAE/IESNA Standard 90.1- 2007.

(b) Value. This measure earns the applicant two points.

(c) Documentation. Required documentation includes an energy model demonstrating that the building(s) will achieve the proposed improvements.

4. Building Water Efficiency Measure (2 points)

(a) Action: Indoor water use in new buildings and major renovations must be an average 20 percent less than in baseline buildings. Utilize the baseline water usage for fixtures per the Energy Policy Act of 1992 and subsequent rulings by the United States Department of Energy or a similar method approved by the zoning coordinator.

(b) Value. This measure earns the applicant two points.

(c) Documentation. Required documentation includes cut sheets for all water fixtures.

5. Water-Efficient Landscaping Measure (2 points)

(a) Action: Reduce potable water used for landscape by utilizing all xeriscape plant materials and providing no permanent irrigation system or using only captured rainwater with an irrigation system.

(b) Value: This measure earns the applicant two points.

(c) Documentation: Required documentation includes a landscape and irrigation plan, illustrating the system.

6. Renewable Energy Sources Measure (2 points)

(a) Action: Incorporate renewable energy generation on-site with production capacity of at least five percent of the building's annual electric and thermal energy, established through an accepted building energy performance simulation tool.

(1) The following renewable energy generation sources are applicable:

a. Solar thermal or photovoltaics.

b. Wind.

c. Geothermal.

(b) Value. This measure earns the applicant two points.

(c) Documentation. Required documentation includes specifications and construction details for the installation of the system.

7. Green Roof Measure (2 points)

(a) Action: Install a vegetated roof for at least 50 percent of building roof area.

(b) Value: This measure earns the applicant two points.

(c) Documentation. Required documentation includes roof construction plans with drainage and planting details.

8. Heat Island Reduction Measure (2 points)

(a) Action: Use any combination of the following strategies for 35 percent of all on-site, non-roof hardscape areas, including sidewalks, plazas, courtyards, parking lots, parking structures, and driveways.

(1) Tree canopy cover. Coverage of the surface at shade tree maturity in 15 years.

(2) Solar reflective paving and roofing with a SRI (solar reflectance index) of at least 29.

(b) Value: This measure earns the applicant two (2) points.

(c) Documentation: Required documentation includes plans and specifications for installation of the strategy.

9. Pervious Pavement Measure (2 points)

(a) Action: Install an open grid or pervious pavement system that is at least 40 percent pervious on 80 percent of all hardscape surface areas, including sidewalks, plazas, courtyards, parking lots, and driveways.

(b) Value: This measure earns the applicant two points.

(c) Documentation. Required documentation includes plans and specifications for installation of the strategy.

10. Enhanced Bicycle Amenities Measure (1 point).

(a) Action: Inclusion of two of the following:

(1) Lockable enclosed bicycle storage. Provide one secure, enclosed bicycle storage space for 10 percent of planned employee occupancy.

(2) Employee shower facilities. Provide at least one shower facility and one per 150 employees.

(3) Increased bicycle parking spaces. Provide bicycle racks at a rate of one per 5,000 square feet of gross building area, with no fewer than four bicycle spaces per building.

(b) Value: This measure earns the applicant one point.

(c) Documentation: Required documentation includes site and/or building plans locating the measures included.

SECTION 27-902 INTRODUCTION TO FRONTAGE TYPE REQUIREMENTS

The frontage types detailed in section 27-904 outline the required building forms for new construction and renovated structures within the EBURD.

A. APPLICABILITY

The frontage type standards shall be applied to all new construction and exterior renovation of existing structures. Refer to section 27-1100 Proportionate Compliance for more information on the continuation of nonconforming structures.

B. GENERAL REQUIREMENTS

All frontage types must meet the following requirements:

1. **Zoning districts.** Each frontage type shall be constructed only within its designated districts (refer to Table 27-900-1, Permitted Frontage Types by Districts). Permitted frontage types in each zoning district defines which frontage types are permitted in which zoning districts.
2. **Uses.** Each frontage type can house a variety of uses depending on the district in which it is located. Refer to section 27-1000, EBURD uses for general uses permitted per district. Some frontage types have additional limitations on permitted uses.
3. **No other frontage types.** All buildings constructed must meet the requirements of one of the frontage types permitted within the zoning district of the lot.
4. **Permanent structures**. All buildings constructed shall be permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise noted.
5. **Accessory structures.**
   (a) Attached accessory structures are considered part of the principal structure.
   (b) Detached accessory structures are permitted per each frontage type and shall comply with all setbacks except the following:
      (1) Detached accessory structures are not permitted in the front yard.
      (2) Detached accessory structures shall be located behind the principal structure in the street-side yard.
      (3) Detached accessory structures shall not exceed the height of the principal structure and in no case shall be taller than two and one-half (2.5) stories.

Table 27-900-1: Permitted Frontage Types	EBURD Districts Key: P = Permitted, PB = Permitted on Boulevard Street Type Only				
Frontage Types	RSV MS	RSV	CW	N13th Street	IS
Yard Frontage		P			
General Stoop		P	P		P
Storefront	P	P	P	P	P
Limited Bay		P	P	P	P
Commerce			PB		P
Open Frontage					P
Civic Frontage	P	P	P	P	P
Commercial Outdoor Site		PB	P	P	P

SECTION 27-903 ENTRANCE TYPES

Entrance type standards apply to the ground story and visible basement of front facades of all frontage types as defined in this section. Refer to section 27-904 - Frontage Types.

A. GENERAL PROVISIONS

The following provisions apply to all entrance types:

1. **Intent.** To guide the design of the ground story of all buildings to relate appropriately to pedestrians on the street. Treatment of other portions of the building facades is detailed in each frontage type standard (refer to subsections 27-904.A through 27-904.H).
2. **Applicability.** The entire ground story street-facing facade(s) of all buildings shall meet the requirements of at least one (1) of the permitted entrance types, unless otherwise stated.
3. **Measuring transparency.** Refer to subsection 27-1802.D for information on measuring building transparency.
4. **Visible basements**. Visible basements, permitted by entrance type, are optional. The visible basement shall be a maximum of one-half (½) the height of the tallest story.
5. **Storefront Entrance Type (Refer to Figure 27-903(1))**
   The storefront entrance type is a highly transparent ground story treatment designed to serve primarily as the display area and primary entrance for retail or service uses.
   (a) Transparency. Minimum transparency is required per frontage type.
   (b) Elevation. Storefront elevation shall be between zero and one foot above sidewalk.
   (c) Visible basement. A visible basement is not permitted.
   (d) Horizontal facade division. Horizontally define the ground story facade from the upper stories.
   (e) Entrance. All entries shall be recessed from the front facade closest to the street.

(1) Recess shall be a minimum of three feet and a maximum of eight feet deep, measured from the portion of the front facade closest to the street.

(2) When the recess falls behind the front build-to zone, the recess shall be no wider than eight feet.

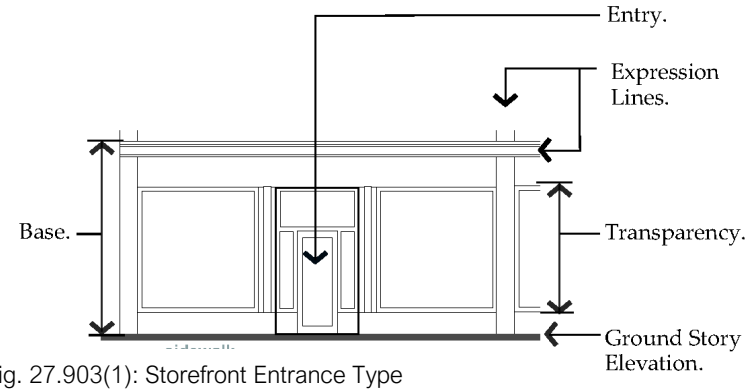


Fig. 27.903(1): Storefront Entrance Type

6. Arcade Entrance Type (Refer to Figure 27-903(2))

An arcade entrance type is a covered pedestrian walkway within the recess of a ground story.

(a) Arcade. An open-air public walkway is required from the face of the building recessed into the building a minimum of eight and a maximum of 15 feet.

(b) Recessed or interior facade. Storefront entrance type is required on the recessed ground story facade.

(c) Column spacing. Columns shall be spaced between 10 feet and 12 feet on center.

(d) Column width. Columns shall be a minimum of 1′-8″ and a maximum 2′-4″ in width.

(e) Arcade opening. Opening shall not be flush with interior arcade ceiling and may be arched or straight.

(f) Horizontal facade division. Horizontally define the ground story facade from the upper stories.

(g) Visible basement. A visible basement is not permitted.

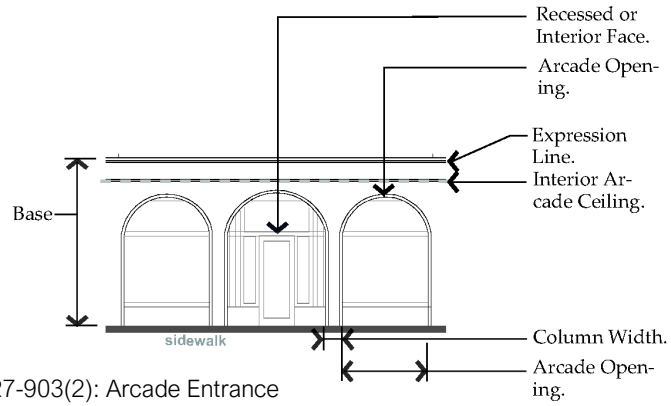


Fig. 27-903(2): Arcade Entrance

7. Stoop Entrance Type (Refer to Figure 27-903(3)).

(a) A stoop is an unroofed, open platform.

(b) Transparency. Minimum transparency is required per frontage type.

(c) Stoop size. Stoops shall be a minimum of three feet deep and six feet wide.

(d) Elevation. Stoop elevation shall be located a maximum of 2′-6″ above the sidewalk without visible basement and a maximum of 4′-6″ above the sidewalk with a visible basement.

(e) Visible basement. A visible basement is permitted and shall be separated from the ground story by an expression line.

(f) Entrance. All entries shall be located off a stoop.

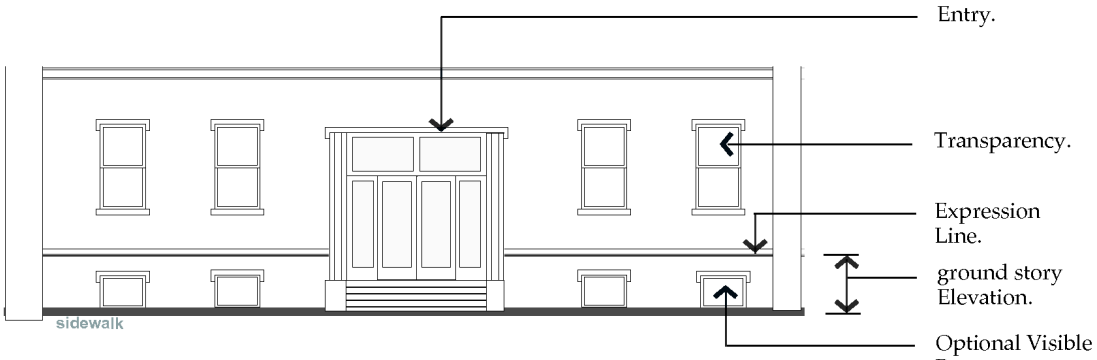


Fig. 27.903(3): Stoop Entrance Type

8. Porch Entrance Type (Refer to Figure 27-903(4))

A porch is a raised, roofed platform that may or may not be enclosed on all sides.

(a) Transparency.

(1) Minimum transparency per frontage type is required.

(2) If enclosed, a minimum of 40 percent of the enclosed porch shall be comprised of highly transparent, low reflectance windows.

(b) Porch size. The porch shall be a minimum of five feet deep and eight feet wide.

(c) Elevation. Porch elevation shall be located a maximum of 2′-6″ above the sidewalk without a visible basement and a maximum of 4′-6″ above the sidewalk with a visible basement.

(d) Visible basement. A visible basement is permitted.

(e) Height. Porch may be two stories to provide a balcony on the second floor.

(f) Entrance. All entries shall be located off a porch.

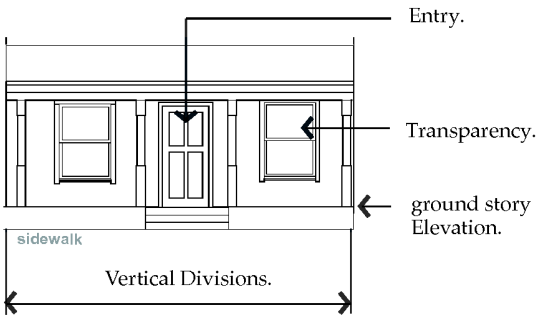


Fig. 27.903(4): Porch Cap

B. STREET FACADE MATERIALS.

The following applies to all facades visible from any street on all frontage types with the exception of the open frontage type.

1. Permitted facade materials. Building materials that are permitted include durable, natural materials such as clay or terracotta tiles, stone, brick, stucco, concrete, and metal. Cast stone is permitted. Painted or stained wood, and burnished and/or split face colored concrete masonry units are permitted as no more than thirty-five (35) percent of street facing facade.
2. Permitted upper story facade materials. In addition to the permitted facade materials defined in subsection 27-903.B.1, exterior insulation and finishing systems (EIFS) is permitted on upper stories.
3. Materials to avoid. Building materials that are discouraged on any street facing facade include imitation materials intended to look like natural materials; sheet materials intended to look like units; and residential grade windows and doors on all frontage types except the yard frontage.
4. Prohibited materials on street facing facades. Building materials that are not permitted on building facades that are visible from any street include bricks more than three and five-eighths (3 5/8) inch in height, and untreated wood.

SECTION 27-904 FRONTAGE TYPES

A. FRONTAGE TYPE: YARD FRONTAGE

The following regulations apply to Yard Frontage Type as allowed in EBURD districts per Table 27-900-1. Refer to 27-902 and 27-903, for general regulations applicable to all frontage types and Table 27-900-2, below, for regulations specific to this frontage type, keyed to illustrations in Figure 27-904(1-3). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-900-2 YARD FRONTAGE REGULATIONS

1. BUILDING SITING		
a. Street Frontage		
Multiple Principal Buildings	Permitted	
Front Lot Line Coverage	65% minimum [1]	A
Build to Corner	Required	
Front Build-to Zone	5′ to 15′	B
Street-Side Build-to Zone	5′ to 10′	C
Right-of-Way Encroachment	None	
b. Buildable Area		
Side Setback	0′, minimum 10′ between buildings or sets of attached units	D
Rear Setback	5′; 0′ with Alley	E
Minimum Lot Width	25′	F
Maximum Lot Width	60′ for single family only; None for attached	
Maximum Building Length	8 attached units	A
Maximum Impervious Coverage Additional Semi-Pervious Coverage	80% 15%	
c. Parking Location, Loading & Access		
Parking Location	Rear Yard	G
Loading Facility Location	None	
Entry for Parking within Building	Rear Facade	
Vehicular Access	From Alley; If no Alley exists, up to one (1) driveway per building or set of attached units [2]	H

Notes:

[1] [1]When townhouses, each attached townhouse unit shall meet all requirements, except one of every five units may front a courtyard with a minimum width of 30′.

[2]For parcels with a street frontage longer than 300′ and no Alley, two (2) driveways are permitted.

2. HEIGHT		
Minimum Overall Height	1 Story; 2 Stories preferred	I
Maximum Overall Height	3 Stories	J
Stories: Minimum Height Maximum Height	9′ 14′	K

3. USES		
All Stories	Residential, General Service, Office only per Art. 27-1000	**L**
Parking within Building	Permitted in the rear of all floors and fully in any basement(s)	**N**
Occupiable Space	30′ depth space on front facade	**O**
Accessory Structures	Permitted per Sec. 27-1000	
4. STREET FAÇADE REQUIREMENTS		
a. Window Coverage		
Minimum Window Coverage	15%, per floor	**P**
Blank Wall Limitations	Required	
b. Building Entrance		
Principal Entrance Location	Front or Corner of Building	**Q**
Entrance Type (refer to Sec. 27-903)	Stoop, Porch	**R**
Street Facades: Number of Entrances	Minimum 1 per building	
Parking Lot Facades: Number of Entrances	Not applicable	
c. Roof Type		
Roof Type (refer to Sec. 27-1802.)	Parapet, Flat, or Pitched	**S**
Tower	One per building allowed	
d. Façade Divisions		
Vertical Increments	No greater than 50′	
Horizontal Expression Line	None required except by Roof Type	
e. Balconies		**T**
Size	Minimum 3′ deep and 5′ wide	
Facade Coverage	Maximum 40% of Front & Street-side Facades, separately	
Access to Balcony	Maximum one (1) dwelling unit	
Structure	Independently secured and unconnected to other balconies; or integral to the Facade	

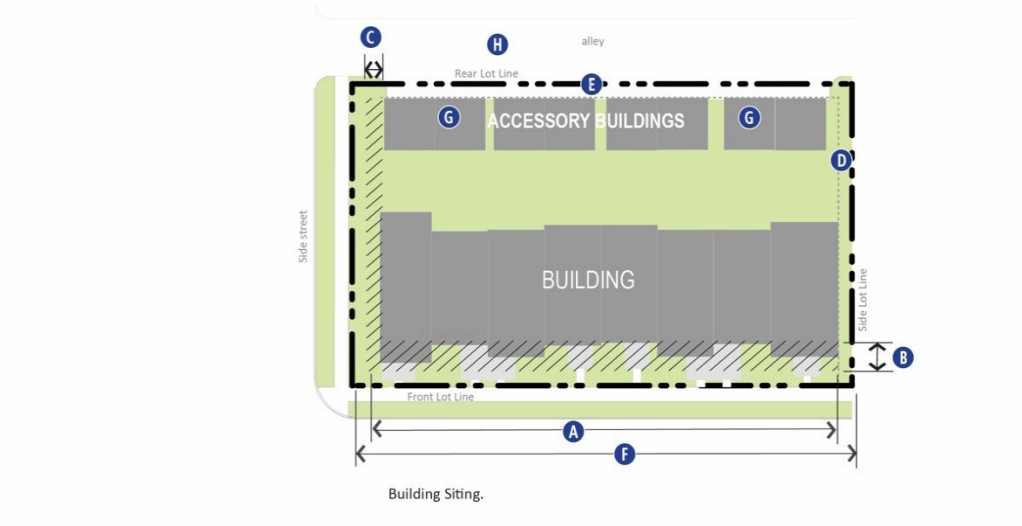


Figure 27-904(1): Building Siting.

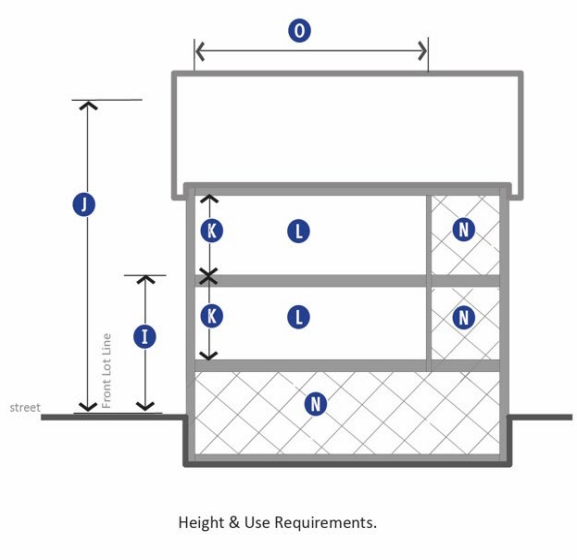


Figure 27-904(2): Height & Use Requirements.

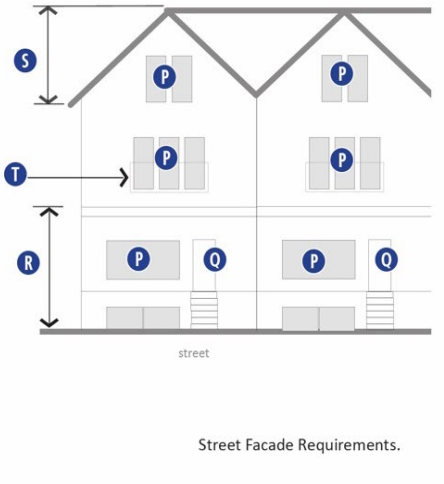


Figure 27-904(3): Street Facade Requirements.

B. FRONTAGE TYPE: GENERAL STOOP FRONTAGE

The following regulations apply to General Stoop Frontage Type as allowed in EBURD districts per Table 27-900-1. Refer to 27-902 and 27-903, for general regulations applicable to all frontage types and Table 27-900-3, below, for regulations specific to this frontage type, keyed to illustrations in Figure 27-904(4-6). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-900-3 GENERAL STOOP FRONTAGE REGULATIONS

1. BUILDING SITING		
a. Street Frontage		
Multiple Principal Buildings	Not Permitted	
Front Lot Line Coverage	85% minimum [1]	A
Build to Corner	Required	
Front Build-to Zone	0′ to 10′	B
Street-Side Build-to Zone	0′ to 10′	C
Right-of-Way Encroachment	Eaves, Awnings, Canopies	
b. Buildable Area		
Side Setback	3′	D
Rear Setback	5′; 0′ with Alley	E
Maximum Impervious Coverage Additional Semi-Pervious Coverage	75% 20%	
c. Parking Location, Loading & Access		
Parking Location	Rear Yard	F
Loading Facility Location	Rear Facade	G
Entry for Parking within Building	Rear Facade or Side Facade	
Vehicular Access	From Alley; If no Alley exists, one (1) driveway off a side or street-side side yard [2]	H

Notes:
[1] A courtyard covering up to 35 percent of the front facade is permitted and may contribute to the front lot line coverage requirement.
[2]For parcels with a street frontage longer than 300′ and no alley, two (2) driveways are permitted.

2. HEIGHT		
Minimum Overall Height	2 Stories	I
Maximum Overall Height	6 Stories [3]	J
Stories: Minimum Height Maximum Height	9′ 14′	K

Notes:
[3] Above the fourth story, the upper stories of any building facade with street frontage shall have a step back from the lower stories that is a minimum of 6′ and a maximum of 12′.

3. USES		
All Stories	All permitted uses by district per Sec. 27-1000	L
Parking within Building	Permitted in the Rear of all Floors and fully in any Basement(s)	M
Occupiable Space	30′ depth space on front facing facade	N

Accessory Structures	Permitted per Sec. 27-1000.	
4. STREET FAÇADE REQUIREMENTS		
a. Window Coverage		
Minimum Window Coverage	15%, per floor	O
Blank Wall Limitations	Required	
b. Building Entrance		
Principal Entrance Location	Front, Street-side Side, or Corner of Building	P
Entrance Type (refer to Sec. 27-903)	Stoop, minimum 6′ wide and 3′ deep	
Street Facades: Number of Entrances	1 per 75′ of Facade	
c. Roof Type		
Roof Type (refer to Sec. 27-1802.)	Parapet, Flat, or Pitched	R
Tower	One per building allowed	S
d. Façade Divisions		
Vertical Increments	No greater than 50′	
Horizontal Expression Line	Required within 3′ of top of ground story on buildings taller than 3 stories	T
e. Balconies		U
Size	Minimum 3′ deep and 5′ wide	
Facade Coverage	Maximum 40% of Front & Street-side Side Facades, separately	
Access to Balcony	Maximum one (1) dwelling unit	
Structure	Independently secured and unconnected to other balconies; or integral to the Facade	

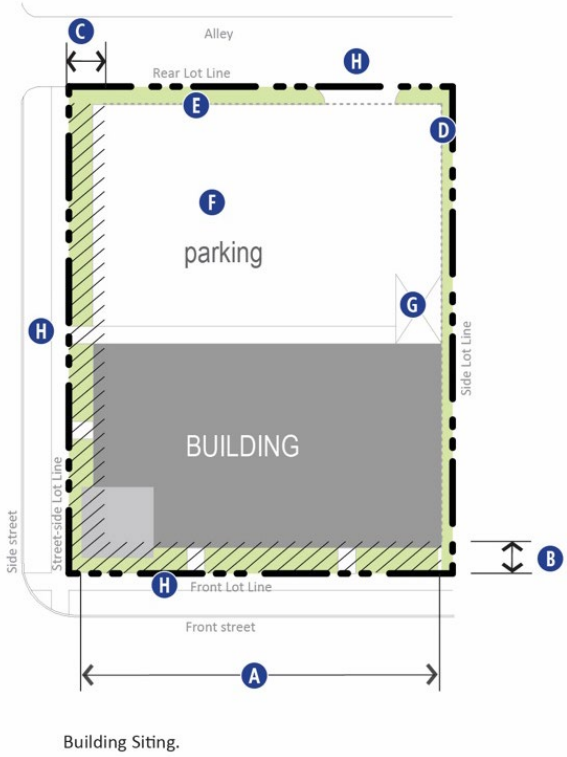
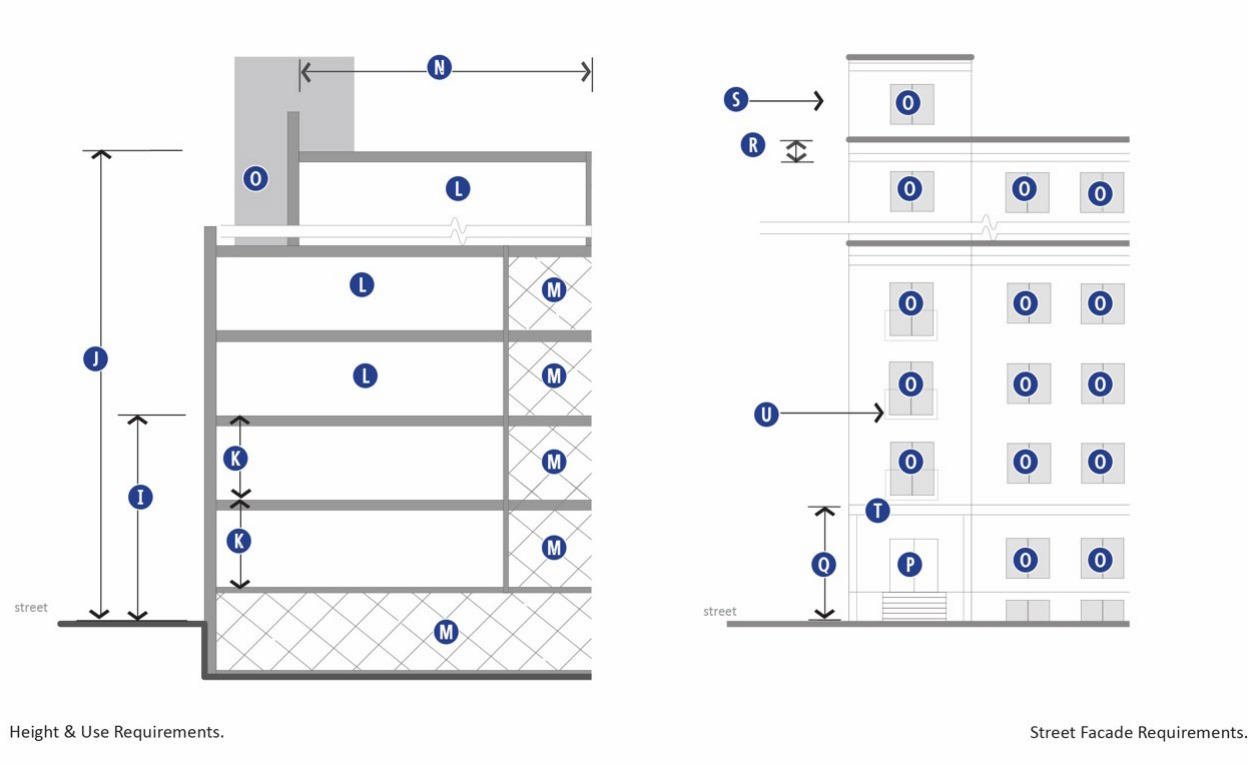


Figure 27-904(4): Building Siting.



Height & Use Requirements.

Figure 27-904(5): Height & Use Requirements.

Street Facade Requirements.

Figure 27-904(6): Street Facade Requirements.

C. FRONTAGE TYPE: STOREFRONT FRONTAGE.

The following regulations apply to Storefront Frontage Type as allowed in EBURD districts per Table 27-900-1. Refer to 27-902 and 27-903, for general regulations applicable to all frontage types and Table 27-900-4, below, for regulations specific to this frontage type, keyed to illustrations in Figure 27-904(7-9). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-900-4 STOREFRONT FRONTAGE REGULATIONS

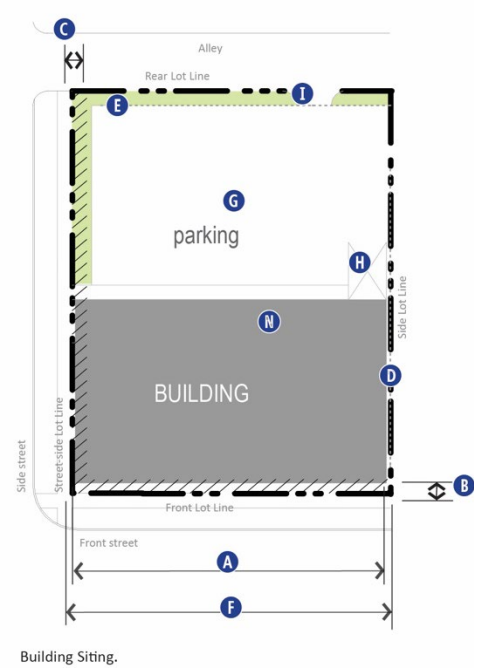
1. BUILDING SITING		
a. Street Frontage		
Multiple Principal Buildings	Not Permitted	
Front Lot Line Coverage	95% minimum	A
Build to Corner	Required	
Front Build-to Zone	0′ to 5′ [1]	B
Street-Side Build-to Zone	0′ to 5′	C
Right-of-Way Encroachment	Eaves, Awnings, Canopies	
b. Buildable Area		
Side Setback	0′	D
Rear Setback	5′; 0′ with Alley	E
Minimum Lot Width	25′	F
Maximum Lot Width	None	
Maximum Impervious Coverage Additional Semi-Pervious Coverage	80% 20%	
c. Parking Location, Loading & Access		
Parking Location	Rear Yard	G
Loading Facility Location	Rear Facade	H
Entry for Parking within Building	Rear Facade	
Vehicular Access	From Alley; If no Alley exists, one (1) driveway off a side or street-side side yard [2]	I

Notes:
[1] Areas within the Front Build-to Zone not occupied by building shall be paved to match adjacent walk.
[2]For parcels with a street frontage longer than 300′ and no alley, two (2) driveways are permitted.

2. HEIGHT		
Minimum Overall Height	2 Stories	J
Maximum Overall Height	6 Stories [3]	K
Ground Story: Minimum Height Maximum Height	14′ 24′ [4]	L
Upper Stories: Minimum Height Maximum Height	9′ 14′	M

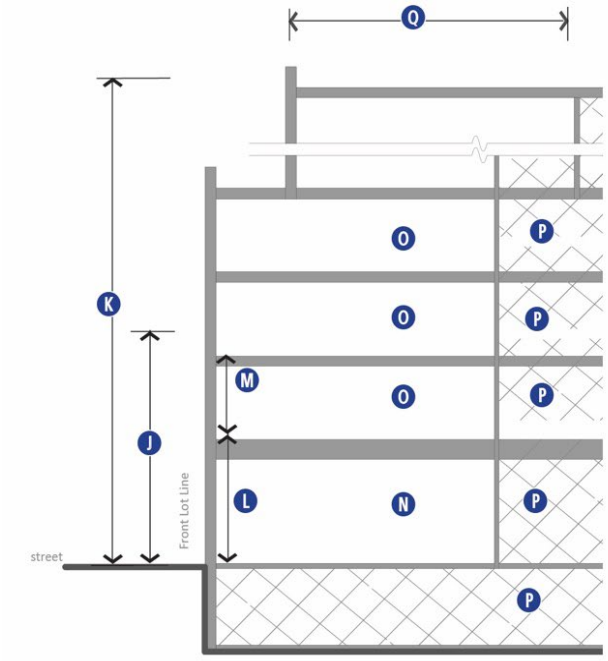
Notes:
[3] [3]Above the fourth Story, the Upper Stories of any building Facade with Street Frontage shall have a step back from the lower Stories that is a minimum of 6′ and a maximum of 12′. [4] If 18′ or more in height, Ground Story shall count as 2 Stories towards maximum building height.

3. USES		
Ground Story	Library/Museum, Post Office, General Retail, General Service, Office, Craftsman Industrial	**N**
Upper Stories	All permitted uses by district per Art. 27-1000	**O**
Parking within Building	Permitted in the Rear of all Floors and fully in any Basement(s)	**P**
Occupiable Space	30′ depth space on front facing facade	**Q**
Accessory Structures	Permitted per Sec. 27-1000.	
4. STREET FAÇADE REQUIREMENTS		
a. Window Coverage		
Ground Floor: Minimum Transparency	75%, measured between 2′ and 8′ from sidewalk elevation	**R**
Upper Floor: Minimum Transparency	20%, per floor	**S**
Blank Wall Limitations	Required	
b. Building Entrance		
Principal Entrance Location	Front or Corner of Building	**T**
Entrance Type (refer to Sec. 27-903)	Storefront	**U**
Street Facades: Number of Entrances	1 per 75′ of Facade	**T**
c. Roof Type		
Roof Type (refer to Sec. 27-1802)	Parapet, Flat, Pitched, or Barrel	**V**
Tower	One per building allowed	
d. Façade Divisions		
Vertical Increments	No greater than 30′	
Horizontal Expression Line	Required within 3′ of top of ground story	**W**
e. Balconies		
Size	Minimum 3′ deep and 5′ wide	**X**
Facade Coverage	Maximum 40% of Front & Street-side Side Facades, separately	
Access to Balcony	Maximum one (1) dwelling unit	
Structure	Independently secured and unconnected to other balconies; or integral to the Facade	



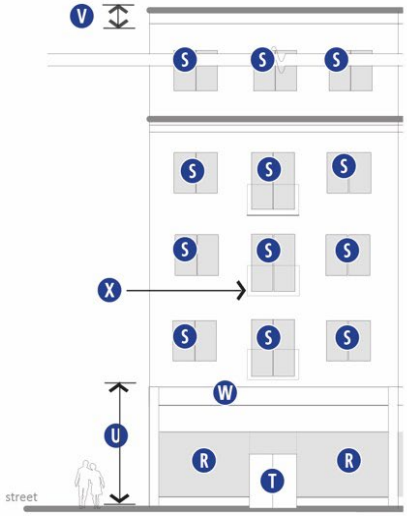
Building Siting.

Figure 27-904(7): Building Siting.



Height & Use Requirements.

Figure 27-904(8): Height & Use Requirements.



Street Facade Requirements.

Figure 27-904(9): Street Facade Requirements.

D. FRONTAGE TYPE: LIMITED BAY FRONTAGE.

The following regulations apply to **Limited Bay Frontage Type** as allowed in EBURD districts per Table 27-900-1. Refer to 27-902 and 27-903, for general regulations applicable to all frontage types and Table 27-900-5, below, for regulations specific to this frontage type, keyed to illustrations in Figure 27-904(10-12). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-900-5 LIMITED BAY FRONTAGE REGULATIONS

1. BUILDING SITING		
a. Street Frontage		
Multiple Principal Buildings	Not Permitted	
Front Lot Line Coverage	95% minimum, parking exception [1]	A
Build to Corner	Required	
Front Build-to Zone	0′ to 10′	B
Street-Side Build-to Zone	0′ to 10′	C
Right-of-Way Encroachment	Awnings & canopies	
b. Buildable Area		
Side Setback	0′	D
Rear Setback	5′; 0′ with Alley	E
Minimum Lot Width	25′	F
Maximum Lot Width	None	
Maximum Impervious Coverage Additional Semi-Pervious Coverage	90% 10%	
c. Parking Location, Loading & Access		
Parking Location	Rear Yard; Limited Side Yard [1]	G
Loading Facility Location	Rear or Side Facade; Limited Front or Street-side Facade [2]	H
Entry for Parking within Building	Rear & Side Facades; Limited Front or Street-side Facade [2]	
Vehicular Access	From Alley; or up to one (1) driveway per street frontage [3]	I

Notes:

[1] Lots wider than 140′ are permitted 1 double-loaded aisle of parking (maximum width of 65′), located perpendicular to street, which is exempt from front lot line coverage calculation

[2] One bay is permitted on either the front or street-side facade, maximum width 20′, for either loading or parking entry.

[3]For parcels with a street frontage longer than 300′ and no alley, two (2) driveways are permitted.

2. HEIGHT		
Minimum Overall Height	1 Story – 2 Stories preferred	J
Maximum Overall Height	6 Stories [4]	K

Ground Story: Minimum Height Maximum Height	15′ 24′ [5]	L
Upper Stories: Minimum Height Maximum Height	9′ 14′	M

Notes:
[4] Above the fourth story, the upper stories of any building facade with street frontage shall have a step back from the lower stories that is a minimum of 6′ and a maximum of 12′.
[5] If 18′ or more in height, Ground Story shall count as 2 Stories towards maximum building height.

3. USES		
All Stories	All permitted uses by district per Art. 27-1000	O
Parking within Building	Permitted in the Rear of all Floors and fully in any Basement(s)	P
Occupiable Space	30′ depth space on front facing facade	Q
Accessory Structures	Permitted per Sec. 27-1000.	
4. STREET FAÇADE REQUIREMENTS		
a. Window Coverage		
Ground Floor: Minimum Transparency	50%, measured between 2′ and 8′ from sidewalk elevation	R
Minimum Window Coverage	20% per floor	S
Blank Wall Limitations	Required	
b. Building Entrance		
Principal Entrance Location	Front, Street-side, or Corner of Building	T
Entrance Type (refer to Sec. 27-903)	Storefront	U
Street Facades: Number of Entrances	1 per 75′ of Facade	T
Parking Lot Facades: Number of Entrances	1 per 100′ of Facade	
c. Roof Type		
Roof Type (refer to Sec. 27-1802)	Parapet, Flat, Pitched, or Barrel	V
Tower	One per building allowed	
d. Façade Divisions		
Vertical Increments	No greater than 50′	W
Horizontal Expression Line	Required within 3′ of top of ground story	X
e. Balconies		
Size	Minimum 3′ deep and 5′ wide	
Facade Coverage	Maximum 40% of Front & Street-side Facades, separately	
Access to Balcony	Maximum one (1) dwelling unit	
Structure	Independently secured and unconnected to other balconies; or integral to the Facade	

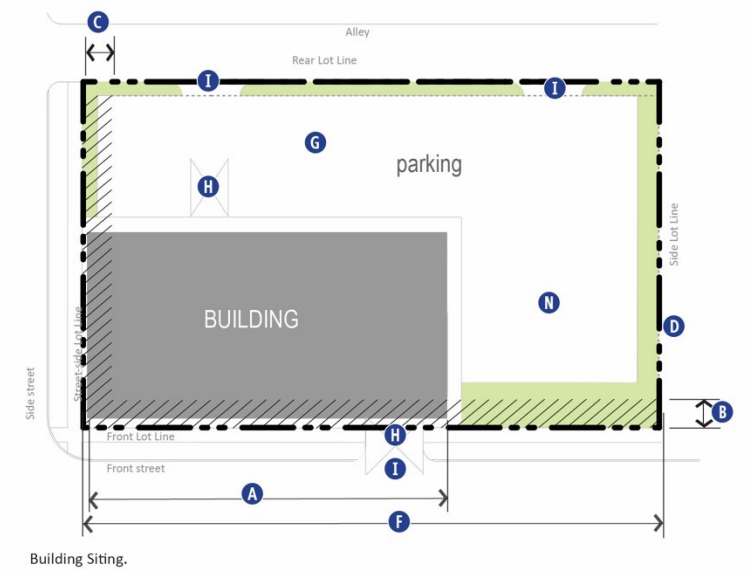


Figure 27-904(10): Building Siting.

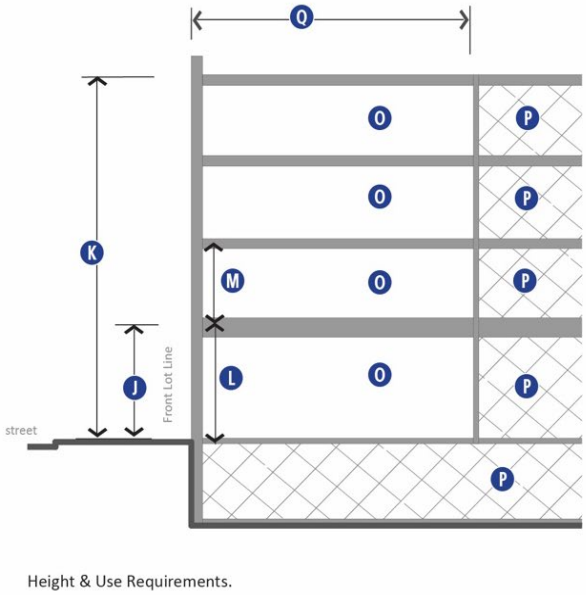


Figure 27-904(11): Height & Use Requirements.

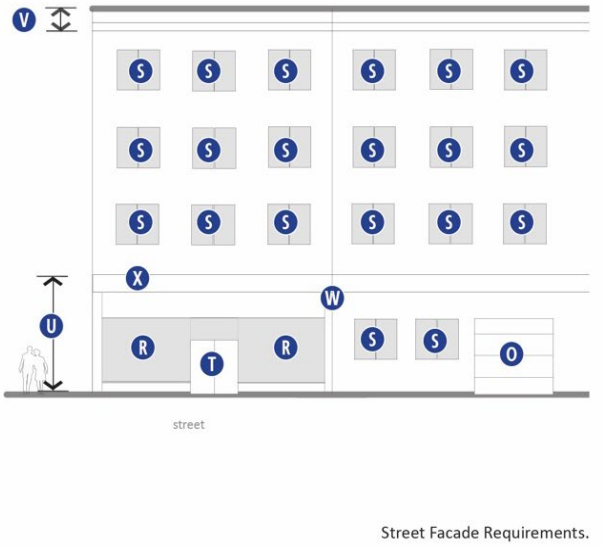


Figure 27-904(12): Street Facade Requirements.

E. FRONTAGE TYPE: COMMERCE FRONTAGE.

The following regulations apply to Commerce Frontage Type as allowed in EBURD districts per Table 27-900-1. Refer to 27-902 and 27-903, for general regulations applicable to all frontage types and Table 27-900-6, below, for regulations specific to this frontage type, keyed to illustrations in Figure 27-904(13-15). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-900-6 COMMERCE FRONTAGE REGULATIONS

1. BUILDING SITING		
a. Street Frontage		
Multiple Principal Buildings	Permitted	
Front Lot Line Coverage	45% minimum	A
Build to Corner	Required; Fuel stations are exempt	
Front Build-to Zone	5′ to 20′	B
Street-Side Build-to Zone	5′ to 20′	C
Right-of-Way Encroachment	None	
b. Buildable Area		
Side Setback	5′	D
Rear Setback	5′; 0′ with Alley	E
Minimum Lot Width	50′	F
Maximum Lot Width	None	
Maximum Impervious Coverage Additional Semi-Pervious Coverage	75% 15%	
c. Parking Location, Loading & Access		
Parking Location	Rear & Side Yards	G
Loading Facility Location	Rear & Side Facades	H
Entry for Parking within Building	Rear & Side Facades	
Vehicular Access	From Alley; or up to one (1) driveway per street frontage [1]	I
Notes:		
[1] For parcels with a street frontage longer than 300′ and no alley, two (2) driveways are permitted.		
2. HEIGHT		
Minimum Overall Height	1 Story; 2 Stories preferred	J
Maximum Overall Height	6 Stories [2]	K
Ground Story: Minimum Height Maximum Height	15′ 20′ [3]	L
Upper Stories: Minimum Height Maximum Height	9′ 14′	M

Notes:
[2] Above the fourth story, the upper stories of any building facade with street frontage shall have a step back from the lower stories that is a minimum of 6′ and a maximum of 12′.
[3] If 18′ or more in height, Ground Story shall count as 2 Stories towards maximum building height.

3. USES		
All Stories	All permitted uses by district per Art. 27-1000	**O**
Parking within Building	Permitted in the Rear of all Floors and fully in any Basement(s)	**P**
Occupiable Space	30′ depth space on front facing facade	**Q**
Accessory Structures	Permitted per Sec. 27-1000.	
4. STREET FAÇADE REQUIREMENTS		
a. Window Coverage		
Ground Floor: Minimum Transparency	35%, measured between 2′ and 8′ from sidewalk elevation	**R**
Minimum Window Coverage	15%, per floor	**S**
Blank Wall Limitations	Required	
b. Building Entrance		
Principal Entrance Location	Front, Street-side, or Corner of Building	**T**
Entrance Type (refer to Sec. 27-903)	Storefront, or Stoop	**U**
Street Facades: Number of Entrances	1 per 75′ of Facade	**T**
Parking Lot Facades: Number of Entrances	1 per 100′ of Facade	
c. Roof Type		
Roof Type (refer to Sec. 27-1802)	Parapet, Flat, Pitched, or Barrel	**V**
Tower	One per building allowed	
d. Façade Divisions		
Vertical Increments	No greater than 50′	**W**
Horizontal Expression Line	Required within 3′ of top of ground story	**X**
e. Balconies		**Y**
Size	Minimum 3′ deep and 5′ wide	
Facade Coverage	Maximum 40% of Front & Street-side Facades, separately	
Access to Balcony	Maximum one (1) dwelling unit	
Structure	Independently secured and unconnected to other balconies; or integral to the Facade	

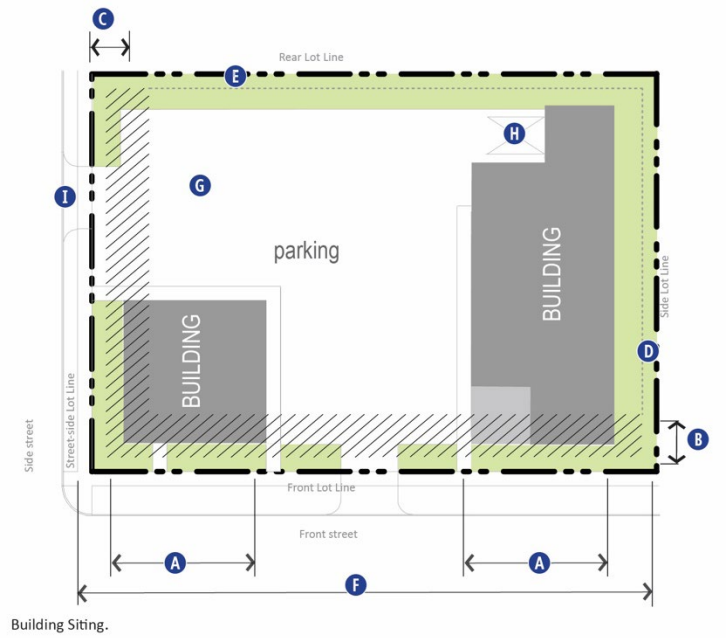


Figure 27-904(13): Building Siting.

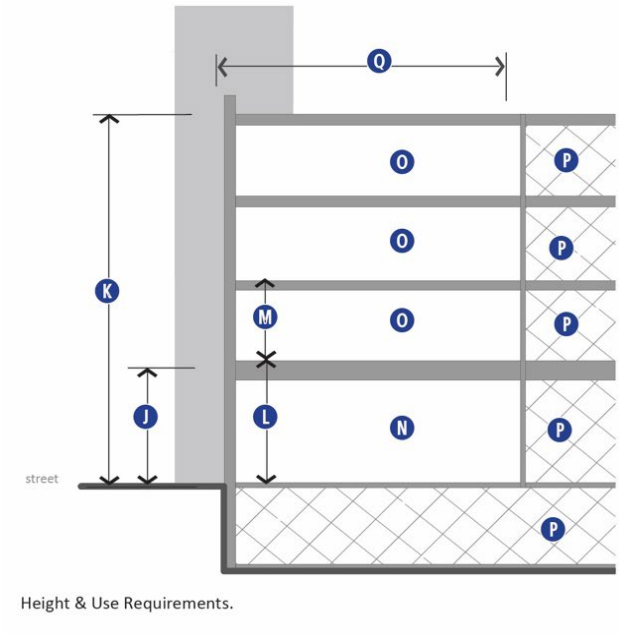


Figure 27-904(14): Height & Use Requirements

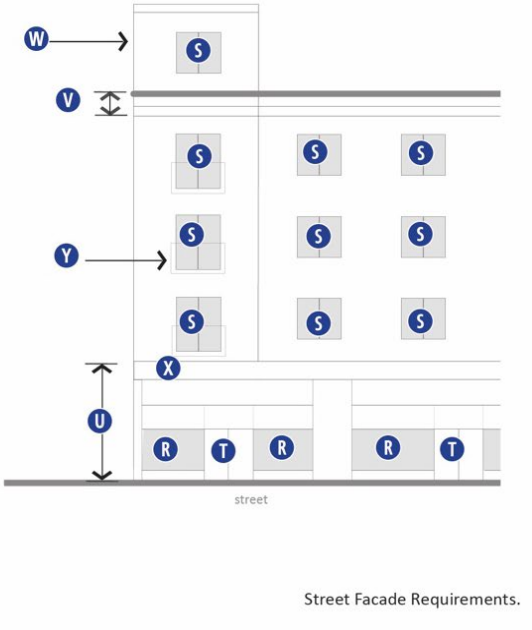


Figure 27-904(15): Street Facade Requirements.

F. FRONTAGE TYPE: OPEN FRONTAGE.

The following regulations apply to **Open Frontage Type** as allowed in EBURD districts per Table 27-900-1. Refer to 27-902 and 27-903, for general regulations applicable to all frontage types and Table 27-900-7, below, for regulations specific to this frontage type, keyed to illustrations in Figure 27-904(16-18). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-900-7 OPEN FRONTAGE REGULATIONS

1. BUILDING SITING		
a. Street Frontage		
Multiple Principal Buildings	Permitted	
Front Lot Line Coverage	N/A	
Build to Corner	Encouraged	
Front Setback	10′	A
Street-Side Setback	5′	B
Right-of-Way Encroachment	None	
b. Buildable Area		
Side Setback	5′	C
Rear Setback	5′; 0′ with Alley	D
Minimum Lot Width	50′	E
Maximum Lot Width	None	
Maximum Impervious Coverage Additional Semi-Pervious Coverage	85% 15%	
c. Parking Location, Loading & Access		
Parking Location	All Yards; Rear Yard & Side Yard preferred	F
Loading Facility Location	Front, Rear & Side Facades	G
Entry for Parking within Building	Front, Rear & Side Facades	H
Vehicular Access	From Alley; or up to two (2) driveway per street frontages, minimum 50′ apart	I
2. HEIGHT		
Minimum Overall Height	1 Story	J
Maximum Overall Height	6 Stories [1]	K
Ground Story: Minimum Height Maximum Height	9′ 20′ [2]	L
Upper Stories: Minimum Height Maximum Height	9′ 15′	M
Notes:		

[2] Above the fourth story, the upper stories of any building facade with street frontage shall have a step back from the lower stories that is a minimum of 6′ and a maximum of 12′.
[3] If 18′ or more in height, Ground Story shall count as 2 Stories towards maximum building height.

3. USES		
All Stories	Only Industrial Uses permitted	**N**
Parking within Building	Permitted in all floors	**O**
Occupiable Space	30′ depth space on front facing facade	**P**
Accessory Structures	Permitted per Sec. 27-1000.	
4. STREET FAÇADE REQUIREMENTS		
a. Window Coverage		
Minimum Window Coverage	5%	**Q**
Blank Wall Limitations	Not Required	
b. Building Entrance		
Principal Entrance Location	Not Required	
Entrance Type (refer to Sec. 27-903)	Not Required	
Street Facades: Number of Entrances	Not Required	
Parking Lot Facades: Number of Entrances	Not Required	
c. Roof Type		
Roof Type (refer to Sec. 27-1802)	Not Required	
Tower	Not Permitted	
d. Façade Divisions		
Vertical Increments	Not Required	
Horizontal Expression Line	Not Required	

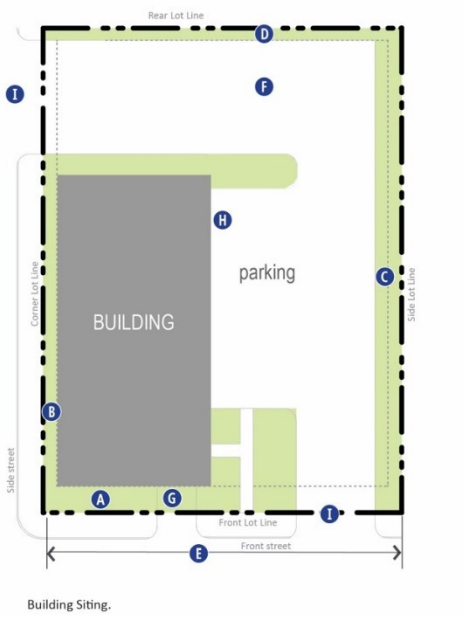


Figure 27-904(16): Building Siting.

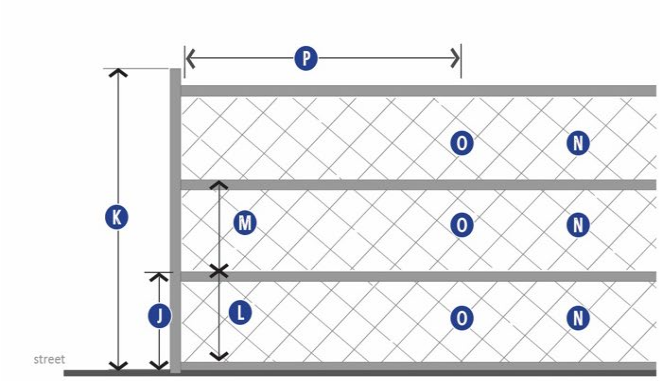


Figure 27-904(17): Height & Use Requirements.

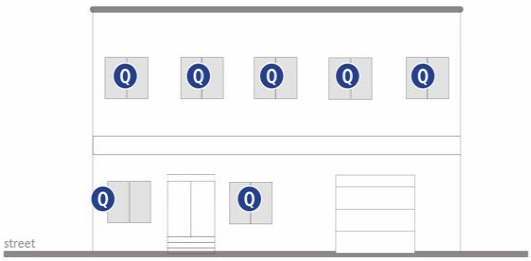


Figure 27-904(18): Street Facade Requirements.

G. FRONTAGE TYPE: CIVIC FRONTAGE.

The following regulations apply to **Civic Frontage Type** as allowed in EBURD districts per Table 27-900-1. Refer to 27-902 and 27-903, for general regulations applicable to all frontage types and Table 27-900-8, below, for regulations specific to this frontage type, keyed to illustrations in Figure 27-904(19-21). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-900-8 CIVIC FRONTAGE REGULATIONS

1. BUILDING SITING		
a. Street Frontage		
Multiple Principal Buildings	Permitted	
Front Lot Line Coverage	N/A	
Build to Corner	Required	
Front Setback	5′	A
Street-Side Setback	5′	B
Right-of-Way Encroachment	None	
b. Buildable Area		
Side Setback	5′	C
Rear Setback	5′; 0′ with Alley	D
Minimum Lot Width Maximum Lot Width	50′ None	E
Maximum Impervious Coverage Additional Semi-Pervious Cover	75% 15%	
c. Parking Location, Loading & Access		
Parking Location	Rear Yard & Side Yard [1]	F
Loading Facility Location	Rear & Side Facades	G
Entry for Parking within Building	Rear & Side Facades	
Vehicular Access	From Alley; or up to one (1) driveway per secondary street frontage [2]	H

Notes:
[1]Lots wider than 140' are permitted one double-loaded aisle of parking (max. width 65'), located perpendicular to the street.
[2]For parcels with a street frontage longer than 300′ and no alley, two (2) driveways are permitted.

2. HEIGHT		
Minimum Overall Height	1 Story; 2 Stories preferred	I
Maximum Overall Height	6 Stories [3]	J
Ground Story: Minimum Height Maximum Height	9′ 30′ [4]	K
Upper Stories: Minimum Height Maximum Height	9′ 15′	L

Notes:
[3] Above the fourth story, the upper stories of any building facade with street frontage shall have a step back from the lower stories that is a minimum of 6′ and a maximum of 12′.
[4] If 20′ or more in height, Ground Story shall count as 2 to Stories towards maximum overall height.

3. USES		
All Stories	See Section 27-1000 for allowed uses	M
Parking within Building	Permitted in the Rear of all Floors and fully in any Basement(s)	N
Occupiable Space	30′ depth space on front facing facade	O
Accessory Structures	Permitted per Sec. 27-1000	

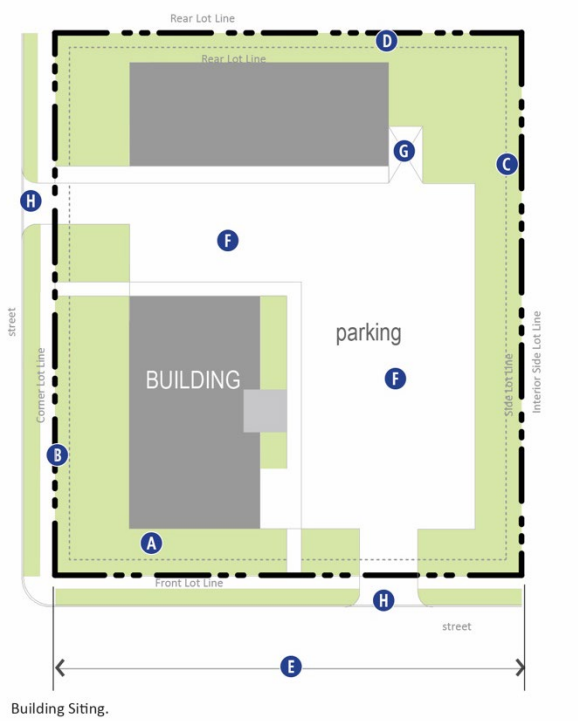


Figure 27-904(19): Building Siting.

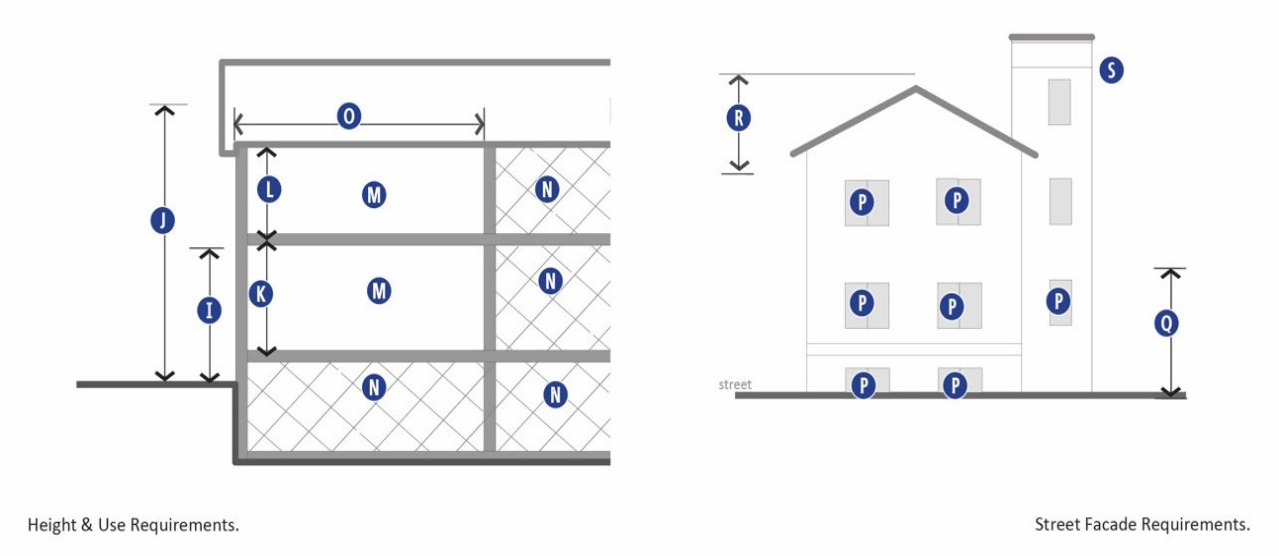


Figure 27-904(20): Height & Use Requirements.

Figure 27-904(21): Street Facade Requirements.

H. FRONTAGE TYPE: COMMERCIAL OUTDOOR SITE

The following regulations apply to **Commercial Outdoor Site Frontage Type** as allowed in EBURD districts per Table 27-900-1. Refer to 27-902 and 27-903 for general regulations applicable to all frontage types and Table 27-900-9, below, for regulations specific to this frontage type, keyed to illustrations in Figure 27-904(22). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-900-9 COMMERCIAL OUTDOOR SITE FRONTAGE REGULATIONS

1. SITING		
a. Overall Site. The principal structure is a Patio/Display area.		
Minimum Area of Unenclosed, Fully or Partially Paved Outdoor Activity/Display Area	45% of Parcel	**A**
Minimum Lot Width Maximum Lot Width	none 200′	**B**
Maximum Impervious Coverage	75%	
Required Front & Street-Side Buffer Type	Commercial Patio Buffer (Refer to Sec. 27-905, Landscape Standards) [1]	**C**
b. Parking Location, Loading & Access		
Front Parking Setback Street-side, Side, Rear Parking Setback	75′ 5′	**D**
Parking & Loading Facility Location	Behind the Rear of the Patio/Display and the Rear Facade of any Building [2]	**E**
Vehicular Access	One driveway per street frontage	**F**
Required Buffer between Parking & Activity/Display Area	Frontage Buffer (Refer to Sec. 27-905 [1]	**G**

Notes:
[1] Exception: Not required for Automobile Sales Use.
[2] One double loaded aisle of parking (to a maximum width of 82 feet) is permitted in the Side Yard.

2. ACCESSORY BUILDINGS		
Number of Permitted Accessory Buildings	2	**H**
Maximum Building Coverage	30%	
1. Temporary Building		
Front Yard Setback	75′	**I**
Street-side Setback	30′	**J**
Side Setback	15′	**K**
Rear Setback	15′	**L**
2. Kiosk Building [3]		
Front, Corner, Side, Rear Setback	5′	**M**
Maximum Size	500 square feet	**N**
Maximum Height	15′	
Street Facade Transparency	Minimum 20%	

Roof Type	Pitched	

Notes:
[3] Kiosk is defined as a building with limited space for the proprietor and associated goods and no space for customers to enter the structure with the exception of any bathrooms.

3. USES		
Permitted Uses	See 27-1000 for Allowed Uses	

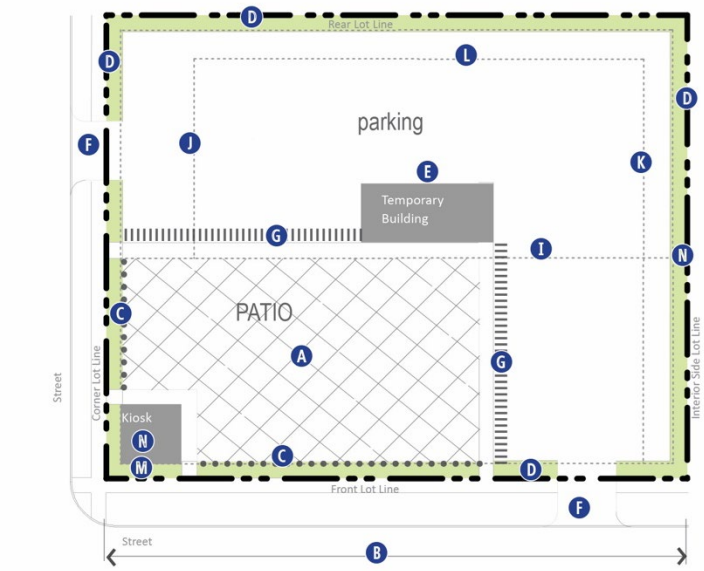


Figure 27-904(22): Building Siting.

SECTION 27-905 LANDSCAPING STANDARDS

A. GENERAL COMPLIANCE.

(a) Application of this section to existing uses shall occur with the following developments.

(1) The expansion of more than thirty (30) percent of the surface area of an existing parking lot or loading facility, including any associated driveways.

(2) Alteration to an existing principal or accessory structure that results in a change of fifteen (15) percent or more in the structure's gross floor area.

(3) When compliance is triggered for existing parking lots, landscape improvements shall take precedence over parking requirements.

B. GENERAL REQUIREMENTS.

Refer to section 27-1200 for all landscape requirements, including but not limited to the approval process, materials, installation, and maintenance. However, the EBURD specific standards in this section 27-905, supersede the requirements of subsections 27-1204 through 27-1206.

C. LANDSCAPE AREA REQUIREMENTS.

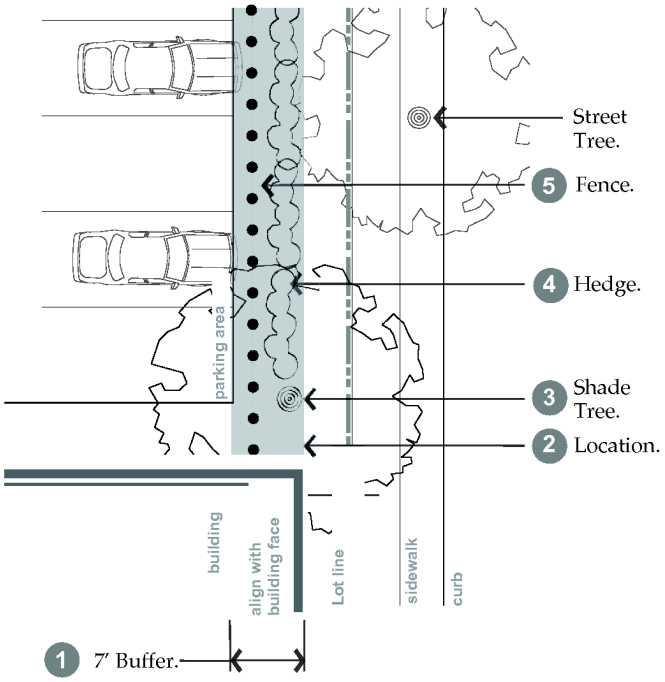
These standards apply to all development except single family residential.

1. **Tree requirements.** One (1) evergreen, ornamental or shade tree is required for every two thousand five hundred (2,500) square feet of landscape area.
   (a) Existing tree canopy may be utilized to meet this requirement.
   (b) If less than two thousand five hundred (2,500) square feet of landscape area exists, tree plantings are not required.
2. **Fences and walls.** These standards apply to all lots in all EBURD Districts. Fences and walls must adhere to the following standards.
   (a) Height. The maximum height of any fence or wall shall be six (6) feet measured from the ground at the base of the fence or wall to the top of the fence boards or wall.
      (1) Posts, decorative columns, light fixtures, or other decorative details are permitted to exceed the height limit by up to two (2) feet.
      (2) Fences over four (4) feet in height are not permitted in the front yard.
      (3) In the Central Works [District], the maximum height of any fence or wall shall be eight (8) feet.
      (4) In the Industrial Sanctuary [District], height limits do not apply.
   (b) Location. All fences and walls must be located within a lot's lot lines.
   (c) Materials.
      (1) *Permitted materials.* Brick; stone; cast stone; wood; painted, matte finish vinyl; wood composites; or steel are permitted fence and wall materials.
      (2) *Prohibited materials.* Barbed wire, chain link, exposed cinder or concrete block, metal mesh, and razor wire and single wire fences and wall are prohibited with the following exceptions:
         a. In the Industrial Sanctuary districts, chain link, razor wire, and barbed wire fencing are permitted. Sharp fencing must be located eight (8) feet above grade.
   (d) Opacity. Fences along the front yard or front lot line shall have a maximum opacity of fifty (50) percent.
3. **Buffers.** Landscape buffers are required according to the provisions in this section with the following exceptions.
      (1) *Shared driveways.* Buffers shall not be required along a lot line where a curb cut or aisle is shared between two (2) adjoining lots.
      (2) *Points of access.* Buffering is not required at driveways or other points of access to a lot.

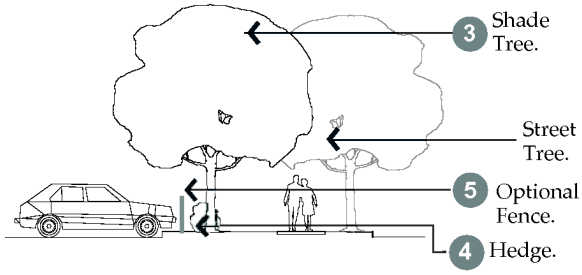
D. FRONTAGE BUFFER REQUIREMENTS (REFER TO FIGURE 27-905(1)).

TABLE 27-900-10 - FRONTAGE BUFFER		
(1) Intent & Applicability		
Intent	To lessen the visual impact of vehicular areas & outdoor storage visible from the street	
General Applicability	Applies to Frontage Types where a vehicular area or outdoor storage is located adjacent to a Right-of-Way	
Exceptions	Vehicular areas along alleys, except when a residential district is located across the alley; Single and two family residences	
(2) Buffer Depth & Location [1]		
Depth	7′	1
Location on the Site	Between street facing Lot line and parking area [2]	2
(3) Buffer Landscape Requirements		
Uses & Materials	Uses and materials other than those indicated are prohibited in the buffer	
Shade Trees	Medium or large shade tree required at least every 40′; Locate on the street side of the fence; Spacing should alternate with street trees	3
Hedge	Required continuous hedge on street side of fence, between shade trees & in front of vehicular areas	4
Hedge Composition	Individual shrubs with a minimum width of 24", spaced no more than 36" on center	
Existing Vegetation	May be credited toward buffer area	
(4) Fence		5
Location	2′ from back of curb of vehicular area	
Materials	Steel or painted, matte finish PVC; Masonry columns (maximum width 2′6") and base (maximum 18" height) permitted	
Minimum Height	3′	
Maximum Height	4′	
Colors	Black, gray, or dark green	
Opacity	Minimum 20%; Maximum 60%	
Gate/Opening	One gate permitted per street frontage; Opening width maximum 6′	
Notes:		
[1] This screening requirement does not prohibit the installation of or provision for openings necessary for allowable access drives and walkways connecting to the public sidewalk.		

[2] In front, corner, and rear yards on a through lot, when the parking area is located adjacent to any building on the lot, the buffer must be located so that it aligns with or is behind the face of the adjacent building back to the vehicular area. The area between the buffer and the lot line must be landscaped.



Front Buffer Plan.



Front Buffer Section.

Figure 27-905(1).
Frontage Buffer Plan and Section.

E. INTERIOR PARKING LOT LANDSCAPING REQUIREMENTS (REFER TO FIGURE 27-905(2)).

TABLE 27-900-11 - INTERIOR PARKING LOT LANDSCAPING		
(1) Intent & Applicability		
Intent	To provide shade, minimize paving & associated storm water runoff, & improve the aesthetic look of parking lots	
General Applicability	All open-air, off-street parking lots [1]	

Other Internal Parking Lot Areas	Internal areas not dedicated to parking or drives shall be landscaped with a minimum of one medium or large shade tree for the first 150 square feet and one medium or large shade tree for every 650′ thereafter	
Existing Vegetation	Existing vegetation may be credited toward these requirements	
(2) Landscape Island Requirements		1
Required Island Locations	Terminal ends [2] of free standing rows or bays of parking; After every ninth parking space for rows of parking greater than 10 spaces in length	2
Minimum Width	5′; Islands less than 15′ must utilize structural soil under any paved surface within a tree's recommended permeable surface area requirement; Islands under 9′ must install an aeration system and utilize permeable pavement	3
Required Trees Within Islands	Minimum of 1 medium or large shade tree per island	
(3) Tree Requirements		
Requirements per Parking Space [3]	Each parking space must be located within 50′ of a tree planted within parking lot interior; and no more than 8 continuous parking spaces in a row are permitted without a landscape island	
	Minimum of 1 shade tree must be planted within parking lot interior or within 4′ of parking lot's edge for every 3 parking spaces	
Tree Shade	Within 20 years of tree installation, 30% of the interior of the parking lot must be shaded by tree canopy	

Notes:

[1] Parking lot interior is defined as the area dedicated to parking on a given parcel as measured from the farthest edge of pavement to opposing farthest edge of pavement.

[2] Freestanding rows or bays of parking are those not abutting the parking lot perimeter or building face, and may have a single or double row of parking.

[3] Trees within a designated buffer area may not be utilized to meet these requirements. Trees and landscaping located outside of the parking lot interior, including in the side and rear buffer or frontage buffer, may not be applied to this requirement.

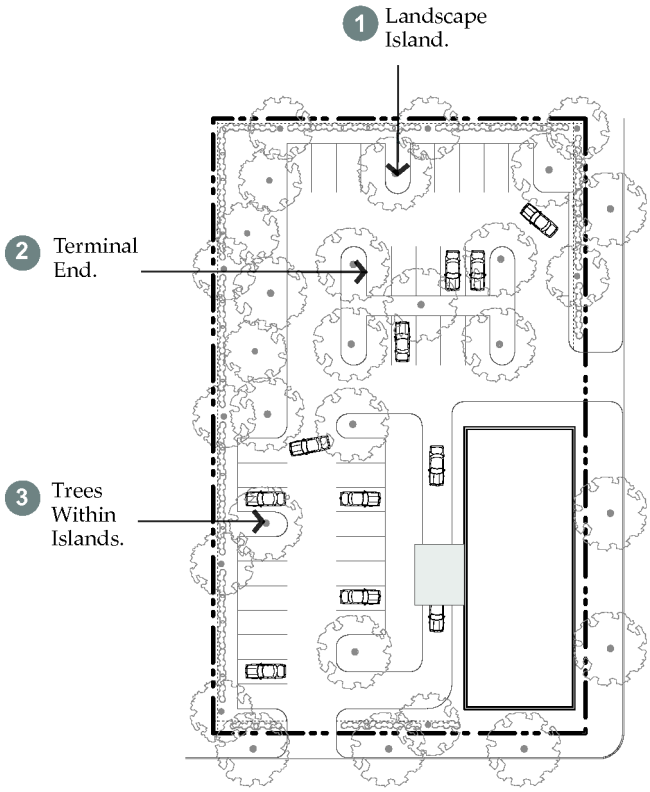


Figure 27-905(2). Interior Parking Lot Landscape.

Table 27-900-12. Estimated Canopy and Height at Maturity.

Tree Size	Estimated Canopy at Maturity (sq ft)	Estimated Height at Maturity (ft)
Very Small	150	under 15′
Small	400	15′—25′
Medium	900	25′—40′
Large	1600	40′+

F. SIDE AND REAR BUFFER REQUIREMENTS (REFER TO FIGURE 27-905(3)).

TABLE 27-900-13 - SIDE AND REAR BUFFER		
A. Intent & Applicability		
Intent	To minimize the impact that one building may have on a neighboring district and to provide a transition between districts	
General	Applies to all directly adjoining properties as outlined in Table 27-905.B. [1]	
B. Required Landscape Screen		
Size	5′ landscape screen in addition to any other buffer landscaping	1
Location	Directly adjacent to the Rear or Side Lot line per Table 27-905.A	
Hedge	Continuous double row of shrubs required between shade trees	2

Hedge Composition	Double row of individual shrubs with a minimum width of 24", spaced no more than 36" on center; Mature height in one year of 24"	
Hedge Frequency	Minimum of 15 shrubs per 100′ of Lot line is required	
Shade Trees	At least 1 medium or large shade tree per every 40′ within the buffer	3
Uses and Materials	Uses and materials other than those indicated are prohibited within the buffer	
Existing Vegetation	May be credited toward buffer area	
C. Required Fence		4
Permitted Materials	Steel or painted, matte finish PVC for semi-opaque; Wood or masonry for opaque. Chain link not permitted.	
Minimum Height	6′	
Maximum Height	8′	
Colors	If steel: black, gray, or dark green	
Opacity	Option 1: Semi-Opaque 20%-60% opacity, hedge required; Option 2: Opaque fence, no hedge required	

Notes:
[1] Zoning Coordinator may reduce width of buffer, width of landscape screen, or location of landscape screen based on existing landscaping and similarity between uses.

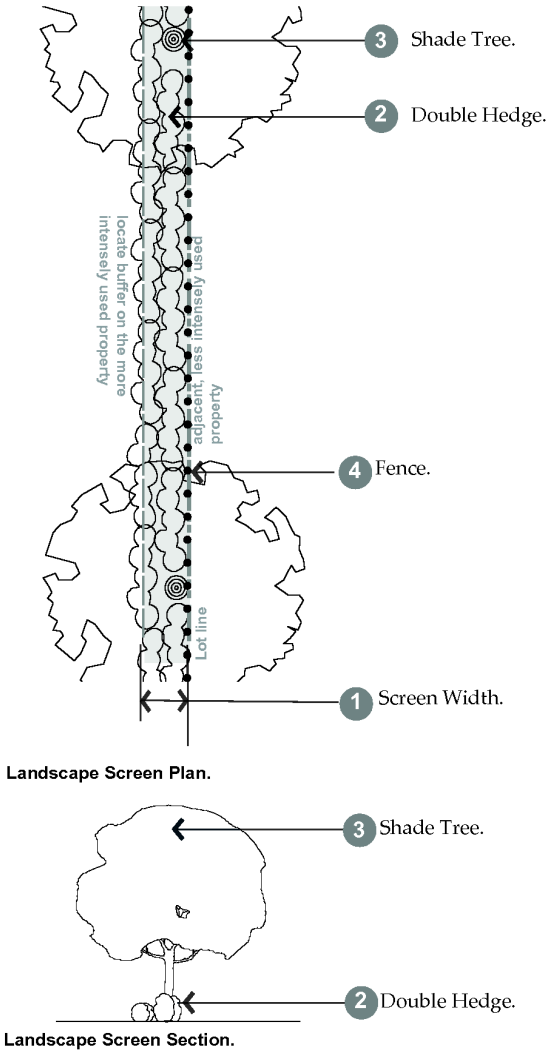


Figure 27-905(3). Landscape Screen within Side & Rear Buffer.

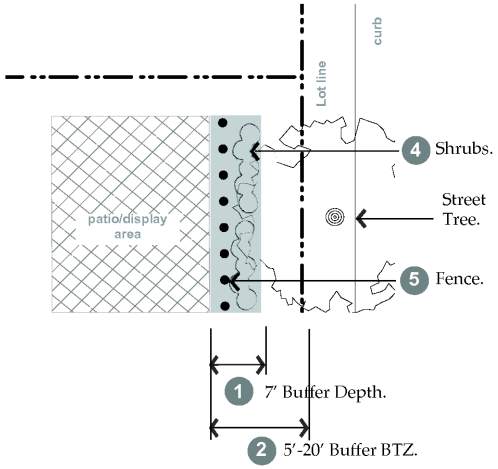
Table 27-900-14. Side & Rear Buffer Requirements by District.			
Frontage Types		Buffer	
Buffer Required on Lot	**When Lot Line** is adjacent to:	**Buffer** Required	**Buffer** Width
Open, Commerce, Limited Bay	Yard, General Stoop, Storefront	Side & Rear	5′
General Stoop	Yard	Side Rear	5′

G. COMMERCIAL PATIO FRONTAGE (REFER TO FIGURE 27-905(4)).

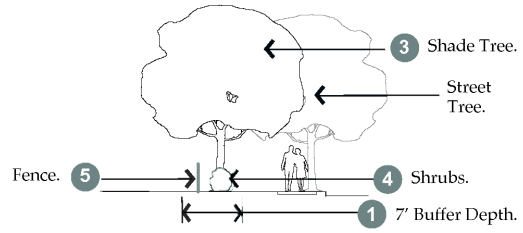
TABLE 27-900-15 - COMMERCIAL PATIO FRONTAGE		
(1) Intent & Applicability		
Intent	To provide a buffer between outdoor sales uses and street activity	

General Applicability	Applies to Commercial Outdoor Site Frontage Type only (refer to Sec. 27-904)	
(2) Frontage Location		
Minimum Depth	7′	1
Location on the Site	Between 5′ and 20′ from Front and Corner Side Lot line adjacent to patio/display area	2
(3) Buffer Landscape Requirements [1]		
Shade Trees	Medium or large shade tree required at least every 40′; Spacing should alternate with street trees [2]	3
Shrubs	Required continuous shrubs on street side of fence	4
Hedge Composition	Individual shrubs with a minimum width and height of 12″, spaced no more than 24″ on center	
Existing Vegetation	May be credited toward buffer area	
(4) Required Fence		5
Materials	Steel or painted, matte finish PVC; Masonry base or columns permitted	
Minimum Height	18″	
Maximum Height	4′	
Colors	Black, gray, or dark green for steel or PVC	
Opacity [3]	Minimum 30 percent; Maximum 60%	
Gate/Opening	Two gates permitted per street frontage; Opening width maximum 6′	

Notes:
[1] This screening requirement does not prohibit the installation of or provision for openings necessary for allowable access drives and walkways connecting to the public sidewalk.
[2] Exception: Trees for Automobile Sales Use may be spaced 90′ on center
[3] Fence may be solid if 30″ or less in height



Commercial Patio Frontage Plan.



Commercial Patio Frontage Section.

Figure 27-905(4). Commercial Patio Frontage Plan and Section.

SECTION 27-906 STREET TYPE STANDARDS

A. GENERAL REQUIREMENTS

1. **Intent.** The standards outlined in this section are intended to:
   (a) Create complete streets that address all modes of travel, including pedestrian traffic, bicycle traffic, transit, and vehicular traffic.
   (b) Address all features of the street right-of-way, including sidewalks, parkways, traffic lanes, bicycle lanes, and medians.
   (c) Continue the existing logical and comprehensible system of streets that result in a simple, consistent and understandable pattern of blocks and lots.
   (d) Provide adequate access to all lots for vehicles and pedestrians.
   (e) Create streets that are appropriate for their contexts in residential, commercial, or mixed-use districts and are designed to encourage travel at appropriate volumes and speeds.
2. **Applicability.** The standards in this section apply to all vehicular rights-of-way within the EBURD.

3. **General requirements.** All proposed streets, landscape or furnishings zones, and sidewalks shall be located in dedicated vehicular rights-of-way as required by this article.
   (a) Street types. All new vehicular rights-of-way shall match one of the street types; refer to subsections 27-906.D.1 through 27-906.D.5, whether publicly dedicated or privately held.
   (b) Public use. All streets shall be available for public use at all times. Gated streets and streets posted as private are not permitted.
   (c) Master plans. Refer to any adopted city master plans for additional information, such as the current bikeway and trail master plan.
   (d) Street construction specifications. All construction in the right-of-way shall follow specifications defined by the department of public works, engineering division.

B. GENERAL STREET TYPE STANDARDS

1. **Street types.** Street types defined in this section outline acceptable street configurations. New streets should be designed using the principles and characteristics defined by each street type. The department of public works, engineering division, or the Montana Department of Transportation, as applicable (refer to Figures 27-906.5a & 5b), may require additional right-of-way, pavement width, or additional street elements depending on specific site characteristics.
2. **Summary street type tables.** Table 27-900-16, summarizes the requirements of each Street type.
3. **Graphics.** The graphics provided, illustrating each street type, are samples of recommendations and illustrate only one (1) possible configuration of that street type. By applying the guidelines outlined and working with the department of public works, engineering division, other configurations can be determined acceptable.
4. **Typical street elements.** Typical elements of a vehicular right-of-way are divided into the vehicular and pedestrian realm. Each street type detailed in this article outlines which facilities are applicable. Refer to Figure 27-906(1), typical right-of-way elements.

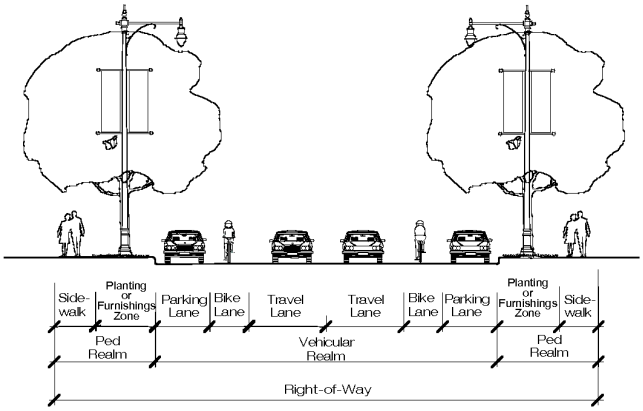


Figure 27-906(1): Typical Right-of-Way Elements.

(a) *Vehicular realm.* The vehicular realm is comprised of the travel lanes, bicycle lanes, and parking lanes.

(b) *Pedestrian realm.* The pedestrian realm is comprised of pedestrian facilities, such as sidewalk, path/trail, or off-street bicycle path. A buffer area that serves to buffer pedestrians or bicyclists from the movements of higher speed vehicles in the vehicular realm shall consist of one of the following:

(1) *Landscape zone.* A landscape area between the back of curb to the sidewalk in which street trees, storm water swales, lighting, and signage may be located. Typically used adjacent to residential ground floor uses.

(2) *Furnishings zone.* A hardscape area that extends from the sidewalk to the back of curb, in which street trees, street furniture, lighting, and signage may be located. Typically used adjacent to commercial or office ground floor uses.

(c) Bicycle facilities. The following types of bicycle accommodations are permitted in the vehicular realm. Refer to Figure 27-906(2).

(1) *Dedicated bicycle lane.* Dedicated bicycle lanes are striped lanes on the outside of the outermost travel lanes that are designated for only bicycle use. This lane occurs on both sides of the street and shall be four (4) to five (5) feet wide.

(2) *Designated shared lane.* A designated shared lane is a lane that is shared between vehicles and bicycles. This lane is typically wider than a standard vehicular lane, minimum thirteen (13) feet, in order to accommodate both types of users, and includes a painted bicycle marker combined with a double arrow (known as a "sharrow"). This improvement occurs on both directions.

(3) *Shared lane.* A shared lane refers to a street that does not have bicycle lanes or a designated shared lane, but the speed and configuration of the street is such that bicycles could comfortably share lanes with traffic.

(4) *Cycle track.* A cycle track is a separate on-road bike facility that is typically adjacent to, but physically separated from, vehicular traffic and parking by a barrier.

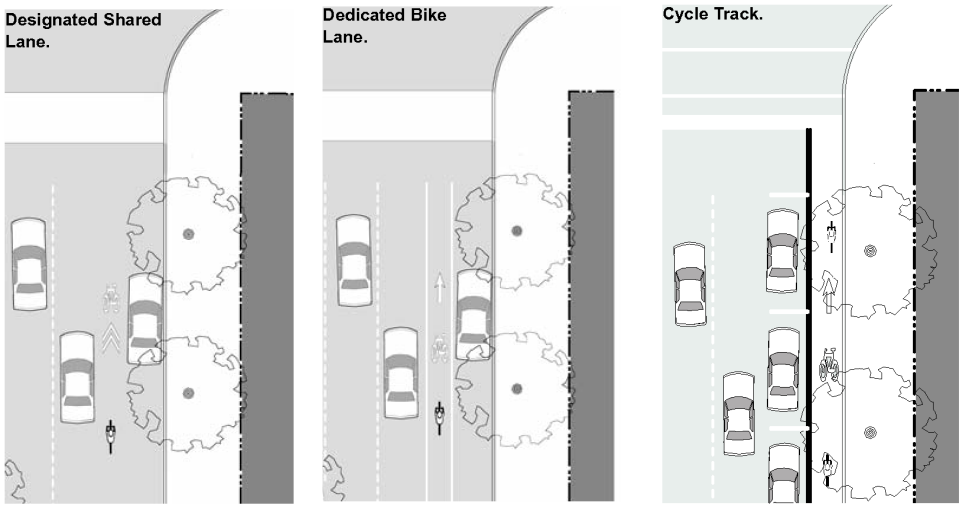


Figure 27-906(2): On-Street Bicycle Facilities.

(d) *Vehicular on-street parking.* On-street parking, as permitted on designated street types, must meet the following requirements.

(1) Parallel and back-in diagonal parking is permitted on designated street types.

(2) Vehicular on-street parking space dimensions.

a. The appropriate stall depth for back-in diagonal on-street parking spaces are defined for each street type (refer to Sections 27-906.D.2 through 27-906.D.5).

b. The width of an on-street parking space shall be measured from the center of a stripe, minimum eight and one-half (8.5) feet, unless otherwise noted.

c. Back-in diagonal on-street parking shall be at sixty (60) degrees.

(e) *Storm water management.* Incorporation of storm water management best practices into the right-of-way design is encouraged, such as incorporating drainage swales into the landscape zone or permeable paving in the parking lane. Refer to Figure 27-906(3) and the city's storm water management manual.

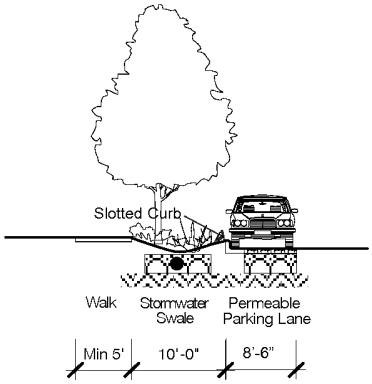


Figure 27-906(3). Storm water Management Best Practices incorporated in the Right-of-Way.

(f) Street trees. Street trees are required along all street frontages; refer to subsection 27-5. Street trees shall be located in either a landscape zone (within a planting bed or lawn) or a furnishings zone (in trees wells with grate as required).

C. GENERAL STREET LAYOUT REQUIREMENTS.

The following standards apply to new streets or newly platted vehicular rights-of-way.

1. Interconnected street pattern. The network of streets shall form an interconnected pattern with multiple intersections with the following features:

(a) Street network. The arrangement of streets shall provide for the continuation of existing streets from adjoining areas into new subdivisions or developments.

(b) Block pattern. To the maximum extent possible, the existing block pattern shall be continued and reinforced, and the following encouraged:

(1) Avoid the closure of existing streets so as to maintain the existing network.

(2) As railway tracks are abandoned or larger sites redevelop, new streets should be introduced to extend the existing pattern, incorporating the existing block sizes.

(c) Bulb shaped cul-de-sac streets are not permitted.

(d) New dead ends should be avoided.

2. Intersection design.

The following section outlines the regulations for developing and reconstructing intersections.

(a) *Applicability.* The regulations outlined in this section shall apply to all planned intersections and may serve as guidance for reconfiguration of existing intersections.

(b) *Curb radii.* The following curb radii shall be utilized unless otherwise authorized by the department of public works, engineering division.

(1) Intersections should be designed for actual turning radius of the typical design vehicle as opposed to the maximum design vehicle. Small curb radii at intersections shorten pedestrian crossing distances and reduce vehicle turning speeds, thereby balancing the ease of travel of the vehicles and pedestrians. Refer to Figure 27-906(4).

(2) Alley, neighborhood, and connector streets. At the intersection of any street with an alley, neighborhood, or a connector street, the following curb radii shall be utilized.

a. With on-street parking on both streets and no bulb-out, a five-foot radius is required.

b. Without on-street parking, a 15-foot radius is required.

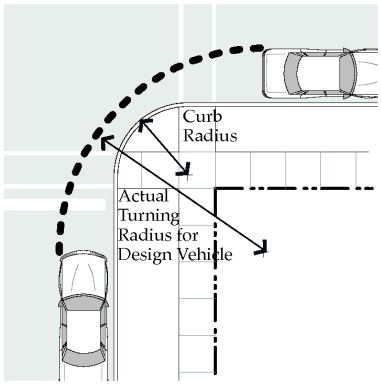


Figure 27-906(4). Actual Right Turn Radius with On-Street Parking.

(3) Avenues and boulevards. At the intersection of avenues with either another avenue or a boulevard, the following curb radii shall be utilized.

a. With on-street parking on both streets and no bulb-out, a 12-foot radius is required.

b. Without on-street parking on either streets, a 25-foot radius is required.

(4) Larger radius. When the design vehicle requires a larger curb radius, a larger radius may be utilized with approval of the public works, engineering division.

(c) *Crosswalks.* Crosswalks shall be required at all intersections involving Montana Avenue, N 20th Street, and N 13th Street.

(1) *Dimensions.* Crosswalks shall be minimum eight (8) feet in width, measured from mid-stripe to mid-stripe, per city standards.

(2) *Markings.* Crosswalks shall be appropriately indicated on the finished street surface with painted markings and/or textured or colored pavement.

(3) *Crossing distances.* To encourage pedestrian activity, typical crosswalks shall not extend over thirty-eight (38) feet without a landscape median, bulbouts, and/or other pedestrian refuge to mitigate the effects of vehicular traffic on crossing and increase pedestrian safety and comfort.

(4) *Bulb-outs.* To shorten pedestrian crossing distances, bulb-outs should be utilized at all intersections, unless otherwise required by the department of public works or the Montana Department of Transportation as applicable (refer to Figure 27-906(5b) for state maintained routes).

a. The depth of the bulb-out shall match the utilized on-street parking, either the width of the parallel space or the depth of the diagonal space.

b. The radius of the bulb-out shall match the requirements for the intersection.

(d) Accessible ramps and warning panels. Accessible ramps and warning panels, per the American Disabilities Act or any more stringent state requirement, are required where all sidewalks or trails terminate at a crosswalk or curb.

(1) *Ramp orientation.* Ramps should be generally oriented perpendicular to traffic, requiring two (2) ramps per corner at intersecting streets.

3. Maps of street types

Refer to the maps on the following pages.

(a) *Street type map.* Refer to Figure 27-906(5a). To provide context for any future platted rights-of-way and guidance for future improvements to existing rights-of-way, existing streets within EBURD are mapped in accordance with the street types outlined in subsections 27-906.F through 27-906.J.

(b) *State maintained routes.* For reference purposes only, a map of routes currently maintained by the state department of transportation is included. Refer to Figure 27-906(5b).

(c) *Primary street map.* Refer to Figure 27-906(5c).

(1) Primary streets are defined as the higher priority street at an intersection, designating the front property line as well as establishing the higher level of pedestrian orientation with limited sidewalk interruptions from driveways.

(2) At the intersection of any two (2) streets, the street with the highest level designation is considered the primary street. For example, at the intersection of 2nd Avenue N and N 19th Street, N 19th Street is designated as Street 1, a higher priority street, and is therefore the primary street. The front property line of a building on this corner would be on N 19th Street.

(3) When a corner is located at the intersection of two (2) streets of the same priority level, either street may be chosen as the primary street.

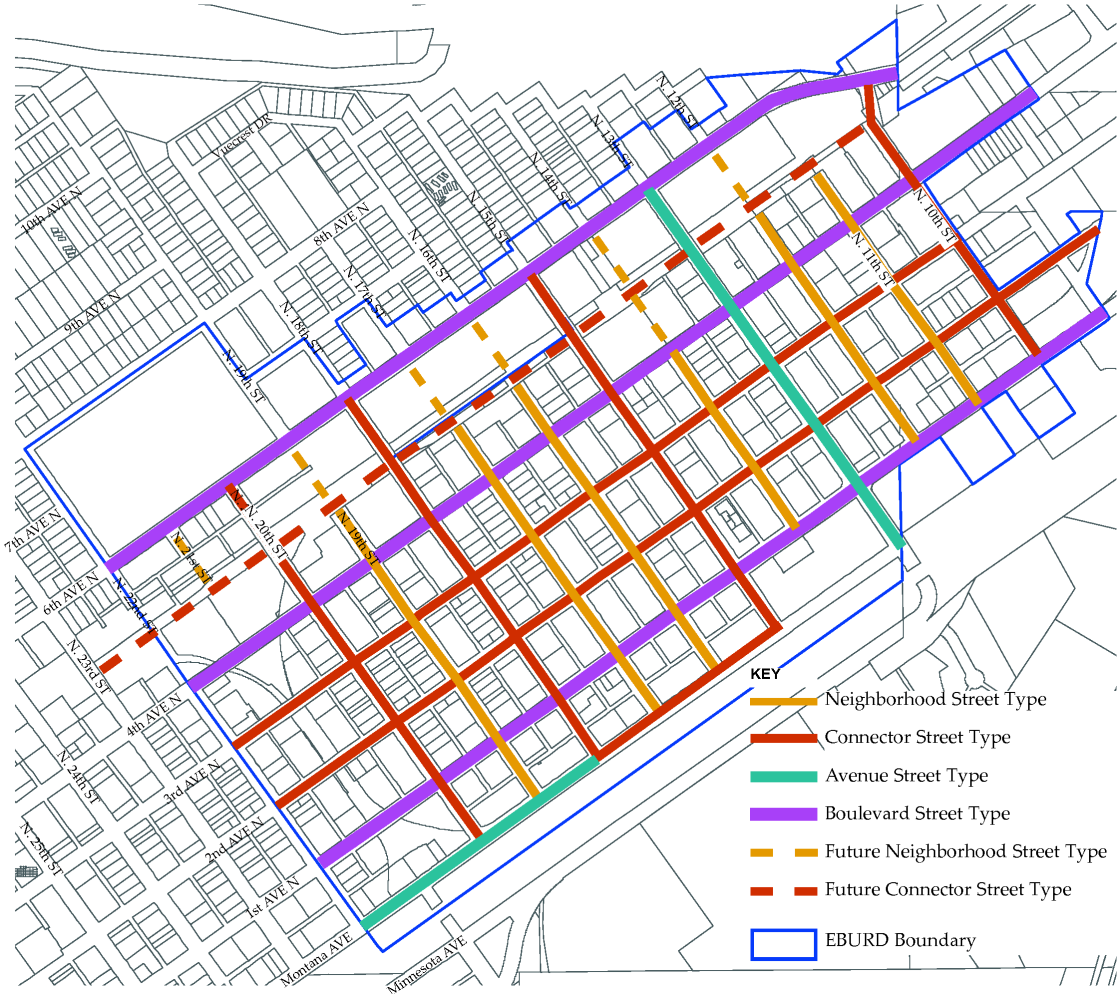


Figure 27-906.5a: Map of Street Types.

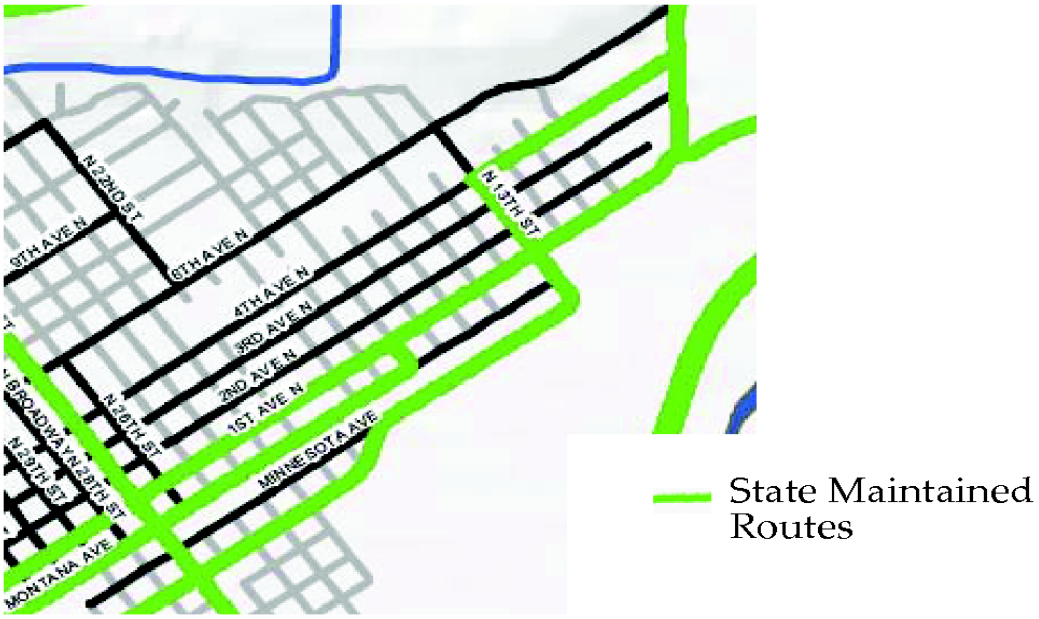


Figure 27-906(5b). Map of State Maintained Routes as of February 2012, for Reference Only.



Figure 27-906(5c): Map of Street Priority.

4. Street Type Summary Table

Refer to Table 27-900-16 for a summary table of all street types requirements defined in subsections 27-906.D through 27-906.H

Table 27-900-16: Street Type Summary Table.

	Vehicular Realm									Pedestrian Realm	
	Typical Right-of-Way Width (feet)	Travel Lanes	Lane Width (feet)	Allowable Turn Lanes	Parking Lanes	Pavement Width (feet) Back of Curb to Back of Curb	Curbs	Permitted Median	Bicycle Facilities	Pedestrian Facilities	Buffer
Alley	20′	1 yield lane	16′ (yield)	None	Prohibited	Minimum 16′, Maximum 20′	None, ribbon or vertical	Prohibited	Shared	Shared	None required
Neighborhood Street	80′	1 yield lane	20′ (yield)	None	Parallel or back-in diagonal both sides	37′—48′	Vertical	Prohibited	Shared	Minimum 5′ wide clear sidewalk on both sides	Minimum 11′ wide planting zone or furnishings zone, both sides
Connector	80′	1 lane in each direction	11′	Permitted in place of parking at intersections	Parallel or back-in diagonal both sides	39′—52′	Vertical	Permitted	Shared, Designated Shared, Dedicated, or Cycle Track	Minimum 5′ wide clear sidewalk on both sides	Minimum 9′ wide planting or furnishings zone, both sides
Avenue	80′	Per the Department of Public Works, Engineering Division, or Montana Department of Transportation	12′	Permitted in place of parking at intersections	Parallel or back-in diagonal both sides	41′—54′	Vertical	Permitted	Designated Shared, Dedicated, or Cycle Track	Minimum 5′ wide clear sidewalk on both sides	Minimum 8′ wide planting zone or furnishings zone, both sides
Boulevard	80′	Per the Department of Public Works, Engineering Division, or Montana Department of Transportation	11′	Permitted in place of parking at intersections	Both sides, parallel only	50′—60′	Vertical	Permitted	Designated Shared, Dedicated, or Cycle Track	Minimum 5′ wide clear sidewalk on both sides	Minimum 5′ wide planting zone or furnishings zone, both sides

D. STREET TYPES - SPECIFICATIONS

1. Alley.

(a) *Intent*. The alley is a very low capacity drive located at the rear of parcels. From the alley, access to parking facilities, loading facilities, and service areas, such as refuse and utilities is possible without a curb cut or driveway interrupting a street type. Refer to the typical plan and section in Figure 27-906(6).

(b) *General requirements.* Alleys shall be developed using the guidelines in Table 27-900-17. The department of public works, engineering division, may require additional right-of-way, pavement width, or street elements depending on specific site characteristics.

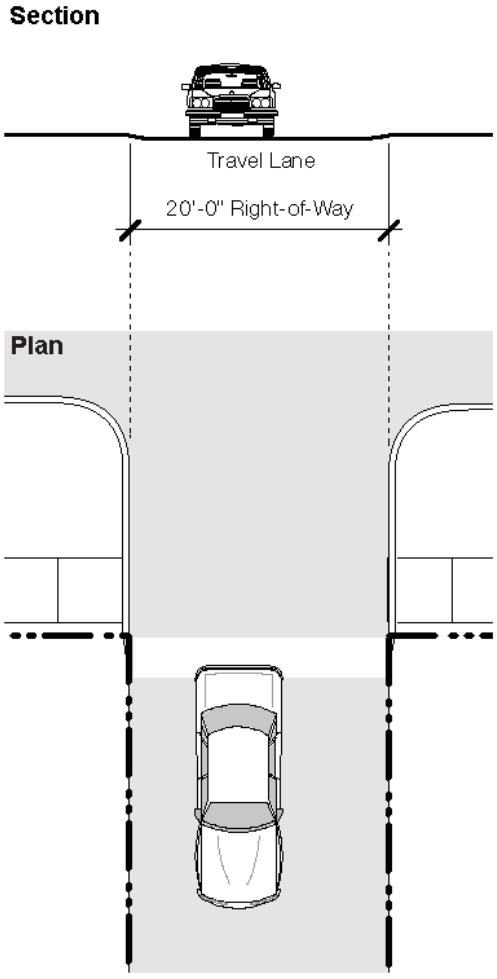


Figure 27-906(6): Typical Sample Alley.

Table 27-900-17: Alley Guidelines.

Alley Guidelines	
Location	Permitted adjacent to all Zoning Districts
Typical Right-of-Way Width	20′

a. Vehicular Realm	
Travel Lanes	1 yield lane
Lane Width	Minimum 16′ (two way yield lane)
Allowable Turn Lanes	Not applicable
Parking Lanes	Not applicable
Pavement Width	Minimum 16′ Maximum 20′
Curbs	None, ribbon, or vertical
Median	Prohibited
Bicycle Facilities [1]	Shared
b. Pedestrian Realm	
Pedestrian Facilities	Shared; travel lanes are shared among drivers, pedestrians and bicyclists
Buffer	None required
[1] Reference Sec. 27-906.B. for bicycle facility types and requirements	

2. Neighborhood Street

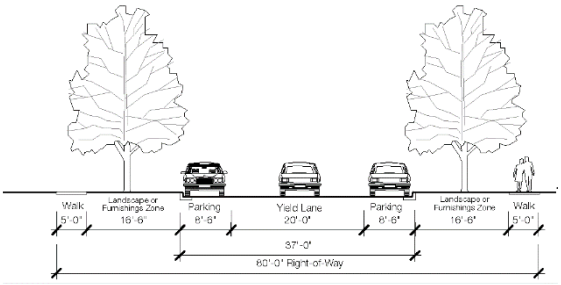


Figure 27-906(7b): Alternative Sample Neighborhood Street

(a) *Intent.* The neighborhood street is a low capacity street designed for slow speeds with a standard right-of-way. It primarily serves those residences or businesses directly adjacent to it. Refer to the typical plan and section, Figure 906(7a).

(b) *General requirements.* The neighborhood street shall be developed using the guidelines in Table 27-900-18. The department of public works, engineering division, may require additional right-of-way, pavement width, or street elements depending on specific site characteristics.

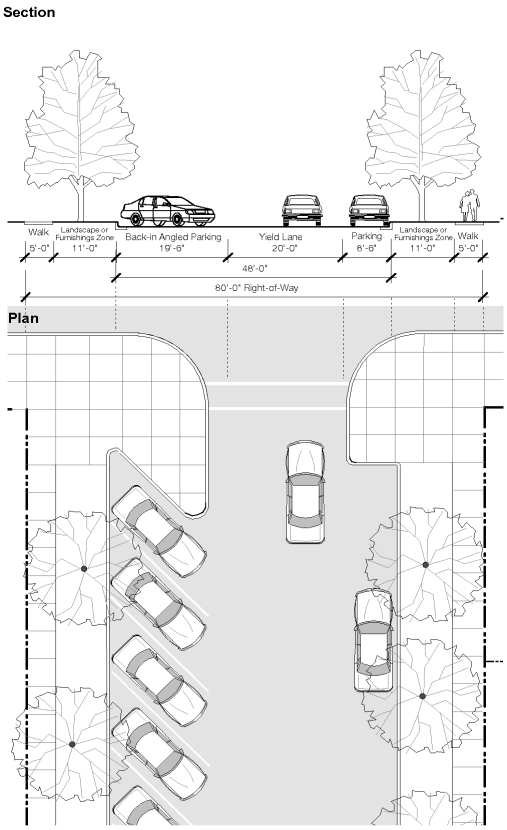


Figure 27-906(7a). Typical Sample Neighborhood Street.

Table 27-900-18.: Neighborhood Street Guidelines.

Neighborhood Street Guidelines	
Location	Permitted adjacent to all districts
Typical Right-of-Way Width	80′
a. Vehicular Realm	
Travel Lanes	1 yield lane
Lane Width	20′ (two way yield)
Allowable Turn Lanes	Permitted in place of parking and bulb out at intersections
Parking Lanes [1]	Parallel or back-in diagonal on both sides

	Pavement Width	37′—48′
	Curbs	Vertical
	Median	Prohibited
	Bicycle Facilities [2]	Shared
b. Pedestrian Realm		
	Pedestrian Facilities	Minimum 5 feet wide clear sidewalk on both sides with bulbouts
	Buffer	Minimum 11′ wide Planting Zone or Furnishings Zone both sides (refer to Sec. 27-905)
[1] Reference Sec. 27-906.B. for on-street parking requirements [2] Reference Sec. 27-906.B. for bicycle facility types and requirements		

3. Connector Street

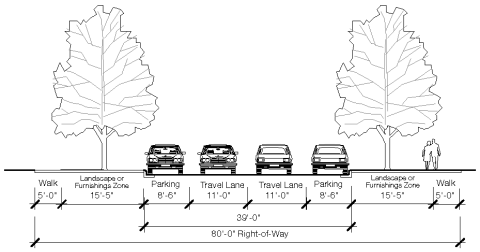


Figure 27-906(8b): Alternative Sample Connector

(a) *Intent.* The connector street is a medium capacity street for slow speeds with a standard right-of-way. It primarily serves as a through street within the neighborhood and connects neighborhood streets to avenues or boulevards. Refer to the typical plan and section, Figure 27-906(8a).

(b) *General requirements.* Connectors shall be developed using the guidelines in Table 27-900-19. The department of public works, engineering division, may require additional right-of-way, pavement width, or street elements depending on specific site characteristics.

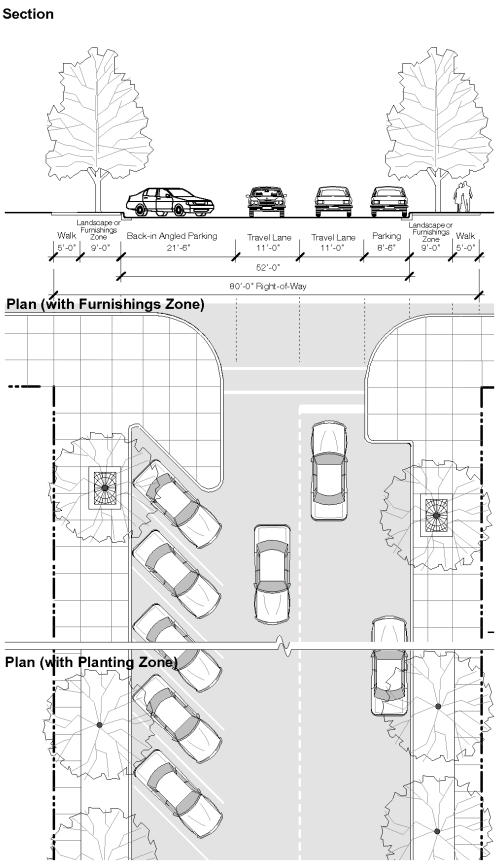


Figure 27-906(8a): Typical Sample Connector.

Table 27-900-19: Connector Guidelines.

Connector Street Guidelines	
Location	Permitted adjacent to all districts
Typical Right-of-Way Width	80′
a. Vehicular Realm	
Travel Lanes	1 lane in each direction
Lane Width	11′
Allowable Turn Lanes	Permitted in place of parking and bulb out at intersections

	Parking Lanes [1]	Parallel or back-in diagonal both sides
	Pavement Width	39′—52′
	Curbs	Vertical
	Median	Permitted
	Bicycle Facilities [2]	Shared, Designated Shared, Dedicated Lane, or Cycle Track
	b. Pedestrian Realm	
	Pedestrian Facilities	Minimum 5′ wide clear sidewalk on both sides with bulbouts
	Buffer	Minimum 9′ wide landscape zone or furnishings zone, both sides (refer to Sec. 27-905)
[1] Reference Sec. 27-906.B for on-street parking requirements		
[2] Reference Sec. 27-906.B for bicycle facility types and requirements		

4. Avenue

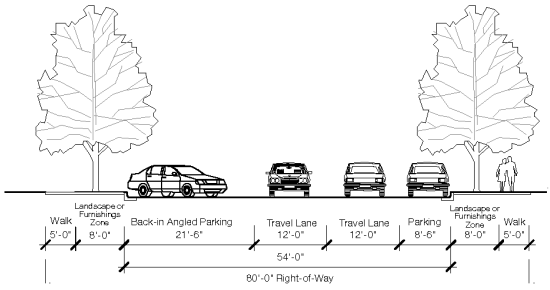


Figure 27-906(9b): Alternative Sample Avenue.

(a) *Intent.* The avenue is a high capacity street for higher speeds with a wider right-of-way. It serves all types of development and provides crosstown connections. Refer to the typical plan and section in Figure 27-906(9a).

(b) *General requirements.* Avenues shall be developed using the guidelines in Table 27-900-20. The department of public works, engineering division, or state department of transportation, may require additional right-of-way, pavement width, or street elements depending on specific site characteristics.

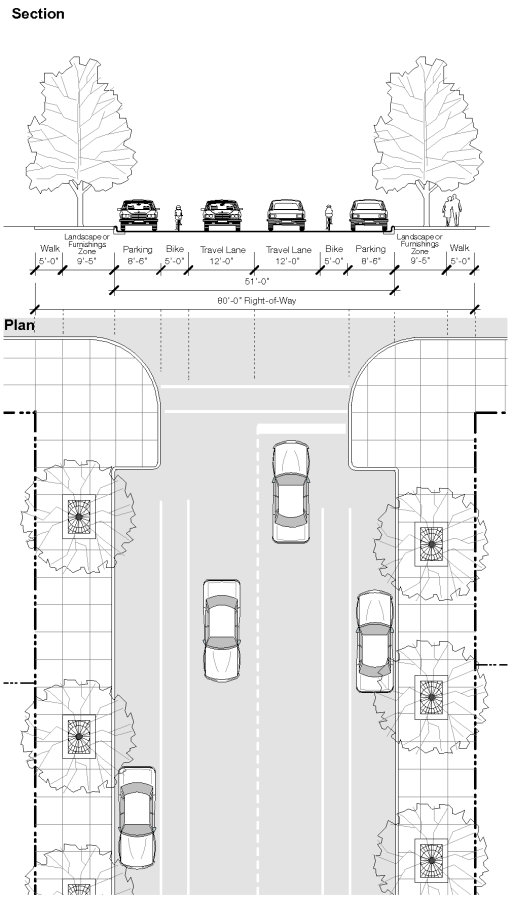


Figure 27-906(9a): Typical Sample Avenue.

Table 27-900-20. Avenue Guidelines.

Avenue Guidelines	
Location	Permitted adjacent to all districts
Typical Right-of-Way Width	80′
a. Vehicular Realm	
Travel Lanes	Per the Department of Public Works, Engineering Division, or Montana Department of Transportation
Lane Width	Maximum 12′
Allowable Turn Lanes	Permitted in place of parking at intersections

	Parking Lanes [1]	Parallel or back-in diagonal both sides
	Pavement Width	41′—54′
	Curbs	Vertical
	Median	Permitted
	Bicycle Facilities [2]	Designated Shared, Dedicated Lane, or Cycle Track
	b. Pedestrian Realm	
	Pedestrian Facilities	Minimum 5′ wide clear sidewalk on both sides with bulbouts
	Street Buffer	Minimum 8′ wide landscape or furnishings zone, both sides (refer to Sec. 27-905)
	[1] Reference Sec. 27-906.B. for on-street parking requirements	
	[2] Reference Sec. 27-906.B. for bicycle facility types and requirements	

5. Boulevard

(a) *Intent.* The boulevard is a high capacity street for higher speeds with a wider right-of-way, one-way only in this case. It serves all types of development and provides crosstown connections. Refer to the typical plan and section, Figure 27-906(10a).

(b) *General requirements.* Boulevards shall be developed using the guidelines in Table 27-900-21. The department of public works, engineering division, or state department of transportation, may require additional right-of-way, pavement width, or street elements depending on specific site characteristics.

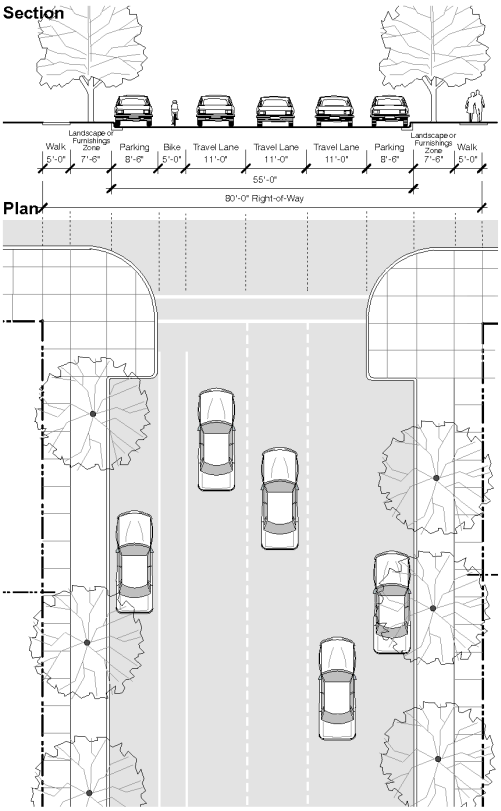


Figure 27-906(10a): Typical Sample One-Way Boulevard - 6th Ave N & Portions of 1st Ave N

Table 27-900-21: Boulevard Guidelines.

	Boulevard Guidelines	
	Location	Permitted adjacent to all districts
	Typical Right-of-Way Width	80′
	a. Vehicular Realm	
	Travel Lanes	Per the Department of Public Works, Engineering Division, or Montana Department of Transportation
	Lane Width	11′
	Allowable Turn Lanes	Permitted in place of parking and bulb out at intersections

	Parking Lanes [1]	Both sides, parallel only
	Pavement Width	50′—60′
	Curbs	Vertical
	Median	Permitted, minimum 5′ wide, preferably 9′ wide
	Bicycle Facilities [2]	Designated Shared, Dedicated Lane, or Cycle Track
	b. Pedestrian Realm	
	Pedestrian Facilities	Minimum 5′ wide clear sidewalk on both sides with bulbouts
	Buffer	Minimum 5′ wide landscape zone or furnishings zone, both sides (refer to Sec. 27-905
	[1] Reference Sec. 27-906.B. for on-street parking requirements	
	[2] Reference Sec. 27-906.B. for bicycle facility types and requirements	

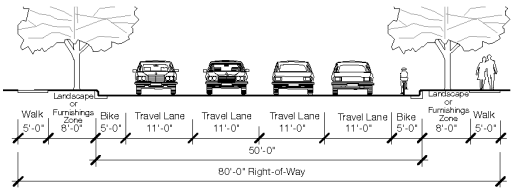


Figure 27-906(10b): Sample Two Way Boulevard

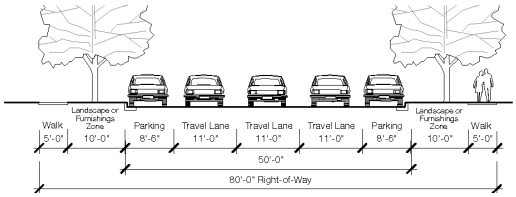


Figure 27-906(10c): Sample One-Way Boulevard

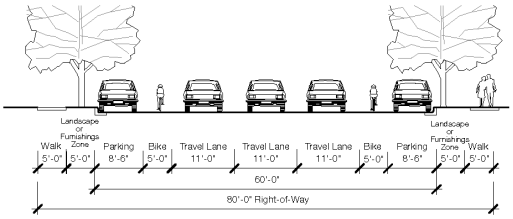


Figure 27-906(10d): Sample One-Way Boulevard - 4th Street

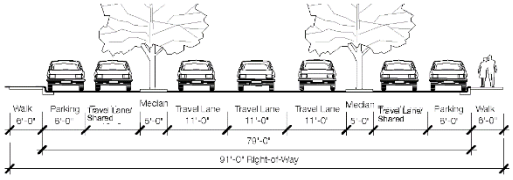


Figure 27-906(10e): Sample One-Way Blvd w/Access Rd

ARTICLE 1000: USE-SPECIFIC STANDARDS

When reference is made to a group of zone districts, the following individual districts shall be included:

District Groupings Used in this Section	
Residential	All N districts, RMH, All NX districts
Mixed-Use	All NX districts, NO, NMU, All CMU districts
Commercial	C3, CX
EBURD	EBURD
Industrial	I1, I2
Public	P2, P3 (P1 is open space only)

SECTION 27-1001 GENERAL PROVISIONS

A. GENERALLY APPLICABLE STANDARDS

The following general standards apply to the uses identified in this article.

1. A lot may contain more than one use.
2. Each of the uses may function as either a principal use or accessory use on a lot, unless otherwise specified.
3. Uses are either: permitted by-right (P) in a district, permitted by-right with with use-specific standards, that may include separation requirements that are applicable across multiple districts as described in this code section (PR) or design parameters defined in specific zone districts (PL), or require special review (SR) in order to be developed.
4. Each use may have both indoor and outdoor facilities, unless otherwise specified.

B. USE TABLE ORGANIZATION

1. This section identified the uses that are permitted on a lot or in a development for three categories of uses:
   (a) Table 27-1000.1 identifies the primary uses permitted in each zone district.
   (b) Table 27-1000.6 identifies the accessory uses permitted in each zone district.
2. Definitions for individual uses are provided in Section 27-1800, Definitions.

C. PRIMARY USE CLASSIFICATION GENERAL DESCRIPTIONS

1. Organization

(a) To organize the uses in the Table 27-1000.1, Permitted Primary Uses, land uses and activities are classified into general “use categories” that are based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. The use categories in Table 27-1000.1 are:

(1) Residential

(2) Public, Civic, and Institutional

(3) Commercial

(4) Industrial, Wholesale, and Storage

(5) Agriculture

(b) Where there are also groups of uses with a use type, the use type may also be organized into “use groups” and “use type subgroups” where there are a number of possible variations of a use type, such as residential dwellings or group living. This classification provides a systematic basis for assigning present and future land uses into appropriate zoning districts.

(c) The use categories and use groups are described below for the purpose of providing a general description of each use category and use group along with examples of primary and some accessory uses that might be permitted within the category or group. Not all of these uses are permitted in every zone district. Accessory uses described in this section may also be allowed as primary uses in some zone districts. To determine which uses are permitted in which district, see Table 27-1000.1.

2. Residential Uses

(a) Use Category Description: This is a category of uses offering habitation on a continuous basis of at least 30 days. The continuous basis is established by tenancy with a minimum term of one month or property ownership. This use category also includes group residential facilities.

(b) Use Types

(1) Household Living: This use type is characterized by residential occupancy of a dwelling unit by one or more persons. Uses where tenancy may be arranged for a shorter period are not considered residential; they are considered to be a form of transient lodging.

(2) Group Living: This use type is characterized by residential occupancy of a structure by a group of people who do not meet the definition of "Household Living". Generally, group living structures have a common eating area for residents. The residents may receive care, training, or treatment, and caregivers may also reside at the site.

3. Public, Civic, and Institutional Uses

(a) Use Category Description: This is a use category for public, quasi-public, and private uses that provide unique services that are of benefit to the public at-large.

(b) Use Types

(1) Assembly: Civic and cultural assembly uses are permanent places where persons regularly assemble for religious worship or secular activities, and which are maintained and controlled by a body organized to sustain the religious or public

assembly. Civic assembly uses include civic and social organizations such as private lodges, clubs, fraternities, and similar private membership organizations, as well as places of community assembly such as libraries and museums.

(2) Education: This use type includes institutions of learning that provide educational instruction to students. Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school day care.

(3) Health Care and Social Assistance: This use type is characterized by activities focusing on medical services, particularly licensed public or private institutions that provide primary health services and medical or surgical care to persons suffering from illness, disease, injury, or other physical or mental conditions. Accessory uses may include laboratories, outpatient, or training facilities, and parking, or other amenities primarily for the use of employees in the firm or building.

(4) Parks and Recreation: This use type includes uses that focus on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. These lands tend to have few structures. Accessory uses may include clubhouses, playgrounds, maintenance facilities, concessions, caretaker's quarters, and parking for cars and RVs as permitted by the City.

4. Commercial Uses

(a) Use Category Description: This is a use category for any retail, consumer service, or office use.

(b) Use Types

(1) Amusement and Recreation: This use type includes a broad array of commercial establishments that operate indoor or outdoor facilities or provide services to meet varied artistic, cultural, entertainment, and recreational interests of their patrons. Excluded are restaurants and bars that provide live entertainment in addition to the sale of food and beverages, which this Zoning Code categorizes as “eating and drinking establishments.”

(2) Animal Sales and Services: This use category groups uses related to animal care.

(3) Assembly, Entertainment and Trade: These commercial assembly uses include convention centers, theaters, stadiums, arenas, and wedding venues.

(4) Adult and Child Care: This use type includes adult day care and the range of child care services permitted by Montana law.

(5) Commercial Services: This use category includes uses that provide for consumer or business services and for the repair and maintenance of a wide variety of products. Personal services are also included, characterized by establishments that provide individual services related to personal needs such as barber shops or dry cleaners.

(6) Eating and Drinking Establishment: This is a use category for businesses that prepare or serve food or beverages for consumption on or off the premises, such as restaurants and bars, along with specialty food and beverage production such as coffee roasting and craft alcohol. Accessory uses may include outdoor seating, offices and parking.

(7) Financial Services: This use category includes establishments that have a primary purpose of: providing custody, loans, exchange, or issuance of money; extending credit; and transmitting funds, including via drive-in facilities and automatic teller machines.

(8) Lodging: Uses in this use type provide customers with temporary housing for an agreed upon term of less than 30 consecutive days; any use where temporary housing is offered to the public for compensation and is open to transient rather than permanent guests. This use type includes hotels, motels, short-term rentals, and bed and breakfast inns.

(9) Office: This type includes uses where people are engaged primarily in on-site administrative, business, or professional activities. These uses are characterized by activities in an office setting that focus on the provision of off-site sale of goods or on-site information-based services, usually by professionals. Typical examples include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, call centers, and similar offices. This category may also include laboratory services that are conducted entirely within an office-type setting. Accessory uses may include cafeterias, health facilities, parking or other amenities primarily for the use of employees in the firm or building.

(10) Parking, Commercial: A use type that distinguishes primary commercial parking facilities from accessory parking.

(11) Retail Sales: This is a use type for businesses involved in the sale, lease, or rental of new or used products to the general public. Such uses may include, but are not limited to: convenience food store, drug store, grocery store, hardware store, general merchandise store, garden supplies, furniture, home furnishings and equipment. Accessory uses may include offices, parking, storage of goods, and assembly, repackaging or repair of goods for in-site sales.

(12) Vehicle and Sales and Services, Personal: This use type includes a broad range of uses for the maintenance, sale, or rental of passenger motor vehicles and related equipment. Accessory uses may include incidental repair and storage and offices.

5. Industrial, Wholesale, and Storage

(a) Use Category Description: This is a use category including uses that produce goods from extracted and raw materials or from recyclable or previously prepared materials, including the design, storage, and handling of these products and the materials from which they are produced.

(b) Use Types

(1) Industrial and Construction Services: This use type is characterized by companies that are engaged in the repair or servicing of heavy machinery, equipment, products, or by-products, or the provision of heavy services including construction or contracting. Accessory activities and uses may include sales, offices, parking, and storage.

(2) Industrial Manufacturing, Assembly, or Processing: A use type including establishments involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, constructed, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished, and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, such activity is a subordinate part of sales. Relatively few customers come to the manufacturing site. Accessory activities may include retail sales, offices, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets, and caretaker's quarters.

(3) Natural Resource Extraction: This use type includes removal of resources from the ground.

(4) Warehousing and Wholesale Sales and Distribution: This use type includes facilities used for the sale, lease, or rent of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or order taking, and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited as a result of the way in which the firm operates. Products may be picked up on site or delivered to the customer. Warehousing does not include establishments that are retail membership clubs or that are predominately retail uses with associated warehouse storage space.

(5) Waste and Salvage: This is a use category for uses that collect, store, process, or sell waste or salvage materials, or collect and process recyclable material, for the purpose of marketing or reusing the material in the manufacturing of new, reused, or reconstituted products.

6. Transportation, Utilities, and Communication

(a) Use Category Description: This use group includes providers and uses that provide public and quasi-public services to individuals and the community in the following categories.

(b) Use Types

(1) Alternative Energy Production: this is a use category that includes energy produced from resources that are regenerative, such as wind and solar energy.

(2) Transportation: this is a use category that includes uses involving public and private modes of transportation.

(3) Utilities and Public Facilities: This use type includes structures and locations for public or private lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and facilities for the generation of electricity. Utility uses may or may not have regular employees at the site and the services may be public or privately provided.

(4) Wireless Communication Facilities: This use type includes structures, locations, and equipment for the transmission of voice, data, image, or video programming.

7. Agricultural Uses

Use Category Description: This is a category of uses characterized by active and on-going agricultural uses, activities, and related uses. Not all uses listed here are allowed within the city limits. An agricultural use, in general, means the use of land for the growing and production of field crops, livestock, aquatic, and animal products for the production of income. Other agricultural uses might include fruit and vegetable stands, livestock sales, wholesale nurseries, and stables. Lands in agricultural uses and districts may also be held for preservation and conservation purposes. The sale or service of agricultural products and equipment included in similar commercial use categories.

SECTION 27-1002 USES BY DISTRICT

A. USE TABLE

Table 27-1000.1, Permitted Primary Uses, identifies the permitted primary uses in each zoning district. Each use is given one of the following designations for each zoning district in which that use is permitted.

1. Permitted /P/. These uses are permitted by-right in the zone districts in which they are listed. Permitted uses are required to comply with applicable use-specific standards identified in this article.
2. Permitted in a specified location, such as on upper stories or in the back of a structure /PL/. These uses are permitted by-right in the districts in which they are listed, provided that the uses are located in the upper stories of a structure. These uses may also be located in the ground story provided that they are located beyond a depth of at least 30 feet from the front facade.
3. Permitted with use restrictions /PR/. These uses must comply with the use restrictions identified in this Zoning Code, including those restrictions included in this article and any use restrictions identified in the zone district where the uses is proposed to be located.
4. Requires a special review /SR/. These uses require special review by the city zoning commission are not permitted uses in the districts in which they are listed but may be allowed as special exceptions subject to specific conditions. Uses permitted by special review must follow any applicable development standards associated with the use as well as meet the requirements of the special review.
5. Uses that are not permitted are indicated by a blank space.

B. INTERPRETATION

1. Classification of New or Unlisted Uses

Every type of potential use cannot be addressed or foreseen in this Zoning Code. When a use is proposed that is not specifically listed in the applicable use table, the following procedures shall be applied.

2. Uses Not Subject to Use Interpretation

The following categories of uses typically impose substantial impacts on a site, adjacent sites and structures, pedestrians or cyclists, the road network, or public infrastructure. Where a new use is proposed that is not identified in the applicable use table and that can be categorized into one of these categories, the applicant shall file an application for code amendment to determine if the use will be permitted. Through this process, the City will have the opportunity to review and determine the impacts of the proposed use and establish any prescribed conditions that may be appropriate to allowing the use.

(a) Agricultural Uses

(b) Industrial Services

(c) Manufacturing, Processing, and Assembly

(d) Waste and Salvage

3. Request for Use Interpretation

Requests for a use not prohibited in the previous section and not specifically addressed in any zoning district shall be submitted to the Zoning Coordinator for review, based on the following standards.

(a) The Zoning Coordinator shall determine whether the proposed use is listed in the applicable use table as a use permitted by right, with prescribed conditions, or as a special use in any zoning district.

(b) If the use is not addressed in the appropriate use table, the Zoning Coordinator shall select the use listed which most closely approximates the proposed use, using criteria such as:

(1) Appropriate use category in Section 27-1001.C;

(2) Conformance with the currently adopted growth policy and purpose of the zoning district in which the use is proposed;

(3) Types of equipment and/or processes to be used;

(4) Number of employees, visitors, or customers generated;

(5) Parking demands associated with the use; and

(6) Special public utility requirements for serving the proposed use type, including, but not limited to, electricity, water supply, wastewater output, pre-treatment of wastes and emissions required or recommended, and any significant power structures or infrastructure and communications towers or facilities;

(c) Once a similar use is determined, the Zoning Coordinator shall issue a zoning determination letter and the proposed use shall comply with any conditions and review procedures that may apply to that use.

(d) If, based on the criteria identified above, the Zoning Coordinator determines that a use can reasonably be determined to be similar to more than one use or category of uses, the Zoning Coordinator shall select the use or category of uses that provides the most exact, narrowest, and appropriate fit.

(e) The determination as to whether a proposed use is similar in nature and class to another use within a district shall be considered an expansion of the use regulations, not a variance applying to a particular situation. The Zoning Coordinator shall keep a log of use interpretations and shall periodically submit zoning code amendments to revise this Zoning Code in keeping with the use interpretations.

4. Determination of Non-Similarity

(a) The Zoning Coordinator may determine that a proposed use is not substantially similar to any use identified in Table 27-1000.1 because either:

(1) The potential impacts of the use, as identified in Section 27-1001.C.3, are significantly more impactful on the site, street, or neighborhood, than other permitted uses in the same use category and that the use would not otherwise be permitted without prescribed conditions or through a public review process; or

(2) There are no similar uses permitted on the site or in the applicable zone district;

(b) When this is the case, the Zoning Coordinator shall provide the applicant with a written determination of non-similarity within 14 business days of the request for interpretation.

5. Post-Decision Actions

The Zoning Coordinator's decision may be appealed to the Board of Adjustment.

C. TABLE 27-1000.1 BILLINGS PRIMARY USE TABLE

Table 27-1000.1: Permitted Primary Uses	Residential							Mixed-Use and Commercial							Indust.		EBURD					Public					
	Key: P = Permitted, PL = Location Limits in Zone District, PR – Applicable Use Restrictions, SR = Special Review																										
Use Table	N3	N2	N1	NX1	NX2	NX3	RMH	NO	NMU	CMU1	CMU2	DX	CBD	CX	I1	I2	RSV MS	RSV	CW	13	IS	P1	P2	P3Civ	P3 Ed	P3 Med	Additional Standards
RESIDENTIAL																											
Households Living (du/structure)																											
1 du	P	P	P	P			P	P	PL	PL	PL	PL	PL				PL	P	P	PL			PR	PR	PR	PR	27-1003
2 dus		P	P	P	P			P	PL	PL	PL	PL	PL				PL	P	P	PL			PR	PR	PR	PR	27-1003
3-4 dus				P	P			P	PL	PL	PL	P	P				PL	P	P	PL			PR	PR	PR	PR	27-1003
5-8 dus					P	P			PL	PL	PL	P	P				PL	P	P	PL			PR	PR	PR	PR	27-1003
9+ dus						P						P	P				PL	P	P	PL			PR	PR	PR	PR	27-1003
Manufactured Home																											
Type 1 (Jan 1, 1990 or newer)							P																				27-1003, RMH: 27-310
Type 2 (all other)							P																				
Group Household Living																											
Groups Recognized by Montana Statute																											
Comm. Res. Facility, Large (> 8 res.)	SR	SR	SR	SR	SR	P	SR	P	PL	PL	PL	P	PL				PL	P	P	PL	PL		P			P	27-1003
Comm. Res. Facility, Small (8 or fewer res.)	P	P	P	P	P	P	P	P	PL	PL	PL	P	PL				PL	P	P	PL	PL		P			P	27-1003
Independent Groups																											
Fraternity/ Sorority House						P			P	P	P	P	P												P		27-1003
Long-Term Care Facility										P	P	P	P	P			P	P								P	27-1003
Retirement Home or Village	SR	SR	SR	SR	SR	P	SR	P	PL	PL	PL	P	P				PL	P	P	PL	PL				P	P	27-1003
PUBLIC, CIVIC, AND INSTITUTIONAL																											
Assembly																											
Civic Assembly	SR	SR	SR	SR	SR	SR	SR	SR	P	P	P	P	P		P	P	P	P	P	P	P	PR	P	PR	PR	PR	27-1004
Religious Assembly	SR	SR	SR	SR	SR	SR	SR	SR	P	P	P	P	P	SR	SR	SR	P	P	P	P	P		P	PR	PR	PR	27-1004
Campus																											
Planned Civic Campus																								P			P3: 27-500
Planned Educational Campus																									P		P3: 27-500
Planned Medical Campus																										P	P3: 27-500

Table 27-1000.1: Permitted Primary Uses	Residential							Mixed-Use and Commercial							Indust.		EBURD					Public					
	Key: P = Permitted, PL = Location Limits in Zone District, PR – Applicable Use Restrictions, SR = Special Review																										
Use Table	N3	N2	N1	NX1	NX2	NX3	RMH	NO	NMU	CMU1	CMU2	DX	CBD	CX	I1	I2	RSV MS	RSV	CW	13	IS	P1	P2	P3Civ	P3 Ed	P3 Med	Additional Standards
Educational																											
School, College or University								SR	SR	P	P	P	P	P			PL	P	P	PL	P		P	P	P		
School, Primary and Secondary	P	P	P	P	P	P	P	P	P	P	P	P	P	P			PL	P	P	PL	P		P	P	P		
School, Trade, Business, Vo/Tech								P	PL	PL	PL	P	P	P	P		PL	P	P	PL	P		P		P	PR	27-1004
Government and Public Safety																											
Correctional Facilities															SR								SR				
Emergency Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Government Buildings and Offices								P	P	P	P	P	P	P	P	P	P	P	P	P	P	PR	P	P		P	27-1004
Government Facilities, Yards, and Storage														P	P	P			P	P	P	PR	P	P			
Health Care and Social Assistance																											
Hospice Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P			PL			PL			P	P		P	
Hospital or Health Care Facility								P	P	P	P	P	P	P			P	P	P	PL	P		P			P	
Office and Clinical Services									P	P	P	P	P	P			P	P	P	P	PL		P		P	P	
Outpatient Surgical Services										P	P	P	P	P												P	
Shelter								SR	P	P	P	P	P	SR	SR	SR	P	P	P	P	P		PR	PR	PR	PR	27-1004
Parks and Recreation																											
Arboretums/Botanic Gardens																						P	P				
Zoo																							PR				27-1004
COMMERCIAL																											
Adult and Child Day Care																											
Adult Day Care Center	SR	SR	SR	SR	SR	SR	SR	P	P	P	P	P	P	P			PL			PL			P	P	P	P	27-1005
Day Care Center	SR	SR	SR	SR	SR	SR	SR	P	P	P	P	P	P	P			P	P	P	P	P		P	P	P	P	27-1005
Family Day Care Home	P	P	P	P	P	P	P	P	PL	PL	PL	PL	PL	PL			P	P	P	P	P			P	P	P	27-1005

Table 27-1000.1: Permitted Primary Uses	Residential							Mixed-Use and Commercial							Indust.		EBURD					Public					
	Key: P = Permitted, PL = Location Limits in Zone District, PR – Applicable Use Restrictions, SR = Special Review																										
Use Table	N3	N2	N1	NX1	NX2	NX3	RMH	NO	NMU	CMU1	CMU2	DX	CBD	CX	I1	I2	RSV MS	RSV	CW	13	IS	P1	P2	P3Civ	P3 Ed	P3 Med	Additional Standards
Group Day Care Home	P	P	P	P	P	P	P	P	PL	PL	PL	PL	PL	PL			P	P	P	P	P			P	P	P	27-1005
Amusement and Recreation																											
Adult Entertainment													PR	PR	PR	PR			SR	SR	SR						27-1005
Amusement & Recreation, Indoor																											
Large (50,000 sf GFA or more)											P	P	P	P	P				P	P	P	P	P				27-1005
Small (less than 50,000 sf GFA)									P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	27-1005
Amusement & Recreation, Outdoor																											
Large (1 acre or more)											P	P	P	P	P				P	P	P	P	P				27-1005
Small (less than 1 acre)									P	P	P	P	P	P			P	P	P	P	P	P	P	P	P	P	27-1005
Casino, Large (10 or more gambling devices)										SR PR	SR PR	PR	P	SR PR	P		P	P	P	P	P						27-1005
Animal Sales and Services																											
Boarding/Kennel									PR	P	P	P	PR	P	P	P	PR	PR	PR	PR	PR						27-1005
General Sales and Services									P	P	P	P	P	P	P	P	P	P	P	P	P						27-1005
Shelter, Animal											P			P	P	P							P	P			27-1005
Small Animal Veterinary								P	P	P	P	P		P	P	P	P	P	P	P	P						27-1005
With boarding										P	P	P		P	P	P	P	P	P	P	P						27-1005
Large Animal Veterinary (with or w/o boarding)														P	P	P				P	P						27-1005
Assembly, Entertainment and Trade																											
Large (125,000 or more sf of exhibit space)											P	P	P	P	P	P	PL	P	P	P	PL	SR	P	P	P	P	27-1005
Small (up to 125,000 sf of exhibit space)									P	P	P	P	P	P	P	P	PL	P	P	P	PL	SR	P	P	P	P	27-1005
Commercial Service																											
Broadcasting Stations and Studios								SR	SR	P	P	P	P	P	P	P	P	P	P	P	P						

Table 27-1000.1: Permitted Primary Uses	Residential							Mixed-Use and Commercial							Indust.		EBURD					Public					
	Key: P = Permitted, PL = Location Limits in Zone District, PR – Applicable Use Restrictions, SR = Special Review																										
Use Table	N3	N2	N1	NX1	NX2	NX3	RMH	NO	NMU	CMU1	CMU2	DX	CBD	CX	I1	I2	RSV MS	RSV	CW	13	IS	P1	P2	P3Civ	P3 Ed	P3 Med	Additional Standards
Business Service								P	P	P	P	P	P	P			P	P	P	P	P						
Crematory, Funeral Services										P	P	P	P	P	P		P	P	P	P	P		P				
Cemetery																							P				
Consumer Maintenance and Repair								P	P	P	P	P	P	P	P		P	P	P	P	P						
Personal Service								P	P	P	P	P	P	P			P	P	P	P	P			PR	PR	PR	27-1005
Studio or Instruction Service								P	P	P	P	P	P	P			P	P	P	P	P			PR	PR	PR	27-1005
Eating and Drinking Establishment																											
No Alcohol																											
Restaurant									P	P	P	P	P	P	P		P	P	P	P	P			P	P	P	27-1005
with drive-thru									SR	P	P	SR		P	P			P	P	P	P			P	P	P	27-1009
Beer and Wine License, On-Premises Consumption																											
Bar or Tavern										SR PR	SR PR	P	P	SR PR	P		P	P	P	P	P						27-1005
Craft Alcohol										P	P	P	P	P	P		P	P	P	P	P			P	P	P	27-1005
Restaurant									P	P	P	P	P	P	P		P	P	P	P	P			P	P	P	27-1005
All-Beverage License, On-Premises Consumption																											
Bar or Tavern										SR PR	SR PR	P	P	SR PR	P		P	P	P	P	P						27-1005
Craft Alcohol										P	P	P	P	P			P	P	P	P	P			P	P	P	27-1005
Restaurant									P	P	P	P	P	P	P		P	P	P	P	P			P	P	P	27-1005
Financial Services																											
Financial Institution								P	P	P	P	P	P	P			P	P	P	P	P			P	P	P	27-1005
with drive-thru									P	P	P	P	P	P				P	P	P	P						27-1005
Alternative Financial Services										P	P	P	P	P			P	P	P	P	P						
Lodging																											
Boarding House	SR	SR	SR	SR	SR	SR			PL	PL	PL	PL	PL	PL			P	P	P	P	P						

Table 27-1000.1: Permitted Primary Uses	Residential							Mixed-Use and Commercial							Indust.		EBURD					Public					
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Bed and Breakfast Inn	SR	SR	SR	SR	SR	SR	SR	P	P	P		P	P				P	P	P	P	P			P	P	P	27-1005
Campground/RV Park														P					P			SR	SR				27-1005
Hotel/Motel									SR	P	P	P	P	P			P	P	P	P	P			P	P	P	
Short-Term Rental (Tourist Home)	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR			PR	PR	PR	PR	PR		PR	PR	PR	PR	27-1005
Office																											
Business or Professional								P	P	P	P	P	P	P			P	P	P	P	P			P	P	P	
Research and Testing Laboratories											SR	P	P	P	P	P			P		P			P	P	P	
Parking, Commercial																											
Structured Parking, primary use												PR	PR														
Surface Parking, primary use								SR	SR	SR	SR	SR	SR	P	P	P		P	P	P	P						
Retail Sales																											
Agricultural														P	P				P	P	P						
Commercial Greenhouse/Nursery									SR	P	P			P	P		P	P	P	P	P						
Liquor Sales									P	P	P	P	P	P	P		P	P	P	P	P						
Retail, Limited with drive-thru									SR	P	P			P				P	P	P	P						27-1009
without drive-thru									P	P	P	P	P	P			P	P	P	P	P			P	P	P	
Retail, General with drive-thru									SR	P	P			P				P	P	P	P						27-1009
without drive-thru										PR	P	P	P	P			P	P	P	P							
Retail, Large-Format											P			P				P	P	P	P						
Vehicle Sales and Service, Personal																											
Car Wash										SR	P			P	P				P	P	P						27-1005
Vehicle Sales and Rental											P	P	SR	P	P	P		P	P	P	P						
Outdoor Sales Lot											PR	SR	SR	P	P	P		PR	P	P	P						27-1009

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Vehicle Maintenance and Repair, Minor (5,000 SF or less)										P	P	P	SR	P	P	P		P	P	P	P						
Vehicle Maintenance and Repair, Major (>5,000 SF)											SR			P	P	P			P	P	P						
Vehicle Service Station										PR	PR	PR	PR	P	P	P		PR	PR	PR	PR			P	P	P	27-1005
with Convenience Store									SR	PR	PR	PR	PR	P				PR	PR	PR	PR			P	P	P	27-1005
INDUSTRIAL, WHOLESALE, AND STORAGE																											
Industrial and Construction Services																											
Auction House														P	P	P											
Contractor Yard, General/Trade														P	P	P			P	P	P						
Heavy															P	P			P		P						
Grain Elevator															P	P											
Industrial Sales and Services														P	P	P											
Manufactured Home Sales and Service														P	P	P											
RV and Trailer Rental, Sales and Service											P	P		P	P	P			P	P	P						
Truck and Heavy Equip Rental, Sales, and Service														P	P	P			P	P	P						
Truck Stop/Wash														P	P	P											
Manufacturing, Assembly, or Processing																											
Artisan/Craft									PL	PL	PL	P	P	P	P	P	PR PL	PR PL	PR PL	PR PL	PR PL						27-1006
Limited - Special Order												P	P	P	P	P			P	P	P						
General														P	P	P			P	P	P						
Heavy															SR	P					PR						27-1006
Natural Resource Extraction																											

Table 27-1000.1: Permitted Primary Uses	Residential							Mixed-Use and Commercial							Indust.		EBURD					Public					
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Mining; Oil and Gas Field Services															P	P					P						
Construction Sand and Gravel Mining														SR	P	P											
Warehouse and Storage Services																											
Outdoor Storage														PR	P	P		P	P	P	P						27-1006
Personal Self-Service Storage										PR PL	PR PL	PR		P	P	P		PR	PR	PR	PR						27-1006
Trucking and Transportation Service														P	P	P			P		P						
Warehouse														P	P	P		PL	PL	PL	PL						27-1006
Wholesale and Distribution (general)														P	P	P		P	P	P	P						
Agricultural Products														P	P	P		P	P	P	P						
Chemical Products															SR	P											
Petroleum Products																P											
Waste and Salvage																											
Junk or Salvage Yard															SR	SR											
Household Hazardous Waste Collection Facility																							P				27-1006
Recycling Processing Facility															P	P			P	P	P		P				
Refuse/Waste Transfer Facility															SR	SR							P				
Solid Waste Facility/Landfill																SR							P				
TRANSPORTATION, UTILITIES, AND COMMUNICATIONS																											
Transportation																											
Bus or Taxi Maintenance and Parking Shed											P			P	P	P											
Airport Passenger Terminal																							P				
Bus/Public Transit Terminal										P	P	P	P	P	P	P							P				

Table 27-1000.1: Permitted Primary Uses	Residential							Mixed-Use and Commercial							Indust.		EBURD					Public					
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Train Passenger Terminal										P	P	P	P	P	P	P							P				
Train/Railroad Freight Terminal, Switching Yard															P	P											
Utilities and Public Facilities																											
Major																SR		SR	P	SR	P		SR				
Minor (e.g., lift stations, substations)	SR	SR	SR	SR	SR	SR	SR	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				
Offices, Buildings, Yards, and Land														P	P	P		SR	P	SR	P		P				
Solar Energy Facilities (SEFs)																											
Tier 2															PR	PR						P					27-1007
Tier 3																SR											27-1007
Transmission and Distribution Lines	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P				
Wind Energy Conversion Facilities (WECs)																											
Tier 2															PR	PR											27-1007
Tier 3																SR											27-1007
Wireless Communication Facilities																											
Land Mobile Radio and Broadcast Antennae	PR	PR	PR	PR	PR	PR	PR	PR SR	PR SR	PR SR	PR SR	PR SR	PR SR	PR SR	PR SR	PR SR	PR SR	PR SR	PR SR	PR SR	PR SR				SR		27-1007
Wireless Communication Facilities	PL PR	PL PR	PL PR	PL PR	PL PR	PL PR	PL PR	PR	PR	PR	PR	PR	PR	PR	PR	P	PR	PR	PR	PR	PR	PL PR	PL PR	P	P	P	27-1007
AGRICULTURE																											
Agriculture																											
Auction Yard, Livestock														P	P	P											
Commercial Feeding Yard, Livestock															SR	SR											No dairy or poultry
Farm Stand									P	P	P	P	P	P	P		P	P	P	P	P						
Greenhouse, Non-Commercial	P	P	P	P	P	P	P																				

Table 27-1000.1: Permitted Primary Uses	Residential							Mixed-Use and Commercial							Indust.		EBURD					Public						
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Milling: Lumber, Plywood, and Shingles															P	P											

SECTION 27-1003 STANDARDS FOR RESIDENTIAL USES

A. COMMUNITY RESIDENTIAL FACILITIES

1. Community residential facilities shall comply with all applicable Montana statutory requirements.
2. In Mixed Use and Commercial districts, the use will follow the guidelines for site development within those zone districts and shall be located either above the ground floor or on the ground floor at least 20 feet from the front façade.

B. FRATERNITY/SORORITY HOUSE

In Mixed Use and Commercial districts, the use will follow the guidelines for site development within those zone districts and is exempt from the requirement that residential uses shall be located either above the ground floor or on the ground floor at least 20 feet from the front façade.

C. HOUSEHOLD LIVING

1. In Mixed-Use and Commercial and EBURD districts, dwelling units shall be located either above the ground floor or on the ground floor at least 20 feet from the front façade,
2. Where permitted in any P2 or P3 district, dwelling unit availability, regardless of ownership, is limited to residents associated with the district's primary institution. For example, a medical campus could provide dwelling units for patient families, visiting medical staff, and hospital employees.
3. Residential dwellings in a P3 district that are located within 150 feet of the campus perimeter shall meet the site design standards for the appropriate NX zone based on the number of units.

D. MANUFACTURED HOMES

1. Type 1 or Type 2 manufactured homes shall not be used for any commercial use.
2. Type 1 and Type 2 manufactured homes may be used as an on-premise office in connection with a manufactured home sales area.

E. RETIREMENT HOME OR VILLAGE

In Mixed Use and Commercial districts, the use will follow the guidelines for site development within those zone districts and shall be located either above the ground floor or on the ground floor at least 20 feet from the front façade.

SECTION 27-1004 STANDARDS FOR PUBLIC, CIVIC, AND INSTITUTIONAL USES

A. CIVIC ASSEMBLY

In P2 and P3 districts the following standards apply:

1. The use shall be either secondary to or accessory to the primary use on the site or campus.
2. The civic assembly facility may be leased or loaned to off-site users or for activities that are not directly supportive of the site or campus function.

B. GOVERNMENT BUILDINGS AND OFFICES; GOVERNMENT FACILITIES, YARDS, AND STORAGE

In P1 districts, the government building, office, facility, yard, or storage shall be either secondary to or accessory to the primary open space and recreation uses.

C. RELIGIOUS ASSEMBLY

1. Supplemental Special Review Standards:

   (a) Religious assembly uses shall be reviewed as a special review use in all residential zones.

   (b) Access shall be provided as follows: 1-200 seats shall have access from local or residential streets; 201-1000 seats shall have access from a collector street or higher; 1001 seats and over shall have access from an arterial street.

2. The following exemptions from the special review requirements shall only apply to those religious assembly uses that have previously been approved pursuant to a special review or that existed prior to November 3, 1972:

   (a) A religious assembly shall be allowed to remodel or expand without an additional special review provided that:

      (1) The number of potential occupants is not increased by more than 10 percent, than the number that is currently allowed as measured by building occupancy rating;

      (2) The gross floor area of the facility after such remodeling or expansion is not over 10 percent greater than the gross floor area originally occupied by the facility;

      (3) The number of new parking stalls is not more than 10 percent greater than the original number of spaces; and

      (4) All other applicable code requirements are met.

   (b) If, at the time the original or subsequent special review was conducted and approved, the applicant submitted a master plan showing: (a) future additions to the structure(s); (b) future structure(s); and/or (c) future parking area(s), those future improvements may be constructed without additional special review where the improvements comply with the requirements of this Zoning Code. Minor modifications and expansions to the future improvements identified on the master plan may also be constructed without additional special review provided that such modifications and/or expansions to the master plan meet the provisions of subsection (a).

3. Site Standards

   (a) Uses accessory to the religious assembly shall meet the standards applicable to the use as if the use is a principal use. Uses accessory to a religious assembly use in a residential district, other than shelter facilities, may only operate between 7:00 AM and 10:00 PM by right.

   (b) Parking for the religious assembly use, and any accessory use, shall be for the use that has the greatest parking requirement.

4. Shelter

   Religious institutions may provide temporary shelter as an accessory use that does not exceed 50% of the gross floor area of the primary structure.

D. SCHOOL: TRADE, BUSINESS, VOCATIONAL/TECHNICAL

In the P3-Med districts, trade, business, vocational/technical schools shall offer instruction related to medical careers and professions.

E. SHELTER

In all P3 zone districts, a temporary or permanent shelter may be established within the campus. If the shelter is located within 150 feet of the campus perimeter, the shelter site and buildings will conform to the CMU site design requirements.

F. ZOO

1. Minimum parcel size: 60 acres
2. Minimum buffer between adjacent uses: 100 feet

SECTION 27-1005 STANDARDS FOR COMMERCIAL USES

A. ADULT AND CHILD DAY CARE

Day care facilities, including day care centers, family day care homes, and group day care homes both for adults and children, shall comply with all applicable Montana statutory requirements. Site development shall comply with the design requirements in the zone districts.

B. ADULT ENTERTAINMENT

1. Purpose and Intent

It is the purpose of this section to regulate sexually oriented businesses to promote the health, safety, morals, and the general welfare of the citizens of the city and to establish reasonable uniform regulations to prevent the continued deleterious location and concentration of sexually oriented businesses within the city. The provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent or effect of these regulations to restrict or deny access by adults to distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of these regulations to condone or legitimize the distribution of obscene materials.

2. Findings and Determinations

The City Council hereby finds and determines that:

(a) The establishment of adult uses in commercial districts that are immediately adjacent to and which serve residential neighborhoods has a deleterious effect on both the business and residential segments of the neighborhood, causing or contributing to blight and a downgrading of property values.

(b) The establishment of more than two adult uses within 600 feet of each other has a deleterious effect on surrounding residential and business areas and the fostering of such businesses within a close proximity tends to create a "skid row" atmosphere.

(c) The location of several adult uses in the same neighborhood tends to attract an undesirable quantity and quality of transients, a circumstance which adversely affects property values, causes an increase in crime and encourages residents and businesses to move elsewhere.

(d) Concern for, and pride in, the orderly planning and development of a neighborhood should be encouraged and fostered in those persons comprising residential and business segments of that neighborhood.

3. Classification

Sexually oriented businesses are classified as follows:

(a) Adult arcades;

(b) Adult book stores or adult video stores;

(c) Adult cabarets;

(d) Adult motels; and

(e) Adult motion picture theaters.

4. Location of Sexually-Oriented Businesses

(a) A sexually oriented business shall not be operated within 1,000 feet of any of the following:

(1) A neighborhood, residential, or mixed-use zone.

(2) Any planned development zone that allows residential uses unless such zone is separated from the location of a sexually oriented business by an interstate highway.

(3) Land uses:

(i) Public library;

(ii) Public playground or park (for purposes of this section, publicly owned multiuse trails shall be deemed to be a park);

(iii) Public or private school and its grounds, from pre-school through twelfth grade;

(iv) A state licensed community residential facility, family day care home, group day care home, day care center, religious assembly, or

(v) A cemetery.

(b) A sexually oriented business shall not be located within 600 feet of another sexually oriented business.

5. Measurement of Distances

For purposes of this section, specified distances will be measured in a straight line, without regard to intervening structures, from the property line of the sexually oriented business to the property line of the preceding land uses or zoning districts.

6. Permitted Zones

(a) In addition to the preceding requirements, sexually oriented businesses are permitted in the following zones only:

(1) Central business district (CBD),

(2) Heavy commercial (CX),

(3) Controlled industrial (I1), or

(4) Heavy industrial (I2).

(b) Sexually-oriented businesses may be proposed for approval in some EBURD districts, as shown in Table 27-1000.1, through the special review process.

C. AMUSEMENT AND RECREATION

1. Size

Amusement and recreation facilities shall be regulated by size as follows:

Indoor	Large	50,000 sf GFA or more
	Small	Less than 50,000 sf GFA
Outdoor	Large	1 acre or more
	Small	Less than 1 acre

2. P1 District

(a) Amusement and recreation facilities located in P1 districts may be in either public or private ownership and may charge appropriate fees.

(b) P1 district uses are limited to:

(1) Golf courses and driving ranges

(2) Sports fields

(3) Aquatic facilities

3. P2 and P3 District

Amusement and recreation facilities and uses shall meet the following standards:

(a) The use shall be either secondary to or accessory to the primary use on the site or campus.

(b) The amusement or recreation use may be leased or loaned to off-site users or activities that are not directly supportive of the site or campus function.

D. ANIMAL SALES AND SERVICES WITH OUTDOOR FACILITIES

Any outdoor activity areas such as kennels, runs, or exercise areas shall be subject to the following:

1. General Requirements

The facilities shall:

(a) Only be used between the hours of 7:00 AM and 10:00 PM, and

(b) Be located at least 25 feet from any residential district.

2. Kennel

(a) All facilities, including pens, kennels, cages and exercise runs in NMU, CBD, and EBURD districts shall be maintained within a completely enclosed, soundproof building so that, to the maximum extent feasible, noise and odor are not detectable off-premises.

(b) Facilities in the CMU1, CMU2, DX, CX, I1, and I2 districts may have outdoor facilities, including runs and exercise areas, but such facilities shall meet the standards of Subsection C.2.a if they are located within 25 feet of any residential district.

3. Veterinary Services (with Boarding)

Small Animal Veterinary clinics or hospitals in the CMU1, CMU2, DX, CX, EBURD, I1, and I2 districts may have outdoor facilities, including runs and exercise areas, but such outdoor facilities must be completely screened with a sight-obscuring fence. Boarded animals and animals under veterinary care must be accompanied at all times by staff while in the outdoor facility.

E. ASSEMBLY, ENTERTAINMENT AND TRADE

1. Size

(a) Large entertainment and trade assembly facilities shall have 125,000 or more square feet of exhibit space.

(b) Small entertainment and trade assembly facilities shall have no more than 124,999 square feet of exhibit space.

2. P1 District

Entertainment and trade assembly facilities located in P1 districts may be in either public or private ownership and may charge appropriate fees. These facilities require special review approval.

3. P2 and P3 District

Entertainment and trade assembly facilities shall meet the following standards:

(1) The facility and use of the facility shall be either secondary to or accessory to the primary use on the site or campus.

(2) The entertainment and trade assembly facility may be leased or loaned to off-site users or activities that are not directly supportive of the site or campus function.

F. BANK OR FINANCIAL INSTITUTION

Banks or financial institutions that are located within 100 feet of a residential zoning district and have drive-through services shall meet the following requirements:

1. The drive-through area shall be screened either by site perimeter landscaping or a landscape buffer, whichever is applicable pursuant to Section 27-1200, Landscaping.

2. Access to or across an alley shared by a mixed-use or commercial district and a residential district shall comply with the zone district site development requirements.

G. BAR AND TAVERN

1. Separation

(a) Bars and taverns shall be separated from religious institutions, primary and secondary educational facilities, and public parks that contain a children's playground or playfield ("protected use" as defined in Section 27-1802.G) as follows:

(1) There are no separation requirements in the CBD, DX, EBURD, and I1 districts.

(2) In all other districts, there shall be a separation of at least 600 feet, measured from the exterior of the occupied building space of the bar or tavern to the property line of the lot that contains the protected use.

(b) Bars or taverns shall also be separated from any residential neighborhood zone (N1, N2, N3, N4, NX1, NX2, NX3, and RMH) by at least 150 feet, measured from the exterior of the occupied building space of the bar or tavern to the property line of the lot in the residential neighborhood zone.

(c) Required separations are not subject to reduction, adjustment, or variance, and bars or taverns shall not be approved within the distances specified.

2. **Outdoor Seating**
Outdoor seating may be permitted as an accessory use regulated by Section 27-1008,Q.

3. **Maximum Floor Area**
The maximum floor area for a bar or tavern in a CMU1 district is 1,500 sf. This is the maximum size for a stand-alone structure or the maximum floor area for the bar or tavern use when located within a mixed-use structure. Floor area does not include outdoor seating unless the outdoor seating area is larger than 375 square feet.

H. BED AND BREAKFAST INN

1. The owner-operator shall reside on the premises.
2. The bed and breakfast shall be located within a structure that was originally permitted within the district.
3. There shall be no more than 18 guests at any one time.
4. The individual guest rooms shall have no cooking implements, including, but not limited to, stoves, grills, or ovens.
5. Parking shall not be allowed in any front yard.

I. CAMPGROUND/RV PARK

1. The intent of these standards is to enable the orderly, safe, and nuisance-free development and use of campgrounds and RV parks.
2. The overall campground/RV park lot or parcel shall be not less than two acres, inclusive of rights-of-way, easements or dedications, and shall observe the minimum area standards set forth herein.
3. Site Layout
   (a) The minimum distance between recreational vehicles in the same park shall be 15 feet.
   (b) The campground/RV park shall be screened from adjoining lots or parcels, not in a campground/RV park use, by a solid fence or wall of not less than four feet in height nor more than six feet in height. The screening fence or wall shall be constructed within six months from date of approval of the campground/RV park plans.
   (c) RV sites shall be designed to be interchangeable with campsites.
4. Operation

(a) Commercial service and retail service uses may be permitted as accessory uses. These uses shall not occupy more than five percent of the total gross area of the campground/RV park.

(b) A responsible caretaker, owner, or manager shall be placed in charge of any campground/RV park to keep all grounds, facilities and equipment in a clean, orderly, and sanitary condition, and shall be answerable to the owner for any violation of the provisions of this or any other applicable code or ordinance.

J. CASINO

1. Determination of Casino Use

(a) An establishment will be considered to either be a casino or have an accessory casino for the purpose of these regulations if any of the following characteristics apply:

(1) The establishment is referenced as a casino by signage, advertisement, or by name;

(2) A live card table is on the premises; and/or

(3) A gambling machine is on the premises.

(b) Uses with specialty liquor licenses, such as fraternal organizations, golf courses, and non-profit arts organizations are not casinos pursuant to this category.

2. Casino Classification

(a) Casinos shall be classified based on the total number of gaming machines, as follows:

(1) Accessory Limited: 1 to 3 gaming machines located in the structure or on the site.

(2) Accessory Small: 4 to 9 gaming machines located in the structure or on the site.

(3) Primary/Large: 10 or more gaming machines located in the structure or on the site.

(b) Accessory Limited or Accessory Small casinos may have or add one table game without changing the classification. Primary/Large casinos may include any number of table games.

3. Separation Distances

(a) Primary/Large casinos shall be separated from religious institutions, primary and secondary educational facilities, and public parks that contain a children's playground or playfield ("protected use" as defined in Section 27-1802.G) as follows:

(1) There are no separation requirements in the CBD, EBURD, and I1 districts.

(2) In all other districts, there shall be a separation of at least 600 feet, measured from the exterior of the occupied building space of the casino to the property line of the protected use.

(b) Primary use casinos shall also be separated from any residential neighborhood zone (N1, N2, N3, N4, NX1, NX2, NX3, and RMH) by at least 350 feet, measured from the

exterior of the occupied building space of the casino to the property line of the residential neighborhood district.

(c) Required separations are not subject to reduction, adjustment, or variance and casinos shall not be approved within the distances specified.

(d) A primary use casino may not be added to a site with other primary uses, such as a bar or restaurant where the casino separation requirements cannot be met.

4. Landscaping

A B3 bufferyard, identified in Section 27-1200, shall be provided along all internal property lines where a casino is the primary use on the site.

K. CRAFT ALCOHOL (MICROBREWERY, MICRODISTILLERY, WINERY, CIDERY)

1. A craft alcohol establishment may not add another primary use, such as a casino, where the additional use's separation requirements cannot be met.

2. Outdoor seating may be permitted as an accessory use regulated by Section 27-1008.Q.

L. PERSONAL SERVICE

In a P3 Campus district, personal services shall be limited to those provided in support of the primary campus use and offered for the benefit of campus users.

M. OUTDOOR SALES LOT

An outdoor sales lot as a primary use shall be designed and used in compliance with Section 27-1008.P, Outdoor Display and Sales.

N. [redacted] RESTAURANT

1. Drive-Thru Service. Any persons desiring to use any premises or to erect, construct, or alter any new or existing building or structure for a restaurant drive-thru service shall satisfy the following criteria, based upon the adjoining zoning district(s).

(a) A drive-thru establishment that adjoins, including any location across an alley, residentially zoned property, is subject to special review.

(b) All other drive-thru establishments, including those which are located across a public street from residentially-zoned property, shall meet the following criteria:

(1) A traffic accessibility study shall be completed and approved by the City engineer; and

(2) The use shall comply with all other sections of this Zoning Code.

2. Outdoor Seating

(a) Accessory outdoor seating is regulated in Section 27-1008.Q.

(b) An eating or drinking establishment that was approved by special review that seeks to remodel or expand to add outdoor seating shall be required to meet the standards of Section 27-1008.Q and obtain a separate special review approval.

O. [redacted] SHORT-TERM RENTALS

A. The purpose of the short-term rental permit program is to facilitate the permitting of short-term rental units to allow for varied accommodations and experiences for visitors when short-term rentals can be provided in a manner that retains the character of the neighborhoods in which they are located.

1. The short-term rental regulations adopted in 2020 are intended to be preliminary in nature to allow the City of Billings to both introduce the concept of legal short-term rentals to the community and understand the potential scope and impacts of short-term rentals as a legal use. The City anticipates refining these regulations over time to develop a set of standards with longer-term applicability.

2. It shall be unlawful for any person to operate any guest home or tourist home without a valid short-term rental permit, as approved pursuant to Section 27-1621, [application process included below, will be moved to 27-1600, Administrative Procedures] and a business license.

3. The short-term rental permit is issued to the property owner and does not run with the property. The permit shall not be transferred or assigned to another individual, person, entity, or address but may be managed by a third party on behalf of the owner.

4. A short-term rental permit shall only be issued to:

   (a) A natural person whose name appears on the deed of the dwelling unit or property;

   (b) A trust, if the beneficiary of the trust is a natural person; or

   (c) A corporation registered with the State of Montana.

5. Nothing in this section shall limit the ability of a property owner, CC&Rs, homeowners' association or similar association from prohibiting or further limiting the short-term rental of property where the authority to do so exists.

6. Nothing in this section shall prohibit the operation of a hotel, motel, boarding house, or bed and breakfast inn where such use is permitted.

7. The issuance of a short-term rental permit allows the property to be rented to either a single guest or multiple guests with a maximum limit of two guests per bedroom.

B. Habitable Structure Required

Sleeping quarters for short-term tenants shall be located in a habitable structure and shall not be located in:

1. Non-residential areas within buildings or accessory structures (e.g., shed, garage) that do not contain finished living space;

2. Commercial (office/retail) or industrial (warehouse) spaces; or

3. Outdoors in a temporary structure (e.g., tent) or in a recreational vehicle or travel trailer.

C. N1, N2, N3, and RMH Districts:

1. Type of Permits: Both guest homes and tourist homes are permitted.

2. Maximum number of short-term rental permits: One short-term rental permit per dwelling unit with a maximum of two short-term rental permits located on a property.

(a) If a property contains both a principal single-unit dwelling unit and an accessory dwelling unit, only one unit may be permitted for use as a short-term rental.

(b) If a property contains multiple single-unit or two-unit dwellings all in single ownership, the two permit per property limit shall apply per property.

(c) If a property contains multiple detached dwelling units, or townhomes all in separate ownership (e.g. condominium, patio home, townhome), one permit per dwelling unit may be issued.

D. NX1, NX2, NX3, NO, NMU, CMU, DX, CBD, CX, EBURD, P2, and P3 Districts:

1. Type of Permits: Both guest homes and tourist homes are permitted.

2. Maximum number of short-term rental permits:

(a) Single-unit and two-unit dwellings shall comply with section C.2.

(b) Townhouses: One permit per dwelling unit.

(c) Multiple unit dwelling all in single ownership: Permits may be issued for up to 20% of the units. Properties that contain five or more stacked units in one building must be compliant with applicable building code requirements.

E. Affordable Units

A short-term rental permit may not be issued for a permanently (e.g., deed restricted) affordable dwelling unit.

F. Use

Short-term rentals shall be used for lodging purposes only and may not be used for commercial purposes or large social events such as weddings or family reunions. These events may be held where permitted by special review. Note: Wedding or social event guests may be lodged in a short-term rental but the event itself must be held in a permitted location or structure.

G. Other Licensing

In addition to the short-term rental permit, the owner shall obtain a business license from the Finance office.

H. Contact Information

1. The short-term rental permit with all local contact information and emergency safety information shall be prominently displayed within the short-term rental unit.

2. During the term that a short-term rental unit is occupied by a guest(s), the owner and/or a local contact person designated by the owner, as identified in the short-term rental permit application, shall be available 24 hours per day, seven days per week, for the purpose of responding to complaints regarding the condition or operation of the short-term rental unit or the conduct of short-term tenants. If the local contact person designated by the owner changes, then the owner shall update the permit on file.

I. Advertising

All short-term rental advertising shall include the Billings' Short-Term Rental Permit number.

J. Health, Safety, and Code Compliance

1. Short-term rental units must contain smoke detectors, fire extinguishers and CO2 detectors; and shall remain compliant with all zoning, building, fire, noise, and other applicable city and state codes.
2. Guests shall be instructed to park in private driveways first, with overflow parking on the street where permitted. Parking on-site in non-driveway areas (e.g., setbacks or yards) shall be prohibited.
3. No meals shall be prepared for or be served to the short-term tenants by the owner or the owner's agents. Note: Preparation or service of meals by the owner or owner's agent may constitute the creation of a boardinghouse or bed and breakfast. These uses are allowed only within certain zone districts either by right or by special review approval of the City.
4. The owner shall maintain weekly residential trash collection services. Garbage/refuse containers shall not be left out at the collection point 24 hours after collection and property shall be free of trash and debris.

P. STUDIO OR INSTRUCTION SERVICE

In a P3 Campus district, studio or instruction services shall be limited to those provided in support of the primary campus use and offered for the benefit of campus users.

Q. VEHICLE SERVICE STATION

The following standards apply in the CMU1, CMU2, DX, CBD, and EBURD districts:

1. Service bays. Vehicular service bays, including garages and car wash bays, shall not be located on the front facade, unless otherwise permitted by the frontage type.
2. Outdoor storage. Disabled or inoperable vehicles and those awaiting pick-up may be stored outdoors if:
   (a) The vehicles are not stored for more than two days.
   (b) The storage area is located in the rear yard screened from view of the front lot line.
   (c) The storage area is screened using the side and rear yard buffer outlined in Section 27-1200.
3. Outdoor activities
   (a) All repairs or washing activities must occur inside a structure.
   (b) Vacuuming activities may occur in open air but must be located in the side or rear yards, screened from the front lot line.
   (c) Temporary outdoor display of seasonal items, such as windshield wiper fluid or salt, is permitted during business hours under the canopy and adjacent to the principal structure.

SECTION 27-1006 STANDARDS FOR INDUSTRIAL, WHOLESALE, AND STORAGE USES

A. ARTISAN MANUFACTURING

In the EBURD districts where an artisan industrial use is permitted with development standards, the following apply:

1. 20,000 square feet is the maximum permitted overall gross floor area.
2. A minimum 20 percent of gross floor area shall be dedicated to a showroom located at the front of the space.
3. Outdoor activities and storage of goods are not permitted.

B. HEAVY MANUFACTURING

In the EBURD where a heavy manufacturing use is permitted with development standards, the following apply:

1. Noise, odor, and other noxious by-products shall not be measurable on adjacent properties.
2. Waste products shall be disposed of off-site, without entering the sanitary sewer system.

C. PERSONAL SELF-SERVICE STORAGE

1. Generally Applicable Standards

(a) No business activity other than rental of storage units shall be conducted within a self-service storage unit.

(b) In CMU1, CMU2, and EBURD-CW, individual self-storage units, unit doors, loading areas or other service areas shall be screened from a public right-of-way and any adjacent non-industrial districts.

(c) Security fencing or gates shall be located behind any required landscaping area.

(d) Security gates shall be located so that two vehicles awaiting entry do not stack into the public right of way or any pedestrian path. This may be reduced to one vehicle for facilities with fewer than 25 units or where security gates are only locked outside of normal business hours.

(e) Exterior doors serving individual units shall not be oriented towards a public right of way unless located behind other structures.

(f) Individual units accessed from outdoors shall be located at least 100 feet from a front or street side property line.

(g) No self-service storage facility shall exceed 3 acres in size.

2. DX Standards

In DX districts this use is limited to existing structures that have been converted to personal storage.

3. EBURD Standards

These standards are applicable in addition to the general standards:

(a) Individual storage units or areas shall be located completely within an enclosed structure and shall not be individually accessed from the outside.

(b) No more than 2 garage or overhead doors providing access to the individual storage areas shall be permitted. The intent is to permit a secure interior area for the loading and unloading of material to be stored.

(c) Individual structures shall not exceed 250 feet on any side.

(d) All facade elevations for self-service storage facilities shall comply with the design requirements for the district.

D. OUTDOOR STORAGE

1. All outside storage areas, whether permitted as a principal or accessory use, shall comply with the following standards. Outdoor storage does not include outdoor display and sales, which are addressed in Section 27-1008.

(a) Type of Materials: Storage shall be limited to goods and materials customarily stored outside and resistant to damage and deterioration from exposure to the elements. Outside storage shall include the parking/storage of vehicles to be serviced at a collision service or towing/wrecker service use and all parking/ storage of vehicular equipment, such as farm or construction machinery or equipment and commercial delivery vehicles. The placement of storage vaults or shipping containers shall be regarded as outside storage, except as may be otherwise permitted by this Zoning Code.

(b) Location: When permitted as a principal or accessory use, outside storage shall comply with the following locational standards:

(1) Outside storage shall not be located in a front yard or street side yard between a primary structure and the street.

(2) Outside storage shall not obstruct or eliminate any required parking or loading space, access drive or fire lane; nor occupy any street right-of-way.

(3) Outside storage shall not be located within any required or established landscape area.

(c) Secured Storage: All outside storage, except for the storage of operable vehicles, shall be located within a secured area.

(d) Screening: Screening of all outdoor storage areas from right of way and adjacent properties shall be provided according to Section 27-1207, Utility and Service Area Screening.

(e) Height: Storage of stacked materials shall not exceed the height of the screening fence or eight feet, whichever is less. Individual items of greater height may be stored but may not exceed one-half the height of the principal building.

(f) Surfacing: Storage areas shall be surfaced as follows:

(1) Storage of goods and materials shall be conducted only on a paved surface or a city-approved all-weather surface that is maintained in a dust-free condition.

(2) The storage of vehicles, trailers, and equipment, which is normally intended to be mobile, whether self-propelled or towed, shall be conducted only on a surface that is provided in accordance with the requirements for parking areas.

2. Shipping Containers Permanent Off-Chassis and On-Site

(a) Permanent use, defined as placement for more than one year, is restricted to the following zoning districts: CX, I1, I2, C3 and EBURD.

(b) Use

(1) Permanent shipping containers shall be used for storage purposes only.

(2) Permanent shipping containers shall not be permitted as a principal building.

(3) Permanent shipping containers shall not be permitted to be rented or leased to a use not located on the same lot.

(c) Quantity

(1) A maximum of one permanent shipping container per site shall be permitted on lots of one acre or less.

(2) One additional permanent shipping container per acre may be permitted for lots greater than one acre.

(d) Dimensions: Permanent shipping containers shall not exceed the dimensions of 40 feet in length, eight feet in width, and 10 feet in height.

(e) Exterior Appearance

(1) Permanent shipping containers shall be maintained in good condition free from structural damage, rust, and deterioration.

(2) Permanent shipping containers shall not be stacked vertically.

(f) Signs: No signs or lettering shall be permitted on permanent shipping containers.

(g) Location

(1) Permanent shipping containers shall meet all building setback requirements and shall be located on the rear half of the lot.

(2) Permanent shipping containers shall not be permitted in any parking areas, required buffers or setbacks.

(3) No permanent off-chassis shipping containers shall be permitted in loading areas.

(h) Screening: All permanent shipping containers shall be screened from view from any public right-of-way or private street, and any residential use or residential zoning district according to Section 27-1207, Utility and Service Area Screening.

(i) Site Plan: Businesses shall submit a site plan showing any permanent container and its relationship to the overall site. The plan shall indicate how the container meets all

permanent requirements, including stormwater, traffic circulation, screening requirements, other development codes and technical standards, and inspection requirements.

E. WAREHOUSING

Where warehousing is permitted in the EBURD with development standards, the following apply:

1. Truck access is permitted only off a boulevard street type (refer to BMCC Section 27-906, Street Types).
2. Loading bays, if permitted by frontage type, shall be located directly off a boulevard street type.

SECTION 27-1007 STANDARDS FOR TRANSPORTATION, UTILITIES, AND COMMUNICATIONS

A. LAND MOBILE RADIO AND BROADCAST ANTENNAS AND ANTENNA SUPPORT STRUCTURES

1. Purpose. The purpose of this section is to establish regulations for the siting of broadcast facilities, including land mobile radio services and radio and television broadcast antennas, antenna support structures and associated equipment and buildings on public and private property. The goals of this section, developed with the assistance and participation of the Broadcast and Land Mobile Radio industry, are to:
   (a) Encourage the location of broadcast facilities in non-residential areas and minimize the total number of antenna support structures throughout the community;
   (b) Strongly encourage the joint use of new and existing broadcast antenna support structures;
   (c) Require broadcast facilities to be located, to the extent possible, in areas where the adverse impact on the community is minimal;
   (d) Require broadcast facilities to be configured in a way that minimizes the adverse visual impact of antenna support structures and antennas; and
   (e) Enhance the ability of the providers of land mobile radio services and radio and television broadcast services to provide such services to the community, as quickly, effectively, and efficiently as possible.

2. Applicability

(a) All land mobile radio service and radio and television broadcast antenna and antenna support structures located within the city zoning jurisdiction whether upon private or public lands shall be subject to this section. This section shall apply to broadcast antenna and antenna support structures upon state and federal lands to the extent of the City's jurisdiction by way of law, pursuant to any memoranda of understanding or otherwise.

(b) Pre-existing land mobile radio and radio and television broadcast antenna support structures and antennas shall not be required to meet the requirements of this section,

except as provided under Subsection 27-1007.A.5, Nonconforming Broadcast Facilities.

3. Broadcast Antenna Support Structures and Antennas Located in Residential Zoning Districts

Land mobile radio and radio and television broadcast antenna support structures and antennas shall be permitted as an allowed use in all residential zoning districts provided they meet all of the following criteria:

(a) Alternative broadcast antenna support structures conforming to all applicable provisions of this Zoning Code and roof-mounted antennas that do not add more than 20 feet to the total height of the building on which it is mounted shall be permitted as an allowed use only when located on school, government-owned utility, and other government sites.

(b) Proposed antennas or antenna support structures that are contrary to this section are considered a land use contrary to zoning and are subject to the special review process, or may be submitted to the board of adjustment for a hearing, whichever is the preference of the owner/agency. The board of adjustment shall forward comments and recommendations to the affected government agency for their consideration.

(c) Antennas co-located on existing or approved alternative broadcast antenna support structures or existing or approved broadcast antenna support structures, which have previously received, all required approvals and permits shall be permitted as an allowed use.

4. Broadcast Antenna Support Structures and Antennas Located in Mixed-Use, Commercial, EBURD, and Industrial Zoning Districts

(a) Broadcast antenna support structures 50 feet in height or less shall be permitted as an allowed use.

(b) Broadcast antenna support structures that exceed 50 feet in height or the maximum height limitations in the underlying zoning district, whichever is greater, may be permitted through special review.

(c) Broadcast antenna or tower farms may be permitted by special review as shown in Table 27-1000.1, Permitted Uses.

(d) All broadcast antenna support structures located in heavy industrial (I2) districts shall be permitted as an allowed use, including broadcast antenna or tower farms.

(e) All broadcast facilities located within the boundaries of an approved or preexisting broadcast antenna or tower farm shall be permitted as an allowed use.

5. General Requirements

The requirements set forth in this section shall govern the location and construction of all land mobile radio service and radio and television transmission facilities governed by this section.

(a) Building codes and safety standards: To ensure the structural integrity of broadcast facilities, the owner of a facility shall ensure that it is maintained in compliance with

standards contained in applicable local building codes and the applicable standards for such facilities.

(b) Regulatory compliance: All broadcast facilities must meet current standards and regulations of the FAA, the FCC, and other local, state or federal agencies with the authority to regulate facilities governed by this section.

(c) Setbacks

(1) Broadcast antenna support structures adjacent to residential uses or zoning. Broadcast antenna support structures must be set back, from all property lines, a distance equal to one-half (½) the height of the structure from any off-site residential structure or residentially zoned lot. Accessory structures, such as equipment enclosures or transmitter buildings, must maintain a minimum of a 15-foot setback from any lot line adjacent to a residential structure or residentially zoned lot, or the required setback of the zoning district where the antenna support structure is located, whichever is greater.

(2) Mixed-Use, commercial, EBURD and industrial zoning setbacks: Broadcast antenna support structures and accessory facilities must meet the minimum yard setback requirements, including arterial setbacks, for the zoning district in which they are located.

(3) Broadcast facilities in broadcast antenna or tower farms: Antenna support structures and accessory facilities located in antenna or tower farms must meet the minimum yard setback requirements, including arterial setbacks, for the zoning district in which they are located.

(d) Lot coverage and height: Broadcast antenna support structures and accessory structures shall not exceed lot coverage requirements for the zoning district in which they are located. Building and equipment enclosures shall not exceed the height restrictions for the zoning district in which they are located.

(e) Fencing and Buffering

(1) Fencing. A solid wood fence or masonry wall at least six feet in height (eight feet if razor or barbed wire is to be used) shall be constructed and maintained around the perimeter of the broadcast antenna support structure site. Climb-proof shields can be substituted for a fence or wall around the structure. Solid fences, at least 6 feet in height are required adjacent to residences and residentially zoned property. All AM broadcast antenna support structures must be surrounded by a suitable fence as required by FCC regulations.

(2) Landscaping adjacent to residential uses and/or residential zoning.

(i) For broadcast facilities located in a residential zoning district, adjacent to a residential use, or adjacent to a residentially zoned parcel, the following will be required: a continuous evergreen hedge at least 4 feet in height when planted, shall be planted and maintained around the perimeter of the antenna support structure outside of the required fencing and spaced close together

to provide a continuous visual screen. Shrubs shall also be planted and maintained around the guy anchors for visual screening purposes. AM Broadcast stations are exempt from this requirement due to overriding FCC regulations regarding vegetation in ground radial systems.

(ii) A performance bond or letter of credit for 150 percent of the landscaping and fencing materials and labor costs shall be posted with the planning division to ensure the placement of required landscaping and fencing in accordance with section 27-1200.

(3) Commercial landscaping. Landscaping requirements shall not apply to broadcast antenna support structures located in commercial or industrial zoning districts or approved broadcast antenna or tower farms.

(4) Exceptions for city airport airfield area: If federal safety and security standards within the city airport's airfield area prevent a broadcast antenna support structure from being fenced or landscaped, items 5(e)(1) and 5(e)(2) will not apply. Documentation of these standards must be submitted with the building permit or special review applications.

(f) Lighting: Broadcast antenna support structures shall not be artificially lighted unless required by the FAA or other local, state, or federal agency. Security lighting may be placed on a support structure no higher than 20 feet above ground. Cut-off security lights must be used in or adjacent to residential areas to prevent light spillage onto adjacent property.

(g) Signage: Signage shall be limited to non-illuminated warning and equipment identification signs unless otherwise required by the FAA and/or FCC.

(h) Maintenance

(1) Equipment at a broadcast facility shall be automated to the greatest extent possible to reduce traffic and congestion. Where the site abuts or has access to a collector or local street, access for maintenance vehicles shall be exclusively by means of the collector or local street.

(2) All property used for the siting of a broadcast antenna support structure or antenna shall be maintained, without expense to the City, so as to be safe, orderly, attractive, and in conformity with City codes including those regarding the removal of weeds and trash and landscape maintenance.

(i) Visual impact/aesthetics

(1) Broadcast antenna support structures shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA or other applicable local, state, or federal agency, be painted a neutral color or painted and/or textured to match the existing structure so as to reduce visual obtrusiveness.

(2) If a broadcast antenna is installed on a structure other than a tower, the associated electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as

to make the related equipment as visually unobtrusive as possible. Broadcast antennas and antenna support structures may be mounted on existing buildings that are 30 feet or more in height above the street grade.

(3) Roof-mounted antennas and antenna support structures shall not add more than 20 feet to the total height of the building on which they are mounted. Roof-mounted equipment shall be made visually unobtrusive to match existing air conditioning units, stair, elevator towers or other background. Crow's nest antenna arrays are prohibited on rooftop structures.

(4) Broadcast antennas or antenna support structures attached to new or existing structures shall be designed to blend with the structure's architecture and should be placed directly above, below or incorporated with vertical design elements of a structure.

6. Nonconforming Broadcast Facilities

Broadcast facilities in existence on the date of the adoption of these regulations, that do not comply with the requirements of these regulations, are subject to the following provisions:

(a) Nonconforming broadcast facilities may continue their present use but may not be expanded without complying with these regulations, except as further provided in this section.

(b) Nonconforming broadcast antenna support structures which are hereafter damaged and destroyed, by less than 50 percent of its replacement value, due to any reason or cause may be repaired and restored to their former use, location, and physical dimensions subject to obtaining a building permit and other necessary approvals thereof, but without otherwise complying with these regulations. If a broadcast antenna support structure is destroyed or damaged by 50 percent or more of its replacement the broadcast antenna support structure must be brought into compliance with these regulations.

(c) The owner of any nonconforming broadcast antenna support structure may make minor modifications, as described in Subsection 7, in order to improve the structural integrity of the structure, to allow the structure to accommodate co-located antennas, or to upgrade the facilities to current engineering, technological or communications standards, without having to conform to the provisions of these regulations.

7. Classification of Modifications

Modifications of existing or broadcast facilities that meet the requirements of these regulations.

(a) Minor modifications. Minor modifications to facilities permitted under these regulations shall be approved by the planning division so long as they comply with the original approved design. Minor modifications are as follows:

(1) The addition of one or more antenna arrays to any existing antenna support structure, so long as the addition of the antenna arrays add no more than 20 feet

in height to the facility and the increase in height of the support structure is no greater than 10 percent.

(2) Placement of additional antennas, up to the number the antenna support structure was originally designed to accommodate, shall be considered a minor modification.

(3) Repairs to or replacement of existing antennas or feedlines or support members (such as guy wires) are not considered modifications under this part.

(b) Major modifications. Major modifications to antenna support structures permitted under these regulations shall be approved through a special review. Major modifications are any that exceed the definition of minor modifications.

8. Abandonment

Broadcast facilities will be considered abandoned if they are unused by all providers at the facility for a period of 6 months. Determination of abandonment shall be made by the planning division which shall have the right to request documentation from the facility owner regarding support or antenna usage. Upon abandonment, the facility owner shall have 90 days to:

(a) Re-use the facility or transfer the facility to another owner who will re-use it; or

(b) Dismantle the facility. If the facility is not removed within 90 days of abandonment, the City may remove the facility at the facility at the property owner's expense. If the facility is removed, City approval of the facility will expire. If the facility owner is unable to remove the facility within the 90 days due to unusual circumstances, the planning division may grant the facility owner an additional 90 days in which to comply with the requirements of this section.

9. Nuisances

Broadcast facilities, including, without limitation, power source, ventilation and cooling, shall be operated at all times within the City noise regulations, shall not be operated so as to cause the generation of heat that adversely affects a building occupant and shall not be maintained or operated in such a manner as to be a nuisance.

B. SOLAR ENERGY FACILITIES

1. Applicability

(a) These standards apply to the establishment of any new photovoltaic or solar thermal SEF within the City. Concentrated solar power systems are prohibited.

(b) An SEF established prior to the effective date of this Zoning Code shall not be required to meet the requirements of this Zoning Code, however:

(1) Physical modification or alteration to an existing SEF that materially alters the size, type or components of the SEF shall be subject to this Zoning Code. Only the modification or alteration is subject to this Zoning Code;

(2) Substantial conformance review determinations are not major amendments to a project's existing permits; and

(3) Routine operation and maintenance or like-kind replacements do not require a zoning compliance permit.

2. Tier Descriptions

Solar energy facilities are divided into three tiers that describe the intensity and impact of the use on the property and adjacent properties.

(a) Tier 1: Accessory Solar Energy Facilities meet the following criteria:

(1) Is an accessory use on the site that provides energy primarily for on-site use; and

(2) Can be building-mounted or ground-mounted, which may include: rooftop systems, building-integrated solar (e.g., shingle, hanging solar, canopy, new technology), or covered permanent parking or other hardscape areas.

(b) Tier 2: Intermediate Solar Energy Facilities meet the following criteria:

(1) Is the primary use on the site or a secondary use that exceeds the size criteria for a Tier 1 SEF.

(2) Provides energy for on-site or off-site use, and

(3) Can be building-mounted or ground-mounted and may include rooftop systems, building-integrated solar, and covered permanent parking or other hardscape areas.

(c) Tier 3: Large-Scale Solar Energy Facilities are large-scale, primary or secondary SEFs that provide energy for on-site or off-site use.

3. Standards for Ground-Mounted SEFS

(a) Size: The maximum footprint for a ground-mounted SEF shall be as follows:

(1) Tier 1:

(i) Residential and mixed-use districts: 2,000 sf or 25% of the lot size, whichever is less.

(ii) Agricultural, commercial, industrial, and public districts: 4,000 sf or 25% of the lot size, whichever is less.

(2) Tier 2:

(i) I1 district: up to 10 acres.

(ii) I2 district: up to 20 acres.

(3) Tier 3: Maximum size determined through special review process.

(b) Height: The maximum height for a ground-mounted SEF shall be as follows:

(1) Residential districts: 10 feet

(2) All other districts: 20 feet

(c) Setbacks: Ground-mounted SEFs shall comply with the following setback standards:

(1) All SEFs shall meet the setback requirements of the individual zone district where located.

(2) Tier 2 SEFs in commercial and industrial districts shall provide 100-foot minimum setback between the edge of the SEF installation boundary and any residential district.

(3) Tier 1 and Tier 2 SEFs may not be located between the front building line and the street.

4. Standards for Building-Mounted SEFS

(a) Height

(1) Tier 1 SEFs shall be subject to the maximum height for zone district or a maximum of five feet above the height of the roofline, whichever is less. Additional height may be requested through the special review process.

(2) Tier 2 SEFS shall be subject to the maximum height for the zone district or a maximum of 10 feet above the height of the building, whichever is greater. Additional height may be requested through the special review process.

5. Permit Required

(a) The following permit requirements are applicable to SEF systems. Complete permit submission requirements and processes are provided in Section 27-1600.

(b) Submission Requirements for Tier 2 and Tier 3 SEFs: Tier 2 zoning compliance permit and Tier 3 special review SEF applications shall include the following information:

(1) A landscape plan showing that all areas occupied by the facility that are not utilized for access to operate and maintain the installation shall be planted and maintained with a naturalized grass or other vegetation for the purpose of soil stabilization or other methods approved by the zoning coordinator.

(2) A storm water management plan showing existing and proposed grading and drainage demonstrating no net increase in runoff.

(3) A maintenance plan for the continuing maintenance of the SEF, which may include, but not be limited to, planned maintenance of vegetation or ground cover, equipment maintenance, and plans for cleaning of solar panels if required.

(4) A decommissioning plan with the information required in Section 27-1007.B.8.

(c) Following approval, all permit holders are required to submit an annual compliance statement that confirms that the system is still active and compliant with the permit and that provides current owner and emergency contact information. This requirement shall not preclude the City from undertaking a separate compliance report, where confirmation of data provided by the facility's operator is desired.

6. Generally Applicable Standards

(a) Off-Site Facilities: When the SEF is located on more than one parcel, there shall be proper easement agreement or other approved methods for the notification of all impacted parties.

(b) Septic System Avoidance: The SEF shall not be located over a septic system, leach field area or identified reserve area unless approved by the Department of Environmental Quality;

(c) Conform to Development Standards for Underlying Zone: The SEF shall be ground mounted, or when located on structures, the SEF shall conform to the development standards for a principal structure in the zone in which such facilities and structures are to be located, except as otherwise provided herein.

(d) If lighting is required, it shall be activated by motion sensors, fully shielded and downcast type where the light does not spill onto the adjacent parcel or the night sky.

(e) The site shall comply with Section 27-1200, Landscaping.

(f) The facility shall be enclosed by a six-foot tall fence (eight feet if razor or barbed wire is to be used), barrier, or other appropriate means designed to prevent or restrict unauthorized persons or vehicles from entering the parcel(s). Fences or barriers shall incorporate wildlife friendly design. No barrier shall be required where projects employ full-time security guards or video surveillance.

(g) Signs: Signs on SEFs are prohibited. Permanent or temporary commercial signs (including flags, streamers, or decorative items), are prohibited from being displayed on any SEF equipment. As appropriate and for emergency and safety purposes, SEF equipment shall display identification of the manufacturer, facility owner and/or operator, and an emergency contact number.

7. Abandonment

(a) Applicability

(1) An SEF, other than a Tier 1 system, that ceases to produce electricity on a continuous basis for 12 months shall be considered abandoned unless the property owner or facility operator demonstrates by substantial evidence satisfactory to the City that there is no intent to abandon the facility.

(2) A property owner or facility operator with an abandoned system shall follow the decommissioning plan to remove the system. If the system was approved without a decommissioning plan, the property owner or facility operator shall remove all equipment and facilities and restore the site to original condition upon abandonment.

(3) Facilities deemed by the City to be unsafe and facilities erected in violation of this section shall also be subject to this section.

(b) Determination of Abandonment

(1) Based on the information provided in an annual compliance statement or verified zoning complaint, the zoning coordinator shall have the right to request documentation and/or affidavits from the property owner regarding the system's usage and shall make a determination as to the date of abandonment or the date on which other violation(s) occurred. The zoning coordinator shall submit the

documentation and coordinator's findings to the city council, property owner, and facility operator and schedule a public hearing for a determination of abandonment.

(2) Upon a determination of abandonment or other violation(s), the City shall send a notice to the property owner and facility operator, indicating that the responsible party shall remove the SEF and all associated facilities, and remediate the site to its approximate original condition within a reasonable timeframe established by the City, unless the City determines that the facilities must be removed in a shorter period to protect public safety. Alternatively, if the violation(s) can be addressed by means short of removing the SEF and restoration of the site, the City may advise the property owner and facility operator of such alternative means of resolving the violation(s).

(3) If the property owner or facility operator does not comply, the City may remove the SEF and restore the site and may thereafter:

(i) Draw funds from the bond, security, or financial assurance that was established during permitting, and

(ii) Initiate judicial proceedings or take other steps authorized by law against the responsible parties to recover only those costs associated with the removal of structures deemed a public hazard.

8. Decommissioning

(a) A decommissioning plan, compliant with MCA 75-26-301 where applicable, shall be prepared for Tier 2 and Tier 3 applications and submitted with zoning compliance permit or special review application. The plan shall address the following:

(1) Defined conditions upon which decommissioning will be initiated (e.g., end of land lease, no power production for 12 months, etc.)

(2) Removal of all non-utility owned equipment, conduit, structures, fencing, roads, and foundations, and restoration of property to condition prior to development of the SEF. This shall include a revegetation plan. The applicant may propose retaining some site improvements, such as roads and infrastructure, subject to landowner consent and City approval.

(3) Timeframe for completion of decommissioning activities, not to exceed one year.

(4) Description and copy of any lease or any other agreement with landowner regarding decommissioning.

(5) Name and address of person or party responsible for decommissioning.

(6) Plans and schedule for updating this decommissioning plan.

(7) A professional engineer's estimated cost of decommissioning, the financial resources to be used to accomplish decommissioning, and the escrow agent with which the resources shall be deposited. The decommissioning plan shall also include an agreement between the applicant and the City that:

(i) The financial resources for decommissioning shall be in the form of a surety bond or letter of credit and shall be deposited in an escrow account with an escrow agent acceptable to the City.

(ii) The City shall have access to the escrow account funds for the expressed purpose of completing decommissioning if decommissioning is not completed by the applicant within one year of the end of project life, inoperability of individual WECS turbine, or facility abandonment. Escrow funds may be used for administrative fees and costs associated with decommissioning.

(iii) The City is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.

(iv) The City is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the City's right to seek reimbursement from applicant, operator, or their successor(s) for decommissioning costs in excess of the amount deposited in escrow and to file a lien against any real estate owned by applicant, operator, or their successor(s), or in which they have an interest, for the amount of the excess, and to take all steps allowed by law to enforce the lien.

(8) Before final electrical inspection, provide evidence that the decommissioning plan was recorded with the Billings City Clerk

C. WIRELESS COMMUNICATION FACILITIES

1. Purpose

The purpose of this section is to establish regulations for the siting of antenna support structures and antennas on public and private property. The goals of this section are to:

(a) Provide for the managed development and installation, maintenance modification, and removal of wireless communications infrastructure with the fewest number of wireless communications facilities (WCFs) to complete a network without unreasonably discriminating against wireless communications providers of functionally equivalent services, including all of those who install, maintain, operate, and remove WCFs;

(b) Promote and protect the public health, safety, and welfare by reducing the visibility of WCFs to the fullest extent possible through techniques including but not limited to camouflage design techniques and undergrounding of the equipment associated with WCFs;

(c) Encourage the deployment of smaller, less intrusive WCFs to supplement existing larger WCFs;

(d) Encourage the use of wall-mounted panel antennas;

(e) Encourage roof-mounted antennas only when wall-mounted antennas will not provide adequate service or are not otherwise feasible;

(f) Encourage the location of antennas and towers in non-residential areas and minimize the total number of antenna support structures throughout the community;

(g) Strongly encourage the co-location of WCFs on new and existing antenna support structures;

(h) Require wireless communication facilities to be located, to the extent possible, in areas where the adverse impact on the community is minimal;

(i) Require wireless communication facilities to be configured in a way that minimizes the adverse visual impact of the towers and antennas; and

(j) Enhance the ability of the providers of wireless communication services to provide such services to the community, as quickly, effectively, and efficiently as possible.

2. Applicability

All wireless communication facilities located on private land within the city zoning jurisdiction shall be subject to this section. This section shall apply to wireless communication facilities upon state and federal lands to the extent of the City's jurisdiction by way of law, pursuant to any memoranda of understanding or otherwise. Only the following facilities shall be exempted from the application of this section.

(a) Amateur radio stations and antenna support structures that are owned and operated by a federally licensed amateur radio station operator or are exclusively receive-only antennas, provided that the requirements that the height be no more than the distance from the base of the antenna to the property lines is met.

(b) Antennas and antenna support structures for land mobile radio and radio and television, regulated in Section 27-1007.A.

(c) Pre-existing WCFs:

(1) Any WCF for which a permit has been properly issued prior to the adoption of this Zoning Code (____,__, 2020) and for which no changes will be made shall not be required to meet the requirements of this section.

(2) Changes and additions to pre-existing WCFs (including trading out of antennas for an equal number of antennas) shall meet applicable requirements of Section 27-1007.C.5, General Requirements.

3. Criteria for Major and Minor Modifications and Substantial Change

(a) Major WCF Modification:

(1) An alteration of an existing WCF for any purpose that meets the criteria for substantial change.

(2) The calculation for modifications shall be cumulative over time following the initial approval of the WCF. No such modification shall be permitted if the support structure will exceed 50 feet or the zoning district height, whichever is applicable.

(b) Minor WCF Modification:

(1) An alteration of an existing exterior telecommunications facility or co-location of additional facilities with an existing exterior telecommunications facility in any zone that does not meet or exceeds the thresholds for a major modification, the

calculation for which shall be cumulative over time, following the initial approval of the telecommunications facility.

(2) No such modification shall be permitted if the modification to the structure will cause the structure to exceed the height limit for the zoning district by more than 10 percent.

(c) Substantially Change: a modification that changes the physical dimensions of an eligible support structure so that after the modification the structure meets any of the following criteria:

(1) For towers:

(i) Other than alternative tower structures, the modification increases the height of the tower by more than 10 percent; for other eligible support structures, it increases the height of the structure by more than 10 percent or more than 10 feet, whichever is greater;

(ii) The modification involves adding an appurtenance to the body of the tower that would protrude from the tower more than 20 feet, or more than the width of the tower structure at the level of the appurtenance to the body of the structure that would protrude from the side of the structure by more than six feet;

(2) For any eligible support structure:

(i) The modification involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets;

(ii) The modification entails any excavation or deployment outside the current site;

(iii) The modification would defeat the concealment elements of the eligible support structure. A change that would undermine the concealment elements of this structure will be considered to defeat the concealment elements of the structure;

(iv) The modification does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure equipment, unless the non-compliance is due to an increase in height, increase in width, addition of cabinets, or new excavation that would not exceed the thresholds identified in paragraphs (I), (II), and (III) of this definition.

(3) For base stations that are not surrounded by a screening wall, the modification involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10 percent larger in height or overall volume than any other existing, individual ground cabinet associated with the structure;

(4) For purposes of determining whether a substantial change exists, changes in height are measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height are measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to February 22, 2012.

4. General Requirements

The requirements set forth in this section shall govern the location and construction of all wireless communications facilities governed by this section.

(a) Building codes and safety standards. To ensure the structural integrity of wireless communication facilities, the owner of a facility shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for such wireless communication facilities, as amended from time to time. If upon inspection, the City concludes that a WCF fails to comply with such codes and constitutes a danger to persons or property, then, upon written notice being provided to the owner of the WCF, the owner shall have 30 days from the date of notice to bring such WCF into compliance. Upon good cause shown by the owner, the zoning coordinator may extend such compliance period not to exceed 90 days from the date of said notice. If the owner fails to bring such WCF into compliance within said time period, the City may remove such WCF at the owner's expense.

(b) Regulatory compliance. All wireless communication facilities must meet or exceed current standards and regulations of the FAA, the FCC, and other local, state or federal agencies with the authority to regulate facilities governed by this section. All wireless communication facilities must comply with all revised standards and regulations within the date established by the agency promulgating the standards or regulations. Failure to meet such revised standards and regulations shall constitute grounds for the removal of the WCF at the WCF owner's expense.

(c) Setbacks

(1) Antenna support structures adjacent to residential uses or zoning. Antenna support structures must be set back, from all property lines, a distance equal to one-half (½) the height of the structure from any off-site residential structure or residentially zoned lot. Accessory structures must maintain a minimum of a 15-foot setback from any lot line adjacent to a residential structure or residentially zoned lot, or the required setback of the zoning district where the antenna support structure is located, whichever is greater.

(2) Mixed Use, commercial, EBURD and industrial zoning setbacks antenna support structures and accessory facilities must meet the minimum yard setback requirements, including arterial setbacks, for the zoning district in which they are located.

(d) Lot coverage and height. Antenna support structures and accessory structures shall not exceed lot coverage requirements for the zoning district in which they are located.

Accessory structures shall not exceed the height restrictions for the zoning district in which they are located.

(e) Fencing and buffering.

(1) Fencing. A chain link or solid wood fence, or masonry wall at least six feet in height (eight feet if razor or barbed wire is to be used) shall be constructed and maintained around the perimeter of the antenna support structure site. Climb-proof shields can be substituted for a fence or wall around the structure. Solid fences, at least six feet in height are required adjacent to residential uses and residentially zoned property.

(2) Landscaping. For all facilities the following will be required: a continuous evergreen hedge at least four feet in height when planted, shall be planted and maintained around the perimeter of the antenna support structure outside of the required fencing and spaced close together to provide a continuous visual screen. Shrubs shall also be planted and maintained around the guy anchors for visual screening purposes. This requirement may be waived through Section 27-16xx, Administrative Relief, where the site does not have access to water.

A performance bond or letter of credit for 150 percent of the landscaping and fencing materials and labor costs shall be posted with the planning division, prior to building permit approval, to ensure the placement of required landscaping and fencing in accordance with Section 27-1200.

(3) Commercial landscaping. Landscaping requirements shall not apply to antenna support structures located in the Heavy Industrial (HI) zoning district.

(4) Exceptions for city airport airfield area. If federal safety and security standards within the city airport's airfield area prevent an antenna support structure from being fenced or landscaped, Subsections 4(e)(1) and 4(e)2 will not apply. Documentation of these standards must be submitted with the building permit or special review applications.

(f) Lighting. Antenna support structures shall not be artificially lighted unless required by the FAA or other local, state, or federal agency. If the FAA requires safety lighting, the use of red beacons is preferred to flashing strobe lights. Security lighting on site may be mounted up to 20 feet high on the tower and shall be directed towards the ground to reduce light pollution, prevent off-site light spillage, and avoid illuminating the tower.

Cut-off security lighting must be used adjacent to residential uses or residentially zoned lots. When incorporated into the approved design of the facility, light fixtures used to illuminate sports fields, parking lots, or similar areas may be included in the facility.

(g) Signage. Signage shall be limited to non-illuminated warning and equipment identification signs.

(h) Co-location

(1) Antenna support structures should be designed in all respects to accommodate multiple antennas. If the antenna support structure is over 100 feet in height, it should be designed to include both the applicant's antenna(s) and at least two additional comparable antennas. If the tower is between 50 and 100 feet tall it should be designed for at least one additional comparable antenna.

(2) All new antennas must co-locate on existing or approved antenna support structures or stealth communication facilities. Applicants may request a waiver from the co-location requirement through the special review process. Applicants must demonstrate that co-location is not feasible because there is no existing or approved antenna support structure within the required separation distance of the proposed site can accommodate the applicant's proposed antenna or a critical need exists for the proposed location and it is technically infeasible to locate or co-locate structures at or beyond the required separation distance.

(i) Maintenance

(1) Equipment at a wireless communication facility shall be automated to the greatest extent possible to reduce traffic and congestion. Where the site abuts or has access to a collector or local street, access for maintenance vehicles shall be exclusively by means of the collector or local street.

(2) All property used for the siting of an antenna support structure or antenna shall be maintained, without expense to the city, so as to be safe, orderly, attractive, and in conformity with city codes including those regarding the removal of weeds, trash and landscape maintenance.

(j) Visual impact/aesthetics

(1) Wireless communication facilities shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA or other applicable local, state, or federal agency, be painted a neutral color or painted and/or textured to match the existing structure so as to reduce visual obtrusiveness.

(2) If an antenna is installed on a structure other than a tower, the antenna and associated electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible. Antennas and antenna support structures may be mounted on existing buildings that are 30 feet or more in height above the street grade.

(3) Roof-mounted antennas and antenna support structures shall not add more than 20 feet to the total height of the building on which they are mounted. Roof-mounted equipment shall be made visually unobtrusive to match existing air conditioning units, stair, elevator towers or other architectural elements. Only monopole antenna support structures with omni-directional (whip) or low profile single-directional (panel) shall be installed on building roofs. Examples of acceptable designs are shown in subsection (o) of this section. Crow's nest antenna arrays are prohibited on roof-top structures.

(4) Wireless communication facilities attached to new or existing structures shall be designed to blend with the structure's architecture and should be placed directly above, below or incorporated with vertical design elements of a structure.

(5) Wireless communication facilities shall be located as to minimize their visibility and not be placed within historic or scenic view corridors as designated by the city council, or by any state or federal law or agency.

(k) Antenna support structure separation: All antenna support structures over 50 feet in height, regardless of the zoning district in which the structure is located, shall be located at least one mile from any other antenna support structure that is over 50 feet. Up to three antenna support structures located within an approved wireless communication facility tower farm shall be located at least one mile from any other tower farm.

(l) Abandonment and Removal: If a WCF has not been in use for a period of three months, the owner of the WCF shall notify the City of the non-use and shall indicate whether re-use is expected within the ensuing three months. Any WCF that is not operated for a continuous period of six months shall be considered abandoned. The City, in its sole discretion, may require an abandoned WCF to be removed. The owner of the WCF shall remove the same within 30 days of receipt of written notice from the City. If the WCF is not removed within 30 days, the City may remove it at the owner's expense and any approved permits for the WCF shall be deemed to have expired. Additionally, the City, in its sole discretion, shall not approve any new WCF application until the applicant who is also the owner or operator of any such abandoned WCF has removed such WCF or payment for such removal has been made to the City.

(m) Hazardous Materials

No hazardous materials shall be permitted in association with WCFs, except those necessary for the operation of the WCF and only in accordance with all applicable law governing such materials.

5. Commercial Antenna Support Structures and Antennas Located in Residential Zoning Districts

(a) Minor modifications: Antennas co-located on existing or approved stealth communication facilities or existing or approved antenna support structures which have previously received all required approvals and permits shall be permitted as an allowed use.

(b) New support structures and major modifications: antenna support structures and antennas shall be permitted as an allowed use in all residential zoning districts provided they meet all of the following criteria:

(1) Stealth communication facilities conforming to all applicable provisions of this Zoning Code and roof-mounted antennas that do not add more than 20 feet to the total height of the building on which they are mounted shall be permitted as an allowed use only when located on school, government-owned utility, and other government sites. Proposed antennas or antenna support structures that are

contrary to this section must be requested as a land use contrary to zoning through the special review process or may be submitted to the board of adjustment for a hearing, whichever is the preference of the owner/agency.

6. Commercial Antenna Support Structures and Antennas Located in Commercial Zoning Districts.

(a) Minor modifications: Antennas co-located on existing stealth communication facilities or existing antenna support structures which have previously received all required approvals and permits shall be permitted as an allowed use in all commercial zones.

(b) New support structures and major modifications shall be considered as follows:

(1) Stealth communication facilities shall be permitted as an allowed use in all commercial zoning districts.

(2) Antenna support structures shall be permitted as an allowed use in all commercial and mixed-use zoning districts when located on school, government-owned utility, and other government sites. Proposed antennas or antenna support structures that are contrary to this section must be requested through the special review process.

(3) Antenna support structures and antennas located in NO, NC, and DX that do not meet the requirements of subsections 7(b)(1) or 7(b)(2) shall be required to obtain special review approval. Wireless communication facility tower farms are not allowed in these zoning districts.

(4) Antenna support structures and antennas located in CMU1, CMU2, CX, I1, EBURD, CBD, and P zoning districts shall be permitted as an allowed use provided that the towers meet the requirements subsections 6(b)(1) or 6(b)(2) or the following:

(i) Roof-mounted antenna that do not add more than 20 feet to the total height of the building on which it is mounted shall be permitted as an allowed use. See additional requirements for roof-mounted antenna in Subsection 4(j)(2).

(ii) Antenna support structures 50 feet in height or less shall be permitted as an allowed use.

(iii) Antenna support structures that are greater than 50 feet in height shall be required to obtain special review approval.

(iv) Wireless communication facility tower farms are permitted with special review approval, except in the CBD and P3 zoning districts.

(5) All antenna support structures located in I2 shall be permitted as an allowed use, including tower farms.

7. Antenna Support Structures Located in Parks

The presence of certain wireless communication facilities may conflict with the purpose of some city owned parks. Wireless communication facilities will be considered only following a recommendation by the city planning division; the city parks, recreation, and cemetery advisory board, and approved by the city council. Factors that will be considered include:

(a) Public parks of a sufficient scale and character that are adjacent to an existing commercial or industrial use;

(b) Commercial recreation areas and major playfields; and,

(c) Park maintenance facilities.

8. Small Cell WCF

The following standards apply in those zones where small cell telecommunications facilities are allowed as a permitted use.

(a) An antenna may be installed on existing exterior support structures, but the installation of taller poles or new overhead wiring to accommodate the antennas will not be permitted without a special review approval.

(1) An antenna may be installed at least 20 feet from the ground in a residential zone or on an existing residential support structure or support structure on privately owned land, or 15 feet from the ground in a commercial or mixed-use zone or on an existing commercial structure or support structure on privately owned land.

(2) An antenna may be mounted on the wall of a building facing the rear lot line at a height of at least 20 feet in a residential zone or when mounted on a residential building, or 15 feet in a commercial or mixed-use zone or when mounted to a commercial building.

(b) An antenna must not be installed on or within 60 feet of a single-family or two-family dwelling unit and must not be installed on the front façade of any residence.

(c) Cable connecting the antennas to the equipment box shall be contained inside the pole or Support Structure or shall be flush mounted and covered with a metal, plastic or similar material cap matching the color of the pole or structure on which it is installed, properly secured and maintained by the applicant.

(d) Related unstaffed equipment cabinets may be located within a building, an equipment cabinet outside a building, an equipment cabinet on a rooftop, or an equipment room within a building.

(1) Such related equipment shall have a maximum square footage of 10 square feet with a maximum height of two feet and must be so located and installed in accordance with the applicable setback and other requirements of the zone in which the property is classified.

(2) A related unstaffed equipment cabinet may be installed on a rooftop of a building on privately owned land which is at least 15 feet in height, provided it and all other roof structures do not occupy more than 25 percent of the roof area.

(e) The applicant shall provide proof that it is a licensed provider and will comply with all applicable federal, state and City laws and regulations, including those regarding wireless communications services.

(f) An antenna and equipment box must be installed as a Stealth Telecommunications Facilities on a property within a Historic District or that has been designated by the

City as a Historic Resource, and the Historic District Commission must review such an application.

(g) Public property. A private small cell telecommunications antenna may be located on the exterior of public property or attached to an existing support structure owned or operated by the City and shall be a permitted use in all zones.

(h) All such small cell telecommunications antennas shall be located and designed so as to minimize visual impact on surrounding properties and from public streets.

(i) No signs are permitted in connection with any small cell telecommunications antenna.

(j) No lights are permitted on any monopole or antenna unless required by the FCC, the FAA, or the City.

(k) No more than one building, pole or other support structure containing a small cell telecommunications facility or co-located facility is permitted on a lot or parcel of land, or for parcels larger than a half-acre, per half-acre of land.

9. Nonconforming Wireless Communication Facilities

Antenna support structures and/or facilities in existence on the date of the adoption of these regulations, that do not comply with the requirements of these regulations, (nonconforming antenna support structures) are subject to the following provisions:

(a) Nonconforming antenna support structures may continue their present use but may not be expanded or increased in height without complying with these regulations, except as further provided in this section.

(b) Nonconforming antenna support structures which are hereafter damaged and destroyed, by less than 50 percent of its replacement value, due to any reason or cause may be repaired and restored to their former use, location, and physical dimensions subject to obtaining a building permit and other necessary approvals , but without otherwise complying with these regulations. If an antenna support structure is destroyed or damaged by more than 50 percent of its replacement the antenna support structure must be brought into compliance with these regulations.

(c) The owner of any nonconforming antenna support structure may make minor modifications in order to improve the structural integrity of the facility, to allow the facility to accommodate co-located antennas or facilities, or to upgrade the facilities to current engineering, technological or communications standards, without having to conform to the provisions of these regulations.

10. Abandonment

Wireless communications facilities will be considered abandoned if they are unused by all providers at the facility for a period of six months. Determination of abandonment shall be made by the planning division, which shall have the right to request documentation from the facility owner regarding support or antenna usage. Upon abandonment, the facility owner shall have 90 days to:

(a) Re-use the facility, or transfer the facility to another owner who will re-use it; or

(b) Dismantle the facility. If the facility is not removed within 90 days of abandonment, the city may remove the facility at the facility and/or property owner's expense. If the facility is removed, city approval of the facility expires.

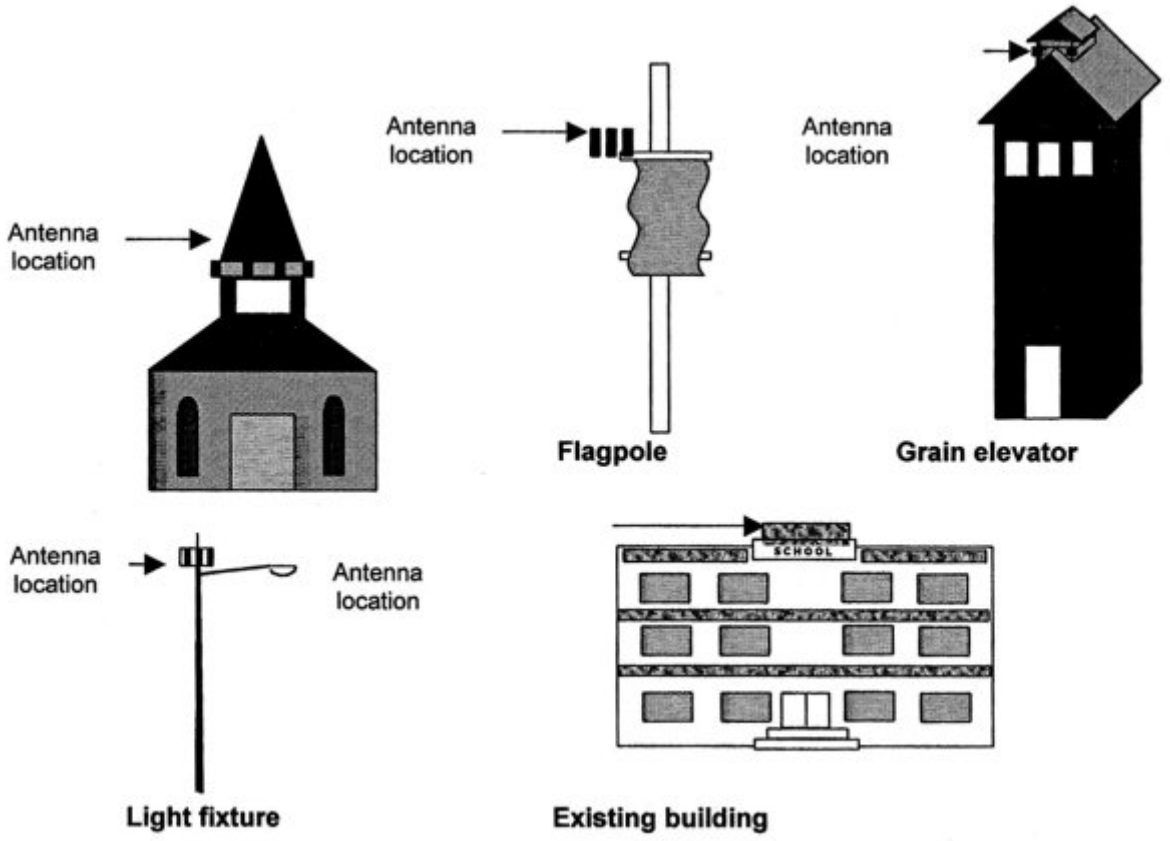
(c) If the facility owner is unable to remove the facility within the 90 days due to unusual circumstances, the planning division may grant the facility owner an additional 90 days in which to comply with the requirements of this section.

11. Nuisances

Wireless communication facilities, including, without limitation, power source, ventilation and cooling, shall be operated at all times within the City noise regulations, shall not be operated so as to cause the generation of heat that adversely affects a building occupant and shall not be maintained or operated in such a manner as to be a nuisance.

12. Wireless Communication Facilities, Illustrated Examples

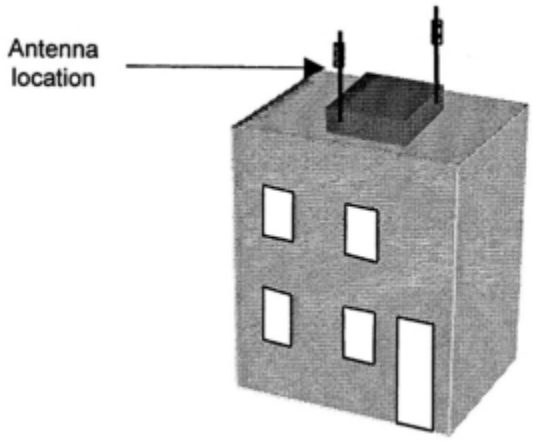
(a) Stealth communication facilities:



(b) Antenna support structures:



(c) Roof-mounted antenna support structures and antennas:



13. Minor Modification Procedures

(a) Minor modifications to facilities permitted under these regulations shall be approved by the planning division so long as they comply with the original approved design.

(b) Timeframe for Review. Subject to the tolling provisions of subparagraph (c). below, within 60 days of the date on which an applicant submits an application seeking approval under this section, the City shall approve the application unless it determines that the application is not covered by this subsection, or otherwise in non-conformance with applicable codes.

(c) Tolling of the Timeframe for Review. The 60-day review period begins to run when the application is filed, and may be tolled only by mutual agreement of the City and the applicant, or in cases where the zoning coordinator determines that the application is incomplete:

(1) To toll the timeframe for incompleteness, the City must provide written notice to the applicant within 30 days of receipt of the application, specifically delineating all missing documents or information required in the application;

(2) The timeframe for review begins running again when the applicant makes a supplemental written submission in response to the City's notice of incompleteness; and

(3) Following a supplemental submission, the City will notify the applicant within 10 days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in Subsection 14.(c)(1). In the case of a second or subsequent notice of incompleteness, the City may not specify missing information or documents that were not delineated in the original notice of incompleteness.

(4) Failure to Act. In the event the City fails to act on a request for minor modification, within the timeframe for review (accounting for any tolling), the request shall be

deemed granted. The request becomes effective when the applicant notifies the City in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.

(5) Interaction with Telecommunications Act Section 332(c)(7). If the City determines that the applicant's request is not a request for minor modification, the presumptively reasonable timeframe under Section 332(c)(7), as prescribed by the FCC's Shot Clock order, will begin to run from the issuance of the City's decision that the application is not a request for minor modification. To the extent such information is necessary, the City may request additional information from the applicant to evaluate the application under Section 332(c)(7) reviews.

(d) In the event that after submittal of the application, or as a result of any subsequent submittals, applicant modifies the proposed facilities modification described in the initial application, the application as modified will be considered a new application subject to commencement of a new application review period; provided that, applicant and the approval authority may, in the alternative, enter into a mutually agreeable tolling agreement allowing the City to request additional submittals and additional time that may be reasonably necessary for review of the modified application.

(e) Decision

The approval authority shall review a minor modification application to determine if the proposed facilities modification is subject to this section, and if so, if the proposed facilities modification will result in a substantial change to the physical dimensions of an eligible support structure.

(1) Within 60 days of the date on which the City receives a minor modification application, less any time period that may be excluded under the tolling provisions of this section or a tolling agreement between the applicant and the approval authority, the approval authority shall approve the application and contemporaneously issue a minor modification permit unless the approval authority determines that the application is not subject to this section, or the proposed facilities modification will substantially change the physical dimension of an eligible support structure.

(2) Denial. A minor modification application shall be denied upon determination by the approval authority that the proposed facilities modification is not subject to this section or will substantially change the physical dimensions of an eligible support structure. A proposed facilities modification will substantially change the physical dimensions of an eligible support structure if it meets any of the substantial change criteria. A denial of a minor modification application shall set forth in writing the reasons for the denial and shall be provided to the applicant.

(3) Deemed Approved Application. An application that has been deemed approved shall be and constitute the equivalent of a minor modification permit, except as may be otherwise determined by a court of competent jurisdiction, and shall be subject to generally applicable enforcement and compliance requirements in the same manner as a minor modification permit issued pursuant to this section.

(f) Term of Minor Modification Permit. A minor modification permit issued pursuant to this section, and any deemed approve application, shall be valid for a term of 180 days from the date of issuance, or the date the application is deemed approved.

14. New Support Structure and Major Modification Procedures

Applications for new support structures and major modifications to existing antenna support structures permitted under these regulations shall be approved through a special review. Major modifications are any modifications that exceed the definition of minor modifications and constitute a substantial change per Section 27-1007.C.3.

D. WIND ENERGY CONVERSION SYSTEMS (WECS)

1. Applicability

(a) These standards apply to the construction of any new WECS within the City.

(b) A WECS legally established or permitted prior to the effective date of this Zoning Code shall not be required to meet the requirements of this Zoning Code, however:

(1) Physical modification or alteration to an existing WECS that materially alters the size, type or components of the WECS shall be subject to this Zoning Code. Only the modification or alteration is subject to this Zoning Code;

(2) Substantial conformance review determinations are not major amendments to a project's existing permits; and

(3) Routine operation and maintenance or like-kind replacements do not require a permit.

2. Wind Energy Conversion System Tier Descriptions

(a) Tier 1: Accessory Wind Energy Conversion Systems meet the following criteria:

(1) Is designed to supplement other electricity sources as an accessory use to existing facilities, wherein the power generated is used primarily for on-site consumption, and

(2) Consists of one or more wind turbines, which may be roof-mounted;

(b) Tier 2: Intermediate Wind Energy Conversion Systems meet the following criteria:

(1) Is the primary use on the site or is a secondary use that exceeds the criteria for a Tier 1 WECS,

(2) Consists of one or more wind turbines, all of which are ground-mounted, and

(3) Is designed primarily to serve a local load.

(c) Tier 3: Large-Scale Wind Energy Conversion Systems for Commercial Generation meet the following criteria:

(1) Consists of one or more wind turbines, and

(2) Has a total facility rated capacity of greater than 1 MW.

3. Standards for Ground-Mounted WECS

(a) Size: The maximum footprint for a ground-mounted WECS shall be as follows:

(1) Tier 1:

(i) Residential and mixed-use districts: 2,000 sf or 25% of the lot, whichever is less

(ii) Agricultural, commercial, industrial, and public districts: 4,000 sf or 25% of the lot, whichever is less.

(2) Tier 2:

(i) I1 district: up to 10 acres

(ii) I2 district: up to 20 acres

(3) Tier 3: Maximum size determined through special review process.

(b) Height

(1) Towers: The following height standards are applicable to WECS towers:

Table 27-1000.4: WECS Tower Height, Maximum

Zone District	Lot Size	Tier 1	Tier 2	Tier 3
N1-3, NX1-3, RMH, P2, P3	**Up to 20,000 sf**	Height determined by available setback	Not permitted	Not permitted
	20,000 to 43,560 sf	80 feet	80 feet	Not permitted
	Over 1 acre	100 feet	100 feet	Not permitted
NO, NMU, CMU1, CMU2, C3, CX	**All**	80 feet	Not permitted	Not permitted
I1, I2, EBURD	**Up to 20,000 sf**	Height determined by available setback	Not permitted	Not permitted
	20,000 to 43,560 sf	80 feet	200 feet	Not permitted
	1 to 4.99 acres	200 feet	200 feet	Not permitted
	5 acres or more	200 feet	No limit [1]	No limit [1]

(c) Setbacks

(1) Tower locations shall comply with zone district setbacks and any of the additional setback standards identified in this section. Ground-mounted Tier 1 and Tier 2 WECS may not be located between the front building line and the street.

(i) Towers shall be setback a minimum of 0.5 x total height from any primary structure.

(ii) The owner of a primary structure on the same lot as a Tier 1 or Tier 2 tower may waive this setback as applied to that lot and apply a reduced setback of 0.25 x total height.

(iii) The setback may not be waived for primary structures on an adjacent lot.

(iv) All new primary structures shall be located at least 0.5 x total height from an existing tower.

(v) No further setback waivers are permitted, nor may this requirement be waived or varied by the zoning coordinator or board of adjustment.

(2) Towers shall be setback a minimum distance equal to 500 feet or 0.5 x the total height (tower plus extended blade), whichever is higher, from:

(i) All property lines,

(ii) Any overhead utility lines, and

(iii) Any public roadway right-of-way.

(3) Guy cables and other support devices shall be setback at least 10 feet from all property lines and occupied buildings. Guy cables must be marked and clearly visible to a height of six feet above the guy cable anchors.

(4) The setback shall be measured from the centerline of the turbine and applied in a diameter around the tower.

(d) Tower Separation: At a minimum, there shall be a separation between towers of not less than 3 times the rotor diameter.

(e) Clearance: The minimum height of the lowest position of the rotor blade shall be at least 30 feet above the ground and 30 feet above the highest existing structure or tree within a 250 foot radius.

4. Standards for Building-Mounted WECS

(a) A Tier 1 building-mounted WECS shall be subject to the maximum building height specified for the district or a maximum of 30 feet above the height of the building to which it is attached, whichever is greater. Additional height may be requested through the special review process.

(b) The maximum number of Tier 1 building-mounted WECS permitted by district type is:

(1) Residential, mixed-use, commercial, EBURD, and public districts: Two per primary structure, one per accessory structure

(2) Industrial districts: no limit, may be mounted on primary or accessory structures.

5. Permit Required

(a) Applicable Permit Types: The following permit requirements are applicable to WEC systems. Complete permit submission requirements and processes are provided in Section 27-1600.

(b) Submission Requirements for Tier 2 and Tier 3 WECS

(1) Tier 2 zoning compliance permit and Tier 3 special review WECS applications shall include the following information:

(2) Approved net metering agreement(s) and copies of applications to or approved permit from applicable state and federal agencies.

(3) A landscape plan showing that all areas occupied by the facility that are not utilized for access to operate and maintain the installation shall be planted and maintained with a native shade tolerant grass or other vegetation for the purpose of soil stabilization or other methods approved by the zoning coordinator.

(4) A storm water management plan showing existing and proposed grading and drainage demonstrating no net increase in runoff.

(5) A preliminary transportation plan describing ingress and egress to the proposed project site to deliver equipment and provide access during and after construction. Such plan shall describe any anticipated improvements to existing roads, bridges, or other infrastructure, as well as measures which will be taken to restore damaged or disturbed access routes following construction.

(6) An environmental assessment that analyzes the impact of the proposed project regarding on-site and site-adjacent floodways, riparian corridors, open water, wildlife migration routes, protected habitat, protected plant species, and other environmentally sensitive areas as identified by the County, City, State, or federal government, along with proposed mitigation recommendations.

(7) A decommissioning plan per Section 27-1007.D.11.

(c) Following approval, all permit holders are required to submit an annual activity statement that confirms that the system is still active and compliant with the permit and that provides current owner and emergency contact information. This requirement shall not preclude the City from undertaking a separate compliance report where confirmation of data provided by the facility's operator is desired.

6. Safety and Installation

WECS facilities shall be developed in a manner that utilizes sound engineering practices and considers public safety in regard to the potential hazards that may be created to adjacent properties, public infrastructure, communities, aviation, etc. The following lists public safety matters that shall be addressed and implemented in the development of the WECS facility:

(a) WECS facilities shall conform to applicable industry standards, including those of the American National Standards Institute ("ANSI") and the Institute of Electrical and

Electronics Engineers (“IEEE”) and the National Electrical Code (NEC). Concurrently with permits for construction, the Applicant(s) shall submit certificates of design compliance that equipment manufacturers have obtained from Underwriters Laboratories ("UL”), Det Norske Veritas ("DNV"), Germanischer Lloyd Wind Energie ("GL"), or an equivalent third party.

(b) WECS facilities shall comply with applicable FAA regulations and comply with conditions regarding WECS facility installation established by affected airports. If approved by the FAA, all WECS facilities shall implement a FAA approved Aircraft Visual Warning System (AVWS) that allows for the use of aircraft warning lights to be minimized.

(c) Each WECS shall be equipped with both manual and automatic controls to limit the rotational speed of the blade within the design limits of the rotor. Manual electrical and/or overspeed shutdown disconnect switches shall be provided and clearly labeled on the wind turbine structure. No WECS shall be permitted which lacks an automatic braking, governing, or feathering system to prevent uncontrolled rotation, overspeeding, and excessive pressure on the tower structure, rotor blades, and turbine components.

(d) All WECS structures must be unclimbable by design or protected by anti-climbing devices. All climbing apparatus shall be removed from the lower 10 feet of the tower, or ladder access shall be restricted.

(e) Appropriate warning signage (e.g., “Danger, High Voltage”) shall be placed where it is clearly visible by persons standing near the tower base or other ground-mounted electrical equipment.

(f) All electrical and control equipment shall be safely and appropriately enclosed from unintentional access by means such as lockable equipment cabinetry, enclosed tower with lockable access door, or similar.

(g) All access doors on towers shall be locked or fenced.

7. Design

(a) Color: When not conflicting with colors required by the Federal Aviation Administration or other federal agencies, the WECS facility shall remain painted or finished in the color that was originally applied by the manufacturer. Bright, luminescent, or neon colors are prohibited.

(b) Signal Interference

(1) No WECS facility shall be installed in any location where its proximity with existing fixed broadcast, retransmission, or reception antennas for radio, television, or wireless phone or other personal communication systems would produce electromagnetic interference with signal transmission or reception.

(2) No WECS facility shall be installed in any location along the major axis of an existing microwave communications link where its operation is likely to produce electromagnetic interference in the link’s operation.

(c) Location and Views: WECS Facility structures shall be located to make maximum use of existing terrain, vegetation and structures for the purposes of maintaining the viewshed. The site shall comply with Section 27-1200, Landscaping.

(d) Lighting: WECS Facilities, including buildings and structures, shall not be artificially lighted except to the extent requires by FAA regulations. Minimal ground level security lighting is permitted.

(e) Shadow Flicker: WECS facilities shall be designed so that there is no significant shadow flicker at an adjacent property, measured at the nearest wall of inhabited structures, unless waived in writing and recorded against the property by the landowner in the Yellowstone County Clerk's office.

(f) Sound:

(1) Sound produced by the turbine under normal operating conditions, as measured at the property line of any adjacent property improved with a dwelling unit at the time of the issuance of the zoning certificate, shall not exceed 55 dBA for any period of time.

(2) The 55 dBA sound level may be exceeded during short-term events out of the owner's control such as utility outages and/or severe wind storms.

(3) The noise level generated by a WECS must also not increase ambient sound levels by more than 3 dBA at any sensitive noise receptors, including residences, hospitals, libraries, schools, and places of worship, within 2,500 feet of the site property line.

(g) Signs: WECS facilities shall not display commercial permanent or temporary signs (including flags, streamers, or decorative items) on any WECs equipment. As appropriate for emergency and safety purposes, WECs equipment shall display identification of the turbine (or other equipment) manufacturer, facility owner and/or operator, and an emergency contact number.

(h) Outdoor Storage: Except during construction, re-construction or decommissioning, outdoor storage is not permitted within the project boundary.

(i) Underground Lines: Intra-project power lines having a voltage of 34,500 volts or less shall be buried unless the applicant can sufficiently demonstrate that burying the lines will violate other guidelines, standards or applicable law. The actual installed burial depth of underground wiring shall be verified by the developer of the WECS facility. The developer shall provide certification from the installing contractor of the actual installed burial depth of all underground wiring. Such certification shall be under the penalty of perjury. The collection system may be placed overhead adjacent to County roadways, near substations or points of interconnection to the electric grid or in other areas as necessary.

8. Maintenance and Inspections

(a) All WECS must be maintained in operational condition meeting all of the requirements of this section and other permit conditions at all times, subject to reasonable maintenance and repair outages.

(b) The City may elect to have a WECS inspected for structural and operational integrity by a Montana licensed professional engineer. The City has the right to enter the premises of the wind energy facility at any reasonable time to inspect the WECS. The City will give at least 24 hours' notice of its intent to inspect the WECS.

9. Transfer and Replacement

(a) If ownership or operation of a WECS changes, the new owner or facility operator must present full contact information and proof to the City that all required bonds and insurance policies remain in full force a minimum of 30 days prior to the transfer of ownership.

(b) Any replacement of or modification or alteration to a WECS, excluding regular maintenance and repair, requires an amendment to the original approval, which amendment shall not be unreasonably withheld.

(c) Replacement of a WECS may occur without City approval when there will be:

(1) No increase in the total height of the WECS,

(2) No change in the location of the WECS,

(3) No additional lighting on the WECS, except to the extent required by the FAA, and

(4) No increase in noise produced by the WECS.

10. Abandonment

(a) Applicability

(1) A WECS, other than a Tier 1 system, that ceases to produce electricity on a continuous basis for 12 months shall be considered abandoned unless the property owner or facility operator demonstrates by substantial evidence satisfactory to the City that there is no intent to abandon the facility.

(2) A property owner or facility operator with an abandoned system shall follow the decommissioning plan to remove the system. If the system was approved without a decommissioning plan, the property owner or facility operator shall remove all equipment and facilities and restore the site to original condition upon abandonment.

(3) Facilities deemed by the City to be unsafe and facilities erected in violation of this section shall also be subject to this section.

(b) Determination of Abandonment

(1) Based on the information provided in an annual compliance statement or verified zoning complaint, the zoning coordinator shall have the right to request documentation and/or affidavits from the property owner or facility operator regarding the system's usage and shall make a determination as to the date of

abandonment or the date on which other violation(s) occurred. The zoning coordinator shall submit the documentation and coordinator's findings to the property owner, facility operator, and county commission and schedule a public hearing for a determination of abandonment.

(2) Upon a determination of abandonment or other violation(s), the City shall send a notice hereof to the property owner and facility operator, indicating that the responsible party shall remove the WECS and all associated facilities, and remediate the site to its approximate original condition within a reasonable timeframe established by the City, unless the City determines that the facilities must be removed in a shorter period to protect public safety. Alternatively, if the violation(s) can be addressed by means short of removing the WECS and restoration of the site, the City may advise the property owner and facility operator of such alternative means of resolving the violation(s).

(c) If the property owner or facility operator does not comply, the City may remove the WECS and restore the site and may thereafter:

(1) Draw funds from any bond, security or financial assurance established as part of the permitting process, or

(2) Initiate judicial proceedings or take other steps authorized by law against the responsible parties to recover only those costs associated with the removal of structures deemed a public hazard.

11. Decommissioning

(a) A decommissioning plan, compliant with MCA 75-26-301 where applicable, shall be prepared and submitted with zoning compliance permit or special review application. The plan shall address the following:

(1) Defined conditions upon which decommissioning will be initiated (e.g., end of land lease, no power production for 12 months, etc.)

(2) Removal of all non-utility owned equipment, conduit, structures, fencing, roads, and foundations and restoration of property to condition prior to development of the WECS. This shall include a revegetation plan. The applicant may propose retaining some site improvements, such as roads and infrastructure, subject to landowner consent and City approval.

(3) Timeframe for completion of decommissioning activities, not to exceed one year.

(4) Description and copy of any lease or any other agreement with landowner regarding decommissioning.

(5) Name and address of person or party responsible for decommissioning.

(6) Plans and schedule for updating this decommissioning plan.

(7) A professional engineer's estimated cost of decommissioning, the financial resources to be used to accomplish decommissioning, and the escrow agent with

which the resources shall be deposited. The decommissioning plan shall also include an agreement between the applicant and the City that:

(i) The financial resources for decommissioning shall be in the form of a surety bond or letter of credit to be deposited in an escrow account with an escrow agent acceptable to the City.

(ii) The City shall have access to the escrow account funds for the expressed purpose of completing decommissioning if decommissioning is not completed by the applicant within one year of the end of project life, inoperability of individual WECS turbine, or facility abandonment. Escrow funds may be used for administrative fees and costs associated with decommissioning.

(iii) The City is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.

(iv) The City is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the City's right to seek reimbursement from applicant, operator, or their successor(s) for decommissioning costs in excess of the amount deposited in escrow and to file a lien against any real estate owned by applicant, operator, or their successor(s), or in which they have an interest, for the amount of the excess, and to take all steps allowed by law to enforce the lien.

(b) Before final electrical inspection, provide evidence that the decommissioning plan was recorded with the Billings City Clerk.

SECTION 27-1008 ACCESSORY USES

A. GENERAL PROVISIONS

1. **Time of Construction or Establishment**
   No accessory structure or use shall be constructed or established more than 180 days prior to the time of completion of the construction or establishment of the principal structure or use to which it is accessory.

2. **Interpretation of Unidentified Accessory Uses and Structures**
   The zoning coordinator shall evaluate applications for accessory uses that are not identified in this section on a case-by-case basis. If the request meets the criteria identified below, the zoning coordinator is authorized to determine the most similar, and thus most appropriate accessory use category and apply the regulations for the similar accessory use to the application.

   (a) The definition of "accessory use" in this section, and the general accessory use standards and limitations established in this section;

   (b) The purpose and intent of the district in which the accessory use is located;

   (c) Potential adverse impacts the accessory use or structure may have on other lots, compared with other accessory uses permitted in the district; and

   (d) The compatibility of the accessory use with other principal and accessory uses permitted in the district.

B. COMPLIANCE WITH THIS ZONING CODE

1. All accessory uses and structures shall be subject to the dimensional requirements of the zone district in which they are located except as specifically provided in this section. In the case of any conflict between the accessory use/structure standards of this section and any other requirement of this Zoning Code, the more restrictive standards shall control.

2. Accessory uses shall comply with all standards of this Zoning Code applicable to the principal use with which they are associated. Parking requirements shall be met for both the principal use and any accessory use when operating at the same time.

C. LOCATION

1. The accessory use or structure shall be conducted or located on the same lot(s) as the principal use.

2. No accessory building shall be erected in any required setback nor within five feet of any other building except as specified in this section.

D. DETACHED ACCESSORY RESIDENTIAL STRUCTURES

1. Detached buildings for accessory residential uses (see 27-1008.G for Accessory Dwelling Unit requirements) greater than 200 square feet in size shall not exceed the principal building first story gross floor area on the lot or 1,500 square feet, whichever is less.

2. The maximum total square footage in detached accessory structures in the N1, N2, N3 and RMH zone districts shall not exceed 2,000 square feet or the total principal building first story gross floor area on the lot, whichever is less.

3. These limitations do not apply in the NX districts or MU districts except where those lots are developed with one or two-family dwellings.

E. ACCESSORY USE TABLE

Table 27-1000.6, Accessory Uses, identifies the accessory uses that may be permitted in each district subject to applicable standards.

1. Permitted /P/. These accessory uses are permitted by-right in the zone districts in which they are listed. Permitted accessory uses are required to comply with applicable use-specific standards identified in this article.
2. Permitted in upper stories/back of structure /PL/. These accessory uses are permitted by-right in the districts in which they are listed, provided that the accessory uses are located in the upper stories of a structure. These accessory uses may also be located in the ground story provided that they are located beyond a depth of at least 20 feet from the front facade.
3. Permitted with use restrictions /PR/. These accessory uses must comply with the use restrictions identified in this Zoning Code, including those restrictions included in this article and any use restrictions identified in the zone district where the uses is proposed to be located.
4. Requires a special review /SR/. These accessory uses are not allowed in the district but may be allowed through the special review process. Special review uses must follow any applicable development standards associated with the accessory use as well as meet the requirements of the special review.
5. Accessory uses that are not permitted are indicated by a blank space.

Table 27-1000.6: Accessory Uses	Residential							Mixed-Use and Commercial							Ind.		EBURD					Public					
	Key: P = Permitted, PL = Location Limits in Zone District, PR –Use Restrictions, SR – Special Review																										
Use Table	N3	N2	N1	NX1	NX2	NX3	RMH	NO	NMU	CMU1	CMU2	DX	CBD	CX	I1	I2	RSV MS	RSV	CW	I3	IS	P1	P2	P3 Civ	P3 Ed	P3 Med	Additional Standards
Residential																											
Accessory Dwelling Unit	SR	PR PL	PR PL	PR PL			PR PL																				27-1008
Employee/Caretaker Unit														PR	PR	PR					PR		P	P	P	P	27-1008
Home Occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P													27-1008
Short-Term Rental (Guest Home)	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR			PR	PR	PR				PR	PR	PR	PR	27-1005
Shelter (accessory to religious institution)												PR	PR				PR	PR	PR	PR	PR						27-1004
Casino																											
Limited (1-3 gambling devices)									P	P	P	P	P	P	P	P	P	P	P	P	P						27-1005
Small (4-9 gambling devices)									P	P	P	P	P	P	P	P	P	P	P	P	P						27-1005
Communication and Satellite Facilities																											
Amateur Radio Support Towers	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PL	PL	P											27-1008
Satellite Antenna and Dishes	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-1008
Day Care Facilities																											
Day Care Center								P	P	P	P	P	P	P			P	P	P			P	P	P	P	P	27-1008
Family Day Care Home	P	P	P	P	P	P	P																				
Group Day Care Home	P	P	P	P	P	P	P																				
Drive-Through (Thru) Facility									SR	P	P	SR		P	P								P	P	P	P	27-1008

Table 27-1000.6: Accessory Uses	Residential							Mixed-Use and Commercial							Ind.		EBURD					Public					
	Key: P = Permitted, PL = Location Limits in Zone District, PR –Use Restrictions, SR – Special Review																										
Use Table	N3	N2	N1	NX1	NX2	NX3	RMH	NO	NMU	CMU1	CMU2	DX	CBD	CX	I1	I2	RSV MS	RSV	CW	I3	IS	P1	P2	P3 Civ	P3 Ed	P3 Med	Additional Standards
Electric Vehicle Charging Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-1008
Eating and Drinking Establishment																											
No Alcohol																											
Restaurant, no drive thru									P	P	P	P	P	P	P		P	P	P			P	P	P	P	P	
With drive-thru									SR	P	P	SR		P	P								P	P	P	P	
Beer and Wine, On-Premises Consumption																											
Bar or Tavern										SR PR	SR PR	PR	P	P	P		P	P	P	P	P						27-1005
Craft Alcohol										P	P	P	P	P	P		P	P	P	P	P		P	P	P	P	27-1005
Restaurant									P	P	P	P	P	P	P		P	P	P	P	P		P	P	P	P	27-1005
All Beverage, On-Premises Consumption																											
Bar or Tavern										SR PR	SR PR	P	P	SR PR	P		P	P	P	P	P						27-1005
Craft Alcohol										P	P	P	P	P	P		P	P	P	P	P		P	P	P	P	27-1005
Restaurant									P	P	P	P	P	P	P		P	P	P	P	P		P	P	P	P	27-1005
Kennel, Private	P	P	P	PR	PR	PR	PR																				27-1008
Outdoor Sales Lot												SR	SR	PR	PR												27-1008
Outdoor and Sidewalk Seating									PR	PR	PR	PR	PR	PR			PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	27-1008
Outdoor Storage														PR	PR	PR			PR	PR							27-1008
Park/Playground	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P				P	P	P	P	P	
Parking, Structured											P	P															
Shipping Container									PR	PR	PR	PR		PR	PR	PR	PR	PR	PR	PR	PR						27-1008
Solar Energy Facility, Tier 1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-1007

Table 27-1000.6: Accessory Uses	Residential							Mixed-Use and Commercial							Ind.		EBURD					Public					
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Wind Energy Conversion System, Tier 1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-1007
Urban Agriculture																											
Beekeeping																											
Community Gardens	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	PR	PR	PR	PR	PR	27-1008
Crops	P	P	P	P	P	P	P																				
Fowl (chicken hens)	PR	PR	PR	PR	PR	PR	PR									SR											27-1008

F. ACCESSORY DAY CARE FACILITY

A child or adult day care facility, including nursery and preschool, may be permitted as an accessory use to a Public, Civic, and Institutional Use, subject to compliance with applicable state and city regulations.

G. ACCESSORY DWELLING UNITS

1. Applicability

(a) Accessory dwelling units (ADUs) are permitted by right in the N1 and N2 zone districts and are allowed by special review in the N3 zone district.

(b) Accessory dwelling units in applicable zones are permitted on any parcel where a single dwelling unit is permitted or currently exists.

(c) The minimum lot size for a lot that has both a primary dwelling unit and an accessory dwelling unit is 3,000 sq. ft.

2. Ownership and Occupancy

(a) The property owner shall live in either the primary or accessory dwelling unit, with one of the units serving as their principal residency for at least six months in a year. No third-party rentals shall occur in the owner-occupied unit.

(b) The property owner shall record a deed restriction with the Yellowstone County Recorder requiring owner-occupancy of the property. Evidence of recordation of the deed restriction shall be provided to the City of Billings Planning & Community Services Department.

(c) Conditions of approval, as determined by the Director, shall be filed for record with the County Recorder as deed restrictions within 30 days of approval of the accessory dwelling unit. Evidence of such filing shall be submitted to the Director within 30 days of approval.

(d) The accessory dwelling unit shall not be sold separately or subdivided from the primary dwelling unit or lot.

3. Dimensional Standards and Location

(a) One accessory dwelling unit is permitted per residential lot. The ADU shall be located on the same lot as the primary unit.

(b) Unless specifically addressed in this section, accessory dwelling units are subject to the dimensional regulations for a principal building of the underlying zone district; e.g., setback/yard requirements and building coverage.

(1) A detached accessory dwelling unit shall not cover more than 30 percent of the available rear yard between the primary structure building line and the rear yard setback line.

(2) These standards do not apply to legally established detached garages that contain an accessory dwelling unit. Any expansion of a detached garage for

conversion into an ADU shall comply with the appropriate setback and yard requirements for the detached garage.

(3) Maximum height for a new, detached accessory dwelling unit shall not exceed the height of the principal dwelling unit.

(4) The footprint of a detached accessory dwelling unit shall not exceed the footprint of the principal dwelling unit.

(c) An existing accessory structure whose height or setback(s) does not meet the requirements for a dwelling in the zone district may be converted into an accessory dwelling unit, but the structure may not be altered in any manner that would increase the degree of non-conformity.

4. Size

(a) The gross floor area of an accessory dwelling unit attached or internal to the primary dwelling unit shall not exceed the gross floor area of the primary dwelling unit.

(b) The maximum gross floor area of a detached accessory dwelling unit shall be no more than 80 percent of the gross floor area of the principal dwelling unit or 750 square feet, whichever is less.

5. Construction

(a) Accessory dwelling units must contain a kitchen or a food prep area, bathroom, and sleeping area for the sole use of the unit.

(b) Water and sewer service shall be provided. The principal unit and accessory unit may share utilities.

(c) Mobile homes, manufactured housing, recreational vehicles, travel trailers, and any other wheeled or transportable structure shall not be used as accessory dwelling units.

(d) A new street address for a new ADU is required to assist in emergency response.

6. Design

(a) Accessory dwelling units may be incorporated within or added onto a principal dwelling unit, garage, or other accessory structure, or may be built as a separate, detached structure on a lot where a single-family dwelling exists or will exist.

(b) An ADU, either detached or an extension of an existing structure, shall be designed to maintain the architectural design, style, appearance, and character of the primary structure, including compatibility with the neighborhood.

(c) Accessory dwelling units shall have a separate entrance with a clearly labeled street address. Houses with an incorporated accessory dwelling unit may not create additional entrances facing the same street.

7. Parking

The accessory dwelling unit shall have at least one dedicated off-street parking space in addition to the parking required for the primary dwelling unit. An exception to the parking

requirement may be granted if it is demonstrated to planning staff that the additional parking space for the ADU is not feasible and/or on-street parking is available.

8. Home Occupations

Home occupations are permitted in an accessory dwelling unit.

H. AMATEUR RADIO SUPPORT TOWERS

1. Applicability

(a) All amateur radio antenna support structures and antennas located within the city zoning jurisdiction whether upon private or public lands shall be subject to this section. This section shall apply to amateur radio antenna support structures and antennas upon state and federal lands to the extent of the city's jurisdiction by way of law, pursuant to any memoranda of understanding or otherwise. Only the following facilities shall be exempted from the application of this section.

(b) Pre-existing amateur radio antenna support structures and pre-existing amateur radio antennas shall not be required to meet the requirements of this section, so long as said pre-existing antenna support structures and antennas have received all required approvals, permits and exceptions prior to adoption of this section.

2. Standards

(a) Amateur radio antenna support structures and antennas shall be located only within the rear yard and shall not be placed within any required setback and shall be located so as to minimize their impact on adjacent residential properties and adjacent rights-of-way while maintaining acceptable signal quality.

(b) Amateur radio antenna support structures and antennas exceeding six feet in height above grade (if ground-mounted) or above the roof or ridge of the building on which they are located (if building-mounted), shall require a building permit. With each building permit, the applicant shall submit evidence as is required to show that the device is adequately anchored, designed and/or constructed so as to safeguard the general public and/or adjacent property from damage in the event of failure of the device.

(c) It is recommended that amateur radio antenna support structures be designed, installed, and maintained to blend into the surrounding environment through the use of color and alternative designs, except in instances where the color is dictated by the FAA.

(d) In accordance with the FCC's preemptive ruling PRB1, 101 FCC 2d 952 (1985), antenna support structures erected for the primary purpose of supporting amateur radio antennas may exceed the height limitations of the underlying zoning as indicated in Table 27-1000.1, Primary Uses.

(e) Attachments to amateur radio antenna support structures, such as guy wires and antenna wires, shall not cross any property line or any existing or proposed easement.

(f) No lighting shall be permitted on any amateur radio antenna support structures except as mandated by the FAA.

(g) No signage, other than required warning signs, or displays of any type shall be permitted on any amateur radio antenna support structure.

I. COMMUNITY GARDENS

1. Locations

(a) Community gardening is permitted on rooftops that are structurally capable of supporting the garden.

(b) Community gardening is permitted in public parks and P districts.

2. Use Standards

(a) The site shall be designed and maintained so that water and fertilizer will not drain to adjacent property.

(b) A minimum three-foot wide, clearly marked entrance path shall be provided from a public right-of-way to the garden.

(c) The on-site sale of community garden products is prohibited except when permitted as an approved temporary use.

(d) The use of motorized equipment is restricted to hours beginning at 7:00 AM and ending at 9:00 PM.

(e) An on-site trash storage container must be provided and located as close as practicable to the rear lot line or, when located on a lot with other uses, the rear side of the community garden. Compost bins or piles must also be located in the same location. Trash must be removed from the site at least once a week.

(f) The keeping of animals is prohibited unless the community garden is located in a zone district that permits animals.

(g) Within a residential zoning district, operating hours for community garden activities are restricted to between 5:00 AM and 11:00 PM daily.

(h) Customary accessory uses are regulated in the accessory use section.

3. Signs

Community gardens in residential zones shall be restricted to one, non-illuminated identification sign not exceeding eight square feet and eight feet in height, and set back a minimum of five feet from the front and side property lines. In all other zoning districts, signs shall comply with the permanent sign standards for the applicable zoning district.

J. DRIVE-THROUGH (THRU) FACILITY

The following standards shall apply to businesses that contain a drive-through establishment, regardless if the drive-through is part of another use (e.g., restaurant or financial institution) or if it is a stand-alone use (e.g., automatic teller machine).

1. Location of Services Areas and Use of Audible Electronic Devices

(a) Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments located within 50 feet of any residential zone district shall not be audible beyond the subject property line.

(b) All drive-through areas, including but not limited to menu boards, stacking lanes, trash receptacles, loudspeakers, drive up windows, and other objects associated with the drive-through area shall be located in the side or rear yard of a property to the maximum extent feasible, and shall not cross, interfere with, or impede any public right-of-way.

K. ELECTRIC VEHICLE CHARGING STATION

1. This section is not intended to regulate the charging of electronic vehicles within a personal garage associated with a dwelling unit or charging stations that may be placed within the public right of way by the City.

2. An electric vehicle charging station shall comply with the following use-specific standards:

   (a) The charging station shall be associated with an approved off-street parking space.

   (b) Equipment associated with a charging station shall be located to not impede pedestrian movement or create trip hazards within the right of way or any pedestrian pathway.

L. EMPLOYEE/CARETAKER UNIT

Employee/caretaker units in CX, I1, I2, and EBURD shall be limited to no more than two residential units per 10,000 square feet of gross building floor area.

M. HOME OCCUPATIONS

The planning division recognizes that the restrictions set forth in this section do not anticipate all possible types of home occupations. Therefore, the following policies have been adopted to guide the planning division in the enforcement of this section:

1. Standards of Operation

(a) The home occupation should not generate traffic before 7:30 a.m. or after 8:00 p.m.

(b) The occupation should not generate, on average, more than four vehicle trips to the residence during any hour.

(c) Uses not listed may be allowed with written approval from the Zoning Coordinator if they meet the intent of this section and will conform to all of the restrictions of this section.

(d) No person shall be employed other than the residents of the dwelling.

(e) The occupation shall be conducted entirely within the dwelling or an accessory building.

(f) The floor area devoted to the occupation shall not exceed 500 square feet or 25 percent of the total ground area occupied by the buildings, whichever is less.

(g) The occupation shall not produce light, noise, vibration, glare, fumes, odors, electrical interference, etc., which is inconsistent with the character of the residential area.

(h) There shall be no sign advertising or calling attention to the home occupation on the premises.

(i) There shall be no display, evidence or activity apparent from the exterior of the lot which would indicate that the premises are being used for any purpose other than that of a dwelling.

(j) There shall be no group instruction, assembly or activity for greater than five persons.

(k) One business vehicle that is associated with the home occupation may be parked or stored on the premises. Vehicles rated at more than 12,000 GVW must be stored in a different location.

(l) There shall be no outside storage of materials or equipment related to the home occupation, except the one allowed business vehicle.

2. Uses Permitted with Business License

(a) Home Office

(1) Administrative or professional offices

(2) Internet or direct sales distribution

(b) Home Instruction

Individual tutoring or lessons in art, dance, music, swimming, or similar activities are permitted, provided that a maximum of six students per day shall be permitted at the premises.

3. Uses Permitted with Planning Administrative Review

The preparation of items for off-site display and sale, including, for example, ceramics dressmaking/sewing, jewelry, food products, printmaking, and other types of individual, small-scale craft or artisan manufacturing.

4. Prohibited Uses

The following types of uses will not be approved as home occupations:

(a) Uses involving large or oversized goods or materials;

(b) Automobile, lawn mower, or other engine repair, welding, or machine shops unless the service is offered only at the customer's location (mobile service);

(c) Uses where other employees visit the site, such as operating/dispatch offices for contractors, offices for businesses having employees who are not occupants;

(d) Uses involving more than household quantities of volatile liquids or materials; or

(e) Uses involving the grooming, breeding, or boarding of animals.

N. KENNEL, OUTDOOR (PRIVATE)

1. Accessory Use

(a) All outdoor kennels must be established as an accessory use to a single-family residential use.

(b) In multifamily and RMH districts, outdoor kennels shall only be allowed when accessory to a single or two-unit development that is permitted within the district.

2. Location
Accessory structures or enclosures used for the kennel must be located only in the rear yard of the site.

3. Setback
The setback of any accessory structure or enclosure associated with the kennel shall be no closer than 5 feet to any side or rear property line.

4. Maximum Area
The area of the outdoor kennel site shall be limited to 10 percent of the total area of the lot.

O. LIVESTOCK AND FOWL

1. Livestock shall not be maintained in any zoning district located within the limits of the City except as provided in Table 27-1000.2 Accessory Uses.
2. Horses may be permitted in the City when located within a planned development that was specifically designed and approved to accommodate horses and/or equestrian centers.
3. Fowl, except chicken hens, shall not be maintained in any zoning district located within the City limits. Chicken hens may be kept within the limits of the City in residential zoning districts or on property used for single family residential purposes as provided in Table 27-1000.6, Accessory Uses, subject to limitations and permitting requirements in BMCC Section 4-303, Rabbitry and Chickens.

P. OUTDOOR DISPLAY AND SALES

1. General Provisions

(a) Outside display and sale of merchandise is permitted only if the merchandise is related to the principal use of the property. Merchandise shall be removed each night into an enclosed structure except that the continuous outside display of merchandise is permitted when the principal use of property is:

(1) Lumber and construction materials,

(2) Vehicle and heavy equipment sales and rentals,

(3) RV and manufactured home sales and service,

(4) Wholesale and retail nurseries,

(5) Lawn and garden supply,

(6) Fueling stations,

(7) Retail or wholesale open 24 hours, or

(8) Temporary uses and structures regulated by Section 27-1009.

(b) Display areas shall be located outside of drive aisles; required parking areas, including access; required landscape areas; and pedestrian ways.

(c) In addition to the outdoor display and sales area, store front sidewalks excluding any public sidewalks, shall be allowed for outdoor display and sales provided these outdoor

display and sales areas comply with all provisions of applicable zoning ordinances, building codes, and other city codes and regulations.

(d) All outdoor display and sales areas shall be maintained in a neat, clean, orderly fashion to avoid pedestrian hazards and ensure personal safety.

(e) Display areas shall not exceed eight feet in height unless a single unit of the merchandise exceeds eight feet (e.g., RVs, manufactured homes, or trucks).

2. EBURD

Outdoor sales are limited to lots fronting on Boulevard Street Types (1st Avenue N, 4th Avenue N, and 6th Avenue N).

Q. OUTDOOR AND SIDEWALK SEATING

1. Eating and drinking establishments may provide accessory outdoor seating areas, including rooftop seating, that meet the following generally applicable criteria:

   (a) Outdoor seating areas outside of the CBD may not occupy required landscape area, required parking spaces, or required parking area access aisles.

   (b) An outdoor seating area exceeding 25% of the indoor building floor area is counted as floor area for purposes of determining off-street parking and loading requirements.

   (c) The use of mechanically produced sound, amplified sound, or live music shall only be permitted in conformity with the City's noise standards. Waivers or variances to the City's noise standards are not allowed for property within 50 feet of any residential zone.

   (d) All outdoor uses shall be maintained free of garbage and other debris.

   (e) The hours of operation for the outside seating shall be consistent with the hours of operation of the inside use.

   (f) The outdoor seating area shall not obstruct any fire exit, fire escape, or other required ingress or egress.

2. Public sidewalk seating may be permitted by City Engineering in compliance with the following conditions:

   (a) The area of occupancy must be abutting and contiguous to the restaurant in which food preparation, sanitation and related services for the sidewalk cafe will be performed.

   (b) Sidewalk seating may not be enclosed by fixed walls, unless such walls are necessary to comply with requirements to serve alcohol, and shall be open to the air, except that it may have a canopy.

   (c) There shall be a minimum width of four feet of clear, unimpeded sidewalk remaining for pedestrians between the curb and the area of sidewalk seating.

   (d) The sidewalk seating shall be located a minimum of five feet from driveway and alleys, and ten feet from intersections.

(e) All curbs, alleys, sidewalks and public rights-of-way adjacent to the sidewalk seating shall be kept in a clean and orderly condition.

(f) All outdoor seating shall be maintained free of garbage and other debris.

(g) An encroachment permit may be required, as provided for in BMCC 22-400.

R. OUTSIDE STORAGE

1. Intent

Any use requiring accessory outside storage of material, equipment, or business-related supplies shall comply with the following standards. . Outdoor storage does not include outdoor sales lots as regulated in Section 27-1008.P.

2. Generally Applicable Standards

(a) Any permitted outside storage shall be within an area enclosed with a sight obscuring fence at least six feet in height that is architecturally compatible in color and design with the building.

(b) Storage areas shall be located outside of drive aisles; fire lanes; required parking areas, including access; required landscape areas; and pedestrian ways.

(c) Chain link or other type of wire fencing is prohibited unless durable sight-obscuring inserts are installed. Fabric or cloth inserts are not permitted.

3. Junk Storage

Junk, partially or completely dismantled vehicles, or salvaged materials shall not be stored in any commercial zone outside a building; except that automobile repair shops may store such materials either enclosed within a building or an area having a sight obscuring fence at least six feet in height. Chain link or other type of wire fencing is prohibited unless durable sight-obscuring inserts are installed. Fabric or cloth inserts are not permitted.

4. EBURD

(a) Within the Central Works and 13th Street Main Street Districts:

(1) Outdoor storage areas shall be located in the rear or side yard of the lot.

(2) Loose materials shall not be stacked higher than six feet.

(3) Loose materials shall at a minimum be stored in a three-sided shelter and shall be covered.

(4) Materials shall be set back a minimum of five feet from any lot line.

(5) All outdoor storage areas shall be screened from view of adjacent parcels and vehicular rights-of-way using the side or rear buffer.

S. SATELLITE ANTENNAS AND DISHES

Before any satellite antenna is erected in any zoning district, the property owner(s) shall first obtain the applicable permits from the Building Official.

1. A building permit is not required for installation of satellite dish antennas which are four feet or less in diameter.

2. All satellite dish antennas and the construction and installation thereof shall conform to the building and electrical codes adopted by the building division.

3. Satellite dish antennas shall meet all manufacturer's specifications, be of noncombustible and corrosive-resistant material, and be erected in a secure, wind-resistant manner.

T. SHIPPING CONTAINER STORAGE

1. Site Requirements

All accessory shipping container storage shall meet the following site standards:

(a) There shall be a principal structure on the property.

(b) The shipping containers are stored either:

(1) Behind the principal structure, or

(2) Shielded from view by a permanent enclosure that is at least eight feet in height and sight-obscuring.

2. Permanent Accessory Use

In the CX, I1, I2, and EBURD districts, shipping containers may be used for permanent accessory storage for a period of more than one year.

3. Temporary Accessory Use

(a) In the NMU, CMU1, CMU2, and DX districts, shipping containers may be used for temporary accessory storage for a period of time not to exceed one year.

(b) Shipping containers may be used for accessory storage for a period not to exceed three months for business relocations and new business stocking.

(c) Shipping containers may be used for accessory storage for a period of time not to exceed nine months following a fire or other disaster,

U. SOLID WASTE

1. Solid waste storage facilities in mixed use, commercial, EBURD and industrial zone districts shall be located within an area enclosed with a sight obscuring fence or wall that is architecturally compatible in color and design with the building. Solid waste storage in public alleys is not subject to this requirement.

2. Chain link or other type of wire fencing is prohibited unless durable sight-obscuring inserts are installed. Fabric or cloth inserts are not permitted.

3. The city public works department shall approve the solid waste storage facility for minimum opening, accessibility, and other criteria deemed necessary for the removal of solid waste from the site.

SECTION 27-1009 TEMPORARY USES

A. TEMPORARY USES IN NONRESIDENTIAL ZONING DISTRICTS

1. Group 1 Temporary Uses

This group shall be defined as temporary uses of property continuing for less than 72 hours. Group 1 uses do not require a temporary use/structure permit from planning and community development. Uses in this group shall comply with the following:

(a) Such use shall be an allowed use in the underlying zoning district;

(b) Any temporary structure must be setback five feet behind all property lines;

(c) No part of the temporary use or temporary structure shall block any defined clear vision area (Section 27-1802.H) for driving aisles, drive approaches from streets, or at the intersection of streets or alleys;

2. Group 2 Temporary Uses

This group shall be defined as temporary uses of property continuing for longer than 72 hours but less than 91 days and are required to obtain a temporary use/structure permit from the planning and community services department.

(a) The following temporary uses may be allowed in this temporary use group: carvinal, circus, seasonal sales, or other similar uses.

(b) Supplemental Standards

Uses in this group shall comply with the following:

(1) Such use shall be an allowed use in the underlying zoning district;

(2) Any temporary structure must be setback five feet behind all property lines;

(3) No part of the temporary use or temporary structure shall block any defined clear vision area per Section 27-1802.H for driving aisles, drive approaches from streets, or at the intersection of streets or alleys;

(4) New access drives to public right-of-ways must be approved by the City Engineering division.

(5) A business license for temporary uses located within the City limits must be obtained if required by BMCC Chapter 13-400, Finance and Revenue.

3. Group 3 Temporary Uses

This group shall be defined as temporary uses of property continuing for longer than 90 days but less than one year and are required to obtain a temporary use permit from the planning and community services department.

(a) The following temporary uses may be allowed in this temporary use group, but must be located in a district that allows the use, as specified in Table 27-1000.1, Primary Uses:

(1) Greenhouses or other similar seasonal-oriented uses, as determined by the zoning coordinator;

(2) Portable classrooms;

(3) Portable offices; or

(4) Other uses, such as carry-out food and/or beverage service.

(b) Location restrictions:

(1) Any group 3 temporary use/structure existing upon adoption of this chapter, which does not comply, depending upon its location, with the applicable City site development regulations, shall comply with such standards within one year from the date of the enactment of this section or any amendment thereto;

(2) Any new or relocated temporary use must be located on a site which complies, depending upon its location, with the applicable city site development regulations, including landscaping, surfacing and number of required off-street parking spaces;

(3) The structure shall be a factory-built structure and shall not have an axle(s). Temporary structures which do not comply with one or both of these requirement(s) and which exist as of _____ [insert date], shall be deemed legal nonconforming structures and may continue to be used as a temporary structure, provided the temporary use and structure complies with all other requirements of this section; and

(4) Temporary uses as listed in subsection 3(a)(4) shall also comply with the following criteria:

(i) Maximum size of the structure shall be 10 x 12 feet or 120 square feet;

(ii) Site circulation shall be approved by the city traffic engineer, along with the location of any drive-in window. This group of temporary uses shall be exempt from any special review requirements for drive-in service;

(iii) The temporary use must provide the required number of paved off-street parking spaces. In addition, the temporary use shall not utilize any parking spaces that would make the principal use deficient in the required number of off-street parking spaces;

(iv) Utilities to serve the temporary use shall be located underground or suspended overhead, in compliance with all applicable codes; and

(v) All structures are subject to local, and state requirements and must obtain all relevant licenses before a temporary use/structure permit is issued.

(c) Supplemental standards:

(1) When submitting for a temporary use/structure permit, a group 3 use shall provide the following:

(i) Existing site plan, including parking stalls and buildings;

(ii) Proposed site plan, including location of temporary use and its relationship to existing site circulation and off-street parking spaces and driving aisles, including existing and proposed surfacing;

(iii) Location of drive-in service, if applicable;

(iv) Setbacks from property lines and arterial streets;

(v) Size of temporary structure; and

(vi) Proposed use of the temporary structure.

(2) The temporary use must provide sufficient space to accommodate the structure and paved off-street parking for customer and use-related vehicles;

(3) Clear vision standards set forth in section 27-615 shall be followed;

(4) Access to any public right-of-way must be approved by the city engineering division;

(5) It shall be the responsibility of the owner of the temporary structure to ensure that the structure is secured to withstand an 80 miles per hour (m.p.h.) wind load and to meet all applicable Americans with Disabilities Act (A.D.A.) and accessibility standards;

(6) All group 3 temporary structures, regardless of size, which contain electrical wiring, and are placed on property within the city limits, shall have such electrical wiring permitted, inspected and approved by the city building division. All temporary structures that exceed 120 square feet, except greenhouses, shall have the structure permitted, inspected and approved by the city building division or labeled as a factory-built structure by the State Building Codes Bureau prior to issuance of a temporary use/structure permit. A temporary use/structure permit shall be obtained by the owner and a business license, if required, shall be obtained by the operator. Such temporary use/structure permit shall be valid for a period of not more than one year. An annual renewal may be given by the zoning coordinator, provided that the use complies with the above requirements..

B. TEMPORARY USES IN RESIDENTIAL ZONING DISTRICTS

In any residential district, the temporary use of land for uses listed below may be allowed for a period not to exceed 61 days and are required to obtain a temporary use permit from the planning and community services department.

1. Seasonal Sales

The sales of seasonal items including but not limited to holiday decorations in residential zoning districts shall be allowed when all of the following restrictions are met:

(a) The sale must be conducted on the premises of a religious institution, school, or other tax exempt organization; and

(b) The site shall provide sufficient space to accommodate the seasonal sales and off-street parking for customer and other sale related vehicles.

2. Roadside Stands

The sale of flowers or produce at temporary roadside stands shall be allowed when all of the following restrictions are met:

(a) Only items which are produced on the premises may be sold on the premises;

(b) Any structure used must be portable and removed after the temporary use/structure has ceased operation.

(c) The use must provide sufficient space to accommodate the stand and off-street parking for customer and other sale related vehicles;

(d) No structure, either temporary or permanent, nor any parking area shall be located within any public right-of-way and shall meet the clear vision standards set forth in Section 27-1802.H;

(e) New access to any public right-of-way must be approved by the city engineering division; and

(f) All signage and temporary structures must be removed at the time the temporary use has ceased on the property.

C. TEMPORARY USES AND STRUCTURES

1. Construction Equipment, Sheds, and Materials

The temporary staging and storage of equipment and materials and use of buildings or modular structures for offices or equipment sheds during construction projects may be permitted in any zoning district. A temporary use/structure permit is not required if the equipment, materials and structures are part of an approved construction project. In addition, all equipment, materials and structures shall meet the following criteria:

(a) Equipment, materials and structures include any items procured by a contractor that are necessary to complete the approved construction project including, but not limited to:

(1) Heavy equipment, pipe, fittings, manholes, and the appurtenances;

(2) Gravel, sand, soil, concrete mix, forms, lumber and similar materials;

(3) Traffic control devices and stacked pallets of materials; and

(4) Modular offices and equipment sheds.

(b) Staging and storage of equipment and materials shall be conducted in a safe, neat and orderly manner at all times;

(c) Any such equipment, materials and structures shall be removed upon completion of the construction project; and

(d) No such structure shall be used for living or sleeping purposes.

2. Other Temporary Structures

Temporary structures not used for construction or equipment sheds may be allowed when the following criteria are met:

(a) For group 3 uses, the structure shall meet the applicable setbacks for the zone in which it is located, including arterial setbacks as found in section 27-303, 27-403, and 27-602;

(b) The structure shall meet the clear vision standards set forth in section 27-1802.H;

(c) No such structure shall be used for living or sleeping purposes; and

(d) The use of the structure shall comply with subsections 27-1009.A.3(b) and 27-1009.A.3(c), whichever is applicable.

(e) A temporary use/structure permit shall be obtained for each location by the owner for group 2 and group 3 uses as defined in subsection 27-1009.A.3(b).

(f) A temporary use/structure permit shall be obtained for each location by the owner for seasonal sales and roadside stands in residential and noncommercial zoning districts as defined in subsection 27-1009.B.

3. Time Limit Established

The zoning coordinator shall establish the time period that a building or modular structure can be used on a temporary basis. This time period shall coincide with the temporary use/structure permit time period established under above subsection (b) or (c), whichever is applicable. The structure shall be removed when the temporary use is discontinued or the permit has expired. An extension for the renewal of the temporary structure permit only, may be granted by the zoning coordinator, if it is found that unusual and/or extraordinary circumstances exist.

D. TEMPORARY USE/STRUCTURE PERMIT REQUIRED

1. Before any group 2 or group 3 temporary use or structure is established, the property owner shall obtain a temporary use/structure permit for each location from the zoning coordinator or his/her designee.

2. For group 3 temporary uses, the temporary use permit holder shall post a $1,500.00 bond for each location with the planning and community services department to ensure timely removal of the use and/or structure.

ARTICLE 27-1100 PROPORTIONATE COMPLIANCE

SECTION 27-1101 PURPOSE AND APPLICABILITY

A. PURPOSE

To encourage redevelopment, continuing property investment, and infill development, it may be necessary to determine site appropriate adjustments to applicable development standards that will allow the development to take place while applying proportional development standards. This section identifies the process for determining specific site compliance with a proportionate standard.

B. APPLICABILITY

1. New Development
   New development shall comply fully with all site development and zone district standards.
2. Existing Development
   Applicants for some types of redevelopment may qualify for the proportionate application of site or zone district standards as described in this section.
3. No New or Increased Noncompliance
   Any redevelopment of a structure or site shall be designed to either increase compliance with this Zoning Code or, at a minimum, not increase existing noncompliance. Redevelopment shall not establish new noncompliance with this Zoning Code, regardless of the applicability of this section.

C. FIVE-YEAR TIMEFRAME

1. Any application by a property owner to expand, remodel, or replace part of an existing structure shall remain on record for five years from the date of work completion.
2. Any subsequent application by the same property owner(s) to expand or replace part of an existing structure shall be cumulative to any requests made within the previous five years.
3. The total shall be used by the City to determine the property owner's necessary level of compliance.

D. SITE DEVELOPMENT STANDARDS

An applicant may request the application of proportionate compliance with the following site development standards pursuant to Section 27-1102:

1. Section 27-1200, Landscaping
   (a) 27-1203, Street Frontage Landscaping
   (b) 27-1204, Bufferyards Standards
   (c) 27-1205, Off-Street Parking Lot Standards
2. Section 27-1300, Parking and Loading
   (a) Table 27-1300.1, Off-Street Parking Standards
   (b) 27-1303 Loading Spaces

E. ZONE DISTRICT STANDARDS

An applicant may request the application of proportionate compliance with eligible zone district standards pursuant to Section 27-1103.

SECTION 27-1102 SITE DEVELOPMENT STANDARDS ELIGIBILITY AND MEASUREMENT

A. ELIGIBILITY FOR PROPORTIONATE COMPLIANCE

Proportionate compliance with eligible site development standards as applicable to a specific development or structure type may be requested for development types in Table 27-1100.1 according to the calculations described in Section 27-1102.B.

Table 27-1100.1: Applicability of Development Standards

	Res. Multi-Unit	Mixed-Use and Public	Comm.	Ind.
New Development	**Percent compliance with development standards**			
New Development	**100**	**100**	**100**	**100**
Existing Development				
Interior Change(s),	**Apply Sec. 27-1102.B.2**			
Redevelopment:				
Less than 10% GFA	**n/a**	**n/a**	**n/a**	**n/a**
Between 10% and 75% GFA	**Apply Sec. 27-1102.B.2**			
Greater than 75% GFA	**100**	**100**	**100**	**100**
Use Change with Increased Parking	**Apply Sec. 27-1102.B.3**			
Nonconformities				
See Section 27-1500 for applicability of nonconformity standards				

B. MEASURING REQUIRED COMPLIANCE

1. Interior Changes

In the CBD, DX, CMU1, CMU2, NO, NMU, and EBURD districts, Section 27-1203, Street Frontage Landscaping requirements shall be applicable on a proportionate basis when a building is remodeled by 10% or more. This shall be calculated based on the value of the remodel permit as a percentage of the building's most recent assessed valuation. For example, a property owner with a building assessed at $1,500,000 who submits an application for a remodel permit valued at $300,000 shall be responsible for 20%compliance with the applicable street frontage landscaping requirements.

2. Gross Floor Area (GFA) Changes

(a) Site development standards shall be proportionately applied to all increases in GFA as follows:

(1) Minimal Change. Square footage changes that increase the total gross floor area of a structure by less than 10 percent, as determined by the building permit application, shall not be required to comply with these development standards.

(2) Proportionate Change. Square footage changes that increase the total gross floor area of a structure by more than 10 percent but less than 75 percent, as determined by the building permit application, shall require a corresponding

percent increase in compliance with these development standards or until the site reaches compliance, whichever is less.

(3) Full Compliance. Square footage changes that increase total gross floor area of a structure by 75 percent or greater, as determined by the building permit application, shall be required to fully comply with these standards.

(b) Measurement is based on changes to an individual structure that is subject to improvements, regardless of the total number of structures on the site.

3. Increased Parking Requirement
Where a change of use triggers a requirement for increased parking on a lot, the calculations of Section 27-1102.B.2 shall be applied to calculate required landscaping improvements from Section 27-1205, Off-Street Parking Lot Standards.

SECTION 27-1103 ZONE DISTRICT STANDARDS ELIGIBILITY AND MEASUREMENT

The following proportionate compliance standards apply to redevelopment in the N1, N2, N3, NX, NMU, NO, CMU1, CMU2, and DX districts.

A. GENERAL SITE DESIGN REQUIREMENTS

For any site renovations, the applicable neighborhood or mixed-use general site design requirements shall be met.

B. GENERAL RENOVATIONS

Where any renovation includes an addition of more than 50 percent in gross building square footage within a 5-year period, all site and structure regulations shall be met.

C. FACADE RENOVATIONS

1. If the building's façade exists or will exist within the required build-to zone of the district regulations, the facade regulations shall be met, if the renovation includes any one of the following:

   (a) Expansion or change in location of 50 percent or more of the windows on any street façade of the building. Refer to Section 27-1800 for the definition of street facade.

   (b) Replacement of 50 percent or more of facade materials on any street facade of the building with a different facade material.

D. ROOF RENOVATIONS

If the renovation of the shape or style of more than 50 percent of the roof occurs, the roof regulations shall be met.

ARTICLE 27-1200 LANDSCAPING, BUFFERING, AND SCREENING

SECTION 27-1201 PURPOSE

The purpose of this section is to provide landscaping and performance standards that:

A. Enhance and promote a unique image for the City of Billings.

B. Protect the public health, safety and welfare by:

1. Increasing parking lot traffic safety by guiding the circulation of cars and people and lowering traffic speeds;
2. Minimizing noise, air, water and visual pollution;
3. Screening and buffering incompatible land uses;
4. Reducing the amount of reflected glare and heat absorbed in and around developments;
5. Breaking up large expanses of parking lots;
6. Preserving property values and neighborhood characteristics by lessening the impacts of potentially incompatible uses; and
7. Providing screening from wind.

C. Conserve water resources by:

1. Promoting the use of xeriscaping and drought-tolerant naturalized plantings; and
2. Promoting the utilization of storm water detention as an irrigation source.

D. Ensure that landscaping is an integral part of the site design and development process.

SECTION 27-1202 APPLICABILITY

A. GENERAL APPLICABILITY

1. The provisions of this article are applicable to all new development as identified in Table 27-1200.1.
2. A property or development site may have more than one type of required landscaping. Each type of landscaping is calculated separately. One type of required landscaping may not be calculated toward nor substituted for the provision of a different type of required landscaping. For example, street frontage landscaping may not be calculated toward off-street parking lot landscaping.

Table 27-1200.1: Landscaping Applicability

Landscape Type	Section	Res (N1-3, NX1-3 and RMH)	NO, NMU	CMU1, CMU2	DX, CBD	CX, I1, I2	P2, P3	EBURD
Key: ✔ = Applicable, ⃠ = Not Applicable								
Street Frontage/ Trees	27-1203	✔ All districts and uses located on a public street						Located in Sec.27-900
Bufferyards	27-1204	⃠	✔	✔	✔	✔	✔	
Parking Lot Landscaping	27-1205	⃠	✔ Any parking lot with 10 or more spaces					
Tree Preservation Options	27-1206	⃠	✔	✔	✔	✔	✔	

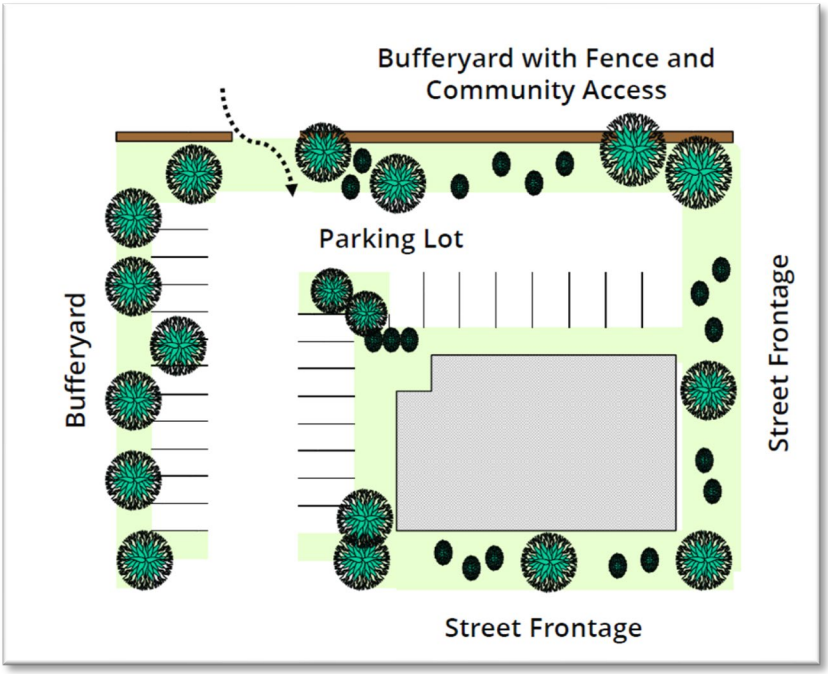


Fig. 27-1200.A: Illustrated location of different required landscape types

B. PROPORTIONATE COMPLIANCE

Article 27-1100, Proportionate Compliance, may be applicable to adjust landscape standards for redevelopment projects.

SECTION 27-1203 STREET FRONTAGE LANDSCAPING

A. PURPOSE

Street frontage landscaping trees helps maintain and enhance the appearance of the City, contribute to pedestrian safety and comfort, and offer environmental benefits by allowing the infiltration of storm water, reducing urban heating, and improving air quality

B. REQUIRED STREET FRONTAGE LANDSCAPING

The area along any property line that abuts a public and private street right-of-way shall be provided a street frontage landscaped area planted with street trees. Property owners shall plant and maintain street trees as follows and as further required by this section:

1. **All Districts Except CBD**

   (a) The street frontage landscape area shall be at least 10 feet wide. The width of the landscape area may be reduced to six feet with the provision of drip irrigation per Section 27-1208.F.

   (b) The required total number of street trees shall be calculated at one tree per 40 lineal feet of frontage. Fractions shall be rounded up to the next whole number.

   (c) Street trees do not need to be spaced at 40-foot intervals; the maximum interval shall be 60 feet with decisions about landscaping design within that interval left to the discretion of the property developer in consultation with their landscape designer or landscape architect.

   (d) Additional required plant materials are specified in Section 27-1204.D.

2. **CBD**

   (a) The required total number of trees is one tree per 25 feet of frontage. In the CBD trees shall be spaced an average of 25 feet and may not be grouped. Tree spacing may be varied by up to five feet to avoid planting a tree directly in front of a building entrance. Overall spacing shall be designed to avoid placing trees side-by-side at street corners.

   (b) Street trees shall be planted in pervious landscape areas, tree strips, or tree wells that are located adjacent to the back-of-curb. The dimensions of the tree planting area for a single tree shall be no less than five-feet square.



Fig. 27-1200.B: Street tree landscaping examples (left: mixed use, right: multifamily)

C. LOCATION AND CALCULATIONS

1. Measurement

   (a) Generally: The street frontage landscape area depth is measured from the property line inward.

   (b) Boulevard: Street frontage yards located along a boulevard shall be measured from the curb inward. Trees may be located within a boulevard where permitted by City Engineering.

2. Street frontage landscape areas may overlap required yards and be located within required setbacks.

3. Access driveways shall not be subtracted from the linear frontage in calculations of the amount of landscaping required. If there are driveways along the frontage or property line, required landscaping shall be condensed into the remaining landscaping area.

D. PLANT MATERIALS

1. Street tree species shall be chosen from the Billings Plant List.
2. The ground plane of the street front landscape yard shall be planted in 75 percent organic materials that will remain in place through typical local weather and may not include turf grass or other material that requires regular mowing. The remaining 25 percent of the ground plane may be covered in inorganic materials.
3. Generally applicable plant materials standards are located in Section 27-1208.
4. The use of coniferous trees is not permitted in street frontage landscaping.

SECTION 27-1204 BUFFERYARDS

A. REQUIRED BUFFERYARDS

1. Applicability

(a) The exterior boundary of a lot that adjoins or is located across an alley from a different zone district, structure, or use, and that does not adjoin a public street right-of-way, shall meet the bufferyard requirements shown in Table 27-1200.3 below.

(b) A lot may require a combination of street frontage yards and bufferyards depending upon the types of surrounding development.

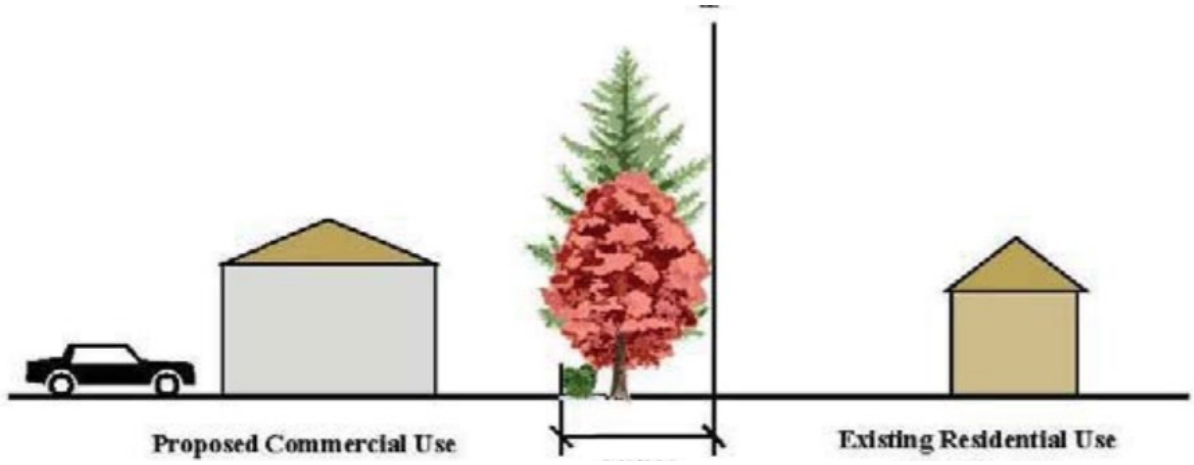


Fig. 27-1200.C: Bufferyards are located between different types of development

(c) In the CBD, the requirements of this section shall be accommodated to the maximum extent feasible. The bufferyard design may be adjusted by the Zoning Coordinator to accommodate the space available on the lot.

2. Types of Bufferyards

(a) There are three types of landscaping bufferyards defined in this section that are intended to accomplish the following:

(1) B1: Visual Enhancement is intended to create a partial visual separation between uses or districts.

(2) B2: Filtered Screen is intended to create a semi-opaque visual separation between uses or districts.

(3) B3: Screened Separation is intended to provide both space and a partial visual separation between uses or districts. This bufferyard is intended for use where a

new development is located adjacent to a district or use that is significantly different in intensity, such as a residential district next to an industrial district.

(b) The dimensions and planting requirements for each type of bufferyard is specified in Table 27-1200.4.

3. Additional Standards and Instruction

(a) If a use or district does not conform to the categories identified in Table 27-1200.3, the Zoning Coordinator shall determine which category best matches the use.

(b) A six-foot high sight-obscuring fence or wall shall be provided on the property line where a commercial or industrial use or structure is adjacent to or across an alley from any residential uses, including residential as part of a mixed-use development.

(1) A continuous hedge may be substituted for the required fence or wall, as long as it has a minimum height at installation of three feet and reaches six feet or more at maturity.

(2) Vinyl or powder-coated, colored chain link fencing is allowed within a bufferyard where a sight obscuring fence is required so long as the chain link fence has sight-obscuring slats installed.

Table 27-1200.3 Required Bufferyards

Key: B1, B2, or B3 = required bufferyard (see Table 27-1205.2 for requirements) x = no bufferyard required

Read DOWN columns for proposed uses

Proposed New Development

Existing Adjacent Development Categories		Structure/ Use	Category 1: Neighborhood Residential and Mixed-Use (N1-3, NX1-3, RMH, NO, NMU)				Category 2: Commercial Mixed-Use (CMU1, CMU2)				Category 3: Downtown (DX, CBD)				Category 4: Heavy Commercial and Industrial (CX, I1, I2)				Category 5: Public (P1, P2, P3)		
			SFR	MFR	Mixed Use	Non-Res.	SFR	MFR	Mixed Use	Non-Res	SFR	MFR	Mixed Use	Non-Res	CX	I1	I2	EBURD	P1	P2	P3
	Cat. 1 (N1-3, NX1-3, RMH, NO, NMU)	Single Family	X	B1	B2	B2	NA	NA	B2	B3	NA	B1	B2	B3	B3	B3	B3		X	B2	B2
		Multi Family	B1	X	B2	B2	NA	NA	B2	B3	NA	X	B2	B3	B3	B3	B3		X	B2	B2
		Mixed-Use	B2	B2	B	B1	NA	NA	B	B1	NA	B2	B	B1	B2	B3	B3		X	B1	B1
		Non-Residential	B2	B2	B1	B	NA	NA	B1	B	NA	B2	B1	B	B1	B2	B3		X	B1	B1
	Cat. 2 (CMU1 CMU2)	Single Family	X	B1	B2	B2	NA	NA	B2	B3	NA	B1	B2	B3	B3	B3	B3		X	B2	B2
		Multi Family	B1	X	B2	B2	NA	NA	B2	B3	NA	X	B2	B3	B3	B3	B3		X	B2	B2
		Mixed Use	B2	B2	B	B1	NA	NA	B	B1	NA	B2	B	B1	B2	B3	B3		X	B1	B1
		Non-Residential	B2	B2	B1	B	NA	NA	B1	B	NA	B2	B1	B	B1	B2	B3		X	B1	B1
	Cat. 3 (DX, CBD)	Single Family	X	B1	B2	B2	NA	NA	B2	B3	NA	B1	B2	B3	B3	B3	B3		X	B2	B2
		Multi Family	B1	X	B2	B2	NA	NA	B2	B3	NA	X	B2	B3	B3	B3	B3		X	B2	B2
		Mixed Use	B2	B2	B	B1	NA	NA	B	B1	NA	B2	B	B2	B2	B3	B3		X	B1	B1
		Non-Residential	B2	B2	B1	B	NA	NA	B1	B	NA	B2	B2	B	B1	B2	B3		X	B1	B1
	Cat. 4 (CX, I1, I2, EBURD	CX	B3	B3	B2	B1	NA	NA	B3	B3	NA	B3	B3	B2	B	B	B		X	B3	B3
		I1	B3	B3	B3	B2	NA	NA	B3	B3	NA	B3	B3	B2	B	B	B		X	B3	B3
		I2	B3	B3	B3	B3	NA	NA	B3	B3	NA	B3	B3	B2	B	B	B		X	B3	B3
		EBURD	B3	B3	B3	B2	NA	NA	B1	B	NA	B1	B1	B	B	B	B		X	B2	B2
	Cat. 5 (Public)	P1	X	X	X	X	X	X	X	X	X	X	X	X	B1	B1	B1		X	X	X
		P2	B2	B2	B1	B1	NA	NA	B2	B2	NA	B1	B1	B1	B3	B3	B3		X	B	B
		P3	B2	B2	B1	B1	NA	NA	B2	B2	NA	B1	B1	B1	B3	B3	B3		X	B	B

For Proposed Development in EBURD, please see Section 27-905, for landscaping standards.

B. STANDARD BUFFERYARD TYPES

The bufferyard dimensional and planting requirements are established in Table 27-1200.4, and a menu of landscape points is established in Table 27-1200.5. Landscape point allocations may be enhanced through the use or conservation of bonus materials as identified in Table 27-1200.6.

1. Standard Types of Bufferyards

Different buffer widths and planting requirements may be specified in this section according to the following standard landscape buffering types:

Table 27-1200.4: Standard Bufferyard Types

Requirement	BI	B2	B3
Planting Area Width (min. avg., ft)	6	10	10
Total Points Required (per linear foot of property line)	0.30 points per lin. ft.	0.50 points per lin. ft.	1.1 points per lin. ft.
Min. Tree Points	none required	0.35 points per linear ft.	0.60 points per linear ft.
Min. Shrubs/Plant Points	0.10 points per linear ft.	0.05 points per linear ft.	0.05 points per linear ft.
Max. % Non-organic Landscape Materials	25	25	25
Max. Organic Groundcover in Turf Grass	Not permitted	N/A	N/A
Opaque Screen Fence	Optional	Optional	Required
Open Fence	Optional	Optional	N/A

Bufferyard type B - Requires 1 tree every 70 feet along shared property line, with drip irrigation to each tree.

2. Design

Placement and landscaping design shall be at the discretion of the developer, in consultation with the landscape architect or landscape designer, including the placement of the required trees within the required bufferyard.

3. Location and Calculations

(a) Bufferyard depth is measured from the property line inward. Where a buffer area overlaps another buffer area, the area of overlap of one bufferyard shall be subtracted from the total required landscape point calculation to avoid double counting.

(b) Bufferyards may be located within required yards and setbacks.

(c) Access driveways shall not be subtracted from the linear frontage in calculations of the amount of landscaping required. If there are driveways along the frontage or property line, required landscaping shall be condensed into the remaining site perimeter landscaping area.

4. Landscape Points

(a) Required bufferyard landscaping is calculated in landscape points. The following table identifies the landscape points awarded for various planted or preserved landscape materials. Plant material standards are provided in Section 27-1208.

Table 27-1200.5: Landscape Points

Landscape Material	Landscape Points		
	Newly Installed (caliper)	Newly Installed Naturalized (caliper)	Existing Retained (diameter)
Deciduous Trees:			
Greater than 8”	n/a	n/a	27
From 4” to 8”	n/a	n/a	17
From 2.5” to 4”	21	27	n/a
From 1.5” to 2.5” or multi-stem	13	17	n/a
Coniferous Trees, Height:			
Greater than 10’	21	25	27
From 8’ to 10’	13	15	17
From 6’ to 8’	9	9	12
Shrubs, Plants & Ground Cover:	Points per square feet		Points per square feet: naturalized
Perennials/ground cover	17 per 500		27 per 500
Annual flower bed	17 per 500		22 per 500
Lawn grass	13 per 1000		n/a
Hardscape Materials:	Points		
Split rail fence	0.20 per lineal foot		
Screening fence (opaque)	0.40 per lineal foot		
Organic mulch	13 per 500 sq. ft.		
Ornamental pavers, decorative rock mulch	6 per 250 sq. ft.		
Landscape boulders, 3 feet or greater in height	10 per boulder		
Seating	0.40 per linear foot		
Public amenities (See Sec. B.4(b))	10 per amenity		

(b) Public amenities may be included in a bufferyard that is generally accessible by the public or by adjacent residential development. Public amenities shall meet the following standards:

(1) Outdoor seating plaza or sheltering structure with a minimum useable area of 180 square feet.

(2) Public art, including but not limited to sculptures, fountains, clocks, or murals with an installed value equal to or greater than ½ of one percent of the construction value of the structure.

(3) Sidewalk planters between the sidewalk and the building.

(4) Pedestrian paths that connect residential development to the adjacent development or to an existing or proposed public walkway system.

5. **Bonus Calculation**

(a) Bonus landscape points may be awarded for landscaping that meets the following standards:

Table 27-1200.6 Bonus Landscape Points

Retained Existing Trees and Plant Materials	Bonus Landscape Points (% increase)
Trees of exceptional quality[1] due to size, large canopy cover, trunk diameter, rareness, age, or species	**25**
300+ square feet with a minimum of 1 tree of 4" caliper or greater or 10 feet in height or greater	**15**
500+ square feet with a minimum of 2 trees 4" caliper or greater or 15 feet in height or greater	**20**
800+ square feet with a minimum of 3 trees 4" caliper or greater or 18 feet in height or greater	**25**
Use of Local, Naturalized Vegetation in New Planting	
Use of 50 – 75% local, naturalized plant materials	**10**
Use of 75 – 99% local, naturalized plant materials	**15**
Use of 100% local, naturalized plant materials	**20**
Low Impact Development (LID) (Parking lot only)	
Incorporation of City-approved low impact development BMP in a required landscape area	**20**
Notes:	
1 – Populus, Elm, and Ash species do not qualify for this bonus	

(b) Landscape and Bonus Point Standards

(1) Points awarded for retained vegetation in perimeter buffers may only be applied in the buffer area along the same lot line where the vegetation is found.

(2) Any trees preserved on a site in required landscaping areas that meet the specifications in this section and are not identified on the Billings Plant List may, at the discretion of the Zoning Coordinator, be credited toward meeting the tree requirements of any landscaping provision of this article.

(3) Any tree for which landscape points or bonus points are given shall be in a condition that encourages long-term survival and in a location that conforms to the intent and standards of this section.

(4) Existing trees that are preserved and receive landscape points or bonus points shall be marked on the landscape plan and the amount of bonus points shall be indicated. Any trees which receive points and are later removed shall be replaced with the number of trees for which landscape points was received.

SECTION 27-1205 OFF-STREET PARKING LOT LANDSCAPING

A. APPLICABILITY

The following requirements shall be applicable to all new off-street surface parking lots with 10 or more spaces.

B. REQUIRED LANDSCAPE AREA

1. All surface parking lots shall incorporate the following interior landscaping:
   (a) All parking stalls shall be within 132 lineal feet of a required parking lot landscape area. For purposes of determining tree spacing, parking spaces may be counted in any rational sequence.
   (b) Landscape terminal islands that are a minimum of nine feet wide and four feet shorter than the adjacent parking stalls in the parking row shall be provided at the ends of each parking row.
   (c) Parking lots with 100 or more spaces shall also be divided into subsections of no more than 50 spaces with landscape divider strips shall be placed between the sections.

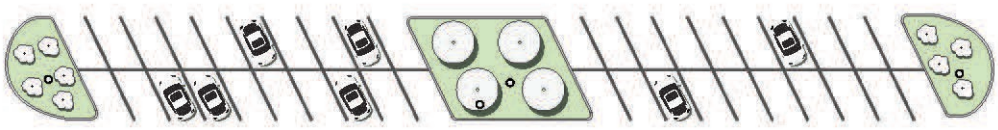


Fig. 27-1200.D Sample parking lot landscape area layout





Fig. 27-1200.E Left: Landscape islands with storm water infiltration.
Fig. 27-1200.F Right: Landscape divider with bio-swale

C. LANDSCAPE AREA DESIGN

1. A sidewalk located within a landscape divider strip that separates either parking rows or parking lots shall be allowed to count toward a part of the required off-street parking lot landscaping. The intent of this sidewalk is to help facilitate safe pedestrian movement. This sidewalk must meet the following criteria if it is to be counted toward the required landscaping:

   (a) The sidewalk has a five-foot wide walking path and shall add two feet for vehicle overhang, if the sidewalk abuts a parking stall.

   (b) The sidewalks extends the entire length of the divider strip. The ends of the sidewalk shall be ADA compliant.

   (c) The sidewalk is bordered on at least one side by landscaping, of which the sidewalk cannot account for more than 50 percent of the area of the divider strip.

2. Landscaped areas within parking lots or along the perimeter of the property must be protected from vehicular traffic through the use of concrete curbs, extruded asphalt or other approved permanent barriers.

3. No paving shall be permitted within four feet of the center of a tree.

D. PLANT MATERIALS

1. The ground plane of all of the required parking lot landscaped areas shall be planted in a minimum of 75 percent organic landscaping material that will remain in place through typical local weather, with a maximum of 25 percent of the ground plane covered in inorganic landscaping material. Approved sidewalks are not counted toward the percentage of inorganic material unless specifically provided for in this section.

   (a) A landscape divider strip shall be planted with one tree every forty feet.

   (b) Islands shall be planted with one tree in addition to the required ground plane coverage. Turf grass is prohibited in or on parking lot landscape islands. Deciduous canopy trees are encouraged within the parking lot.

2. Clear vision areas where the parking lot access drive enters from a public right-of-way must be maintained as required in Section 27-1803.H. Plant materials within these clear vision areas must be trimmed down to no more than 30 inches above grade, or in the case of trees, the lowest branch height trimmed up to 8 feet above grade.

E. WATER CONSERVATION DESIGN

1. Where appropriate and approved by the Engineering Division, the use of porous pavement and/or specially designed brick or block should be considered to increase on-site water retention for plant material, replenishment of groundwater supplies and to reduce problems associated with runoff.

2. Parking lots shall be designed so as not to drain into or across public sidewalks, adjacent property, or directly into natural watercourses. Curbs used to protect landscape islands should have 18 to 24-inch-wide curb cuts at frequent intervals to allow storm water infiltration. The surface of landscape islands and divider strips shall be concave to help channel surface water runoff. The following drainage structures are permitted within parking lot landscape areas:

   (a) Rain gardens,
   (b) Bio-swales,
   (c) Drainage easements, and
   (d) Drainage inlets.



Fig. 27-1200.G: Curb cut to allow drainage

F. SNOW STORAGE

1. A portion of the site equal to five percent of the surface areas to be plowed shall be provided as one or more snow storage areas that:

   (a) Are adjacent to and within 20 feet of the edge of the pavement to be plowed;
   (b) Are located so as not to interfere with the safe movement of pedestrians and traffic, including outside of any required clear vision areas as identified in Section 27-1800.
   (c) Are provided with appropriate drainage and where refreezing of any sheet drainage will not pose safety issues; and
   (d) Remain accessible, useable, and clear of obstructions.

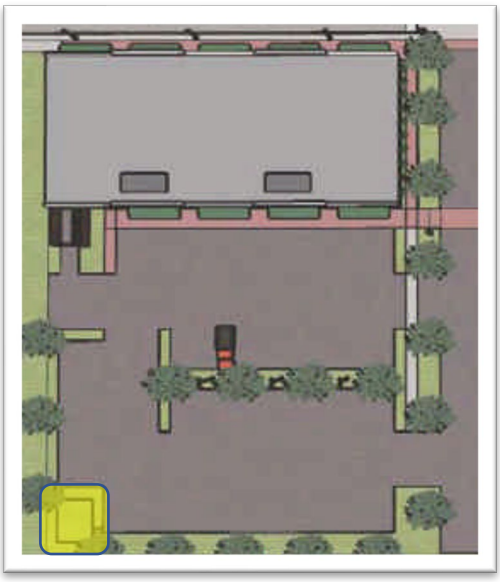


Fig. 27-1200.H Snow storage area

2. Plowed snow may be placed in a required bufferyard or parking lot interior landscape area that has been designed as follows:

   (a) Snow storage areas shall be planted with plant materials that are salt-tolerant and that can withstand the weight and compaction of the snow. Mulch shall cover less than 30 percent of the landscape area within three years of installation.

(b) Trees, shrubs and other woody plants shall be protected from adjacent snow storage areas by separation by a minimum at grade separation from tree trunks or shrubs of four horizontal feet, or planters, elevated landscaping elements, walls or other approved mechanisms.

SECTION 27-1206 UTILITY AND SERVICE AREA SCREENING

A. SINGLE FAMILY RESIDENTIAL

To the maximum extent practicable, utility equipment on residential lots shall be located behind the front building line of the house and screened from public view by an opaque wall, fence, or landscaping screen. Alternative locations may be approved by the planning and community services director to allow for the retention of existing trees on wooded sites.

B. MULTIFAMILY AND NON-RESIDENTIAL

1. Screening Generally

(a) Site Screening

All multiple-family residential projects, manufactured and mobile home parks, and all mixed-use and non-residential projects shall include on the landscape plan, a detailed drawing of enclosure and screening methods to be used in connection with trash bins, recycle bins, storage yards, service areas, loading docks, and equipment areas on the property.

(b) Visual Screening

Structures shall be designed and screened so that windows and decks do not overlook neighboring residential properties in a manner that intrudes on privacy.

2. Mechanical Equipment

(a) Applicability

(1) The standards of this section shall apply to all of the following:

(i) Electrical and gas-powered mechanical equipment;

(ii) Ductwork and major plumbing lines used to heat, cool, or ventilate; and

(iii) Power systems for the building or site upon which the equipment is located.

(2) Roof or wall-mounted antennas and vent openings shall not be considered mechanical equipment for purposes of these screening standards. The standards of this section are not intended to apply to solar arrays, solar energy collection systems, or small wind energy systems, if such systems are otherwise in compliance with applicable building codes and development standards requirements.

(b) Screening Standards

(1) Roof-Mounted Mechanical Equipment: Roof-mounted mechanical equipment shall be screened by a parapet wall or similar feature that is an integral part of the building's architectural design. The parapet wall or similar feature shall be of a height equal to, or greater than the height of the mechanical equipment being

screened. Roof-mounted mechanical equipment, except solar energy collection systems, is prohibited on single-family residential dwellings.

(2) Wall-Mounted Mechanical Equipment: Wall-mounted mechanical equipment, except air conditioning equipment (e.g., window AC units), that protrudes more than six inches from the outer building wall shall be screened from view by structural features that are compatible with the architecture of the subject building. Wall-mounted mechanical equipment that protrudes six inches or less from the outer building wall shall be designed to blend with the color and architectural design of the subject building.

(3) Ground-Mounted Mechanical Equipment: Ground-mounted mechanical equipment shall be screened from view by landscaping, a fence, or a decorative wall that is integrated into the architecture of the structure. The fence or wall shall be of a height equal to, or greater than the height of the mechanical equipment being screened.

(4) Alternate Screening: Alternate screening methods that meet the intent of this section may be approved by the Planning and Community Services Director. Alternative screening might include, but shall not be limited to, increased setbacks, increased landscaping, grouping the equipment on specific portions of a site, architectural elements, and painting or otherwise causing the equipment to blend with the site or structure.

3. Service, Loading, and Storage Areas

(a) Applicability

These screening requirements are applicable to all service, loading, and storage areas. Applicants are encouraged to locate the types of features listed in this subsection where they are not visible from off-site, or from public areas of a site, so that screening is unnecessary.

(b) Placement

(1) All service areas shall be placed at the rear, on the side of, or inside buildings.

(2) No service area shall be visible from a public right-of-way, or from adjacent residential areas.

(3) Service areas and access drives shall be located so they do not interfere with the normal activities of building occupants or visitors on driveways, walkways, in parking areas, or at entries.

(c) Outside Storage Areas and Loading Docks

(1) All storage areas, service areas, and loading docks visible from any public street right-of-way must be screened according to one or more of the screening options provided in these standards. Property zoned industrial must also screen from view, all outside storage areas that are adjacent to, or can be seen from non-industrial zoned property.

(2) Screening shall be a minimum height of eight feet to screen truck berths, loading docks, areas designated for permanent parking, or storage of heavy vehicles, equipment, or materials.

(3) Screening shall be long enough to screen the maximum size trailer that can be accommodated on site. Sites that can accommodate a full-size tractor-trailer shall provide a 48-foot wing wall, where wing walls are used.

(d) Shopping Cart Storage

(1) All shopping carts shall be stored either inside the building they serve or adjacent to the building in an area that is screened from public view.

(2) Shopping cart corrals shall be made of a material suitable for withstanding weathering and rusting.

(3) Shopping cart storage shall not be located in required off-street parking spaces.

SECTION 27-1207 TREE PROTECTION DURING CONSTRUCTION

A. GENERAL REQUIREMENTS

If the developer and designer intend to acquire landscape or bonus points for retained trees and landscaping, then tree protection during construction shall conform to the requirements of this section and the requirements relevant to construction in the American National Standards Institute (ANSI) publication A300 standards.

B. PROTECTIVE FENCING REQUIRED

Tree protection requirements shall apply to existing trees that are to receive credit for preservation. Such trees shall be surrounded by a temporary fluorescent colored fence that shall be constructed around the drip line of each tree, or group of trees to be preserved, prior to any grading or construction on the property.

1. The fencing shall be rigidly supported and maintained during all construction periods at a minimum height of four feet above grade.
2. All trees required to be fenced shall be clearly marked in a method approved by the Zoning Coordinator to notify inspectors the subject tree, or trees, are to be fenced at all times during construction.
3. Fencing may only be removed with the Zoning Coordinator's written permission, or upon approval of the final landscaping inspection.

C. OWNER'S RESPONSIBILITY

The owner or developer shall be responsible for the erection of any and all fences necessary to protect any existing or installed trees from damage both during, and after construction.

D. SHOWN ON SITE OR LANDSCAPING PLAN

The tree protection fencing shall be clearly shown on the site plan or landscape plan.

E. INSPECTION PRIOR TO LAND DISTURBANCE

All tree protection measures shall be inspected and approved by the applicant or landscape design professional responsible for the final landscape plan prior to start of any land disturbing activities.

F. PROHIBITED ACTIVITIES

The following activities are restricted or prohibited within the area contained by the tree protection fence:

1. Storage is prohibited within the fenced areas, including storage of heavy equipment, building materials, or soil.
2. Installation of underground utilities should be avoided within the area enclosed by the temporary fence. If installation of underground utilities is necessary, tunneling shall be used under the entire tree protection area. Tunneling must occur below the main lateral level of roots, or at least two feet below the surface, whichever is greater. Tunneling shall be done from both directions. Soil shall be backfilled in the tunnels.
3. Road and grade cuts (for basements and foundations) shall be outside the area enclosed by the temporary fence.
4. Minimal grading within 20 feet of the tree protection area may be allowed provided it does not impound water during wet periods or increase the drainage rate so that water tables are lowered.

G. TIME LIMIT FOR COMMENCING CONSTRUCTION AFTER CLEARING LAND

Where land is cleared and construction does not begin within 9 months from the date of the building permit issuance, the owner shall be required to replant or re-seed the cleared property to its original vegetative cover based on tree counts and other information originally submitted to the City. A six-month extension of this limit may be issued at the discretion of the Zoning Coordinator.

SECTION 27-1208 LANDSCAPING MATERIAL STANDARDS

A. COMPLIANCE WITH LANDSCAPE PLAN

1. Plants shall conform to the measurements specified in the plant schedule submitted with the landscaping plan.
2. Homeowner associations and other similar organizations may not establish landscaping standards that conflict with the naturalized plant or water conservation provisions of this article as approved in an individual building permit landscape plan.
3. It is recommended that a professional horticulturist, nurseryman or design professional be consulted to determine the proper time to move and install all plant materials, so that stress to the plants will be minimized and plant success will be maximized.

B. PLANT SELECTION

1. Tree and plant materials shall be selected for: energy efficiency and water efficiency; adaptability and relationship to the native environment; color, form and pattern; ability to provide shade; soil retention; and resistance to fire. The overall landscape plan shall be integrated with all elements of the project, such as buildings, parking lots, and streets, and to achieve a desirable microclimate and minimize energy demand.

2. The Billings Plant List shall identify appropriate tree and plant species for use in required landscaping areas. Alternate appropriate trees and plants may be used on a site as recommended by a Landscape Architect or Landscape Designer.
3. Naturalized vegetation within sensitive land and resource areas shall be preserved unless the City approves an alternative naturalized landscaping plan that preserves significant desirable naturalized vegetation.
4. If turf areas are included in landscaping, they must use a sod or seed mix specifically cultivated to thrive in the conditions present at the particular site.
   (a) The use of non-naturalized, high water consumptive turf or other monoculture seeding is discouraged.
   (b) The applicant must provide information regarding the composition of a sod or seed mix as part of the detailed plant list as required.
   (c) No person or organization shall impose private covenants, conditions, deed clauses, or other agreements that require the installation of turf or prevent the utilization of water efficient landscaping, provided such landscaping receives appropriate approval. No person shall prohibit landscaping materials and designs solely on the basis that they make use of water-efficient landscaping.

C. MEASUREMENT

1. Caliper

(a) Caliper measurement shall be taken six inches above the ground level for field grown stock and from the soil line for container grown stock, which should be at or near the top of the root flare, and six inches above the root flare for bare root plants, up to and including the four-inch caliper size interval (i.e., from four inches up to, but not including, 4½ inches). If the caliper measured at six inches is four and one-half inches or more, the caliper shall be measured at 12 inches above the ground level, soil line, or root flare, as appropriate.

Note: Seldom are tree trunks perfectly round. The most accurate measurement will result from the use of a diameter tape. Caliper measurements taken with manual or electronic “slot” or “pincer” type caliper tools should be the average of the smallest and largest measurements.

(b) Trees with multiple stems: When a caliper measurement is included in the specifications, the specifications shall also include the method used to determine the caliper measurement, shown below:

(1) The number of required trunks and the minimum caliper of each required trunk.

(2) The caliper of only the largest trunk, with all other required trunks within a certain caliper range of the largest trunk (e.g., by percent or within two smaller caliper sizes).

(3) The caliper specified is one-half (1/2) of the caliper of the three largest required trunks.

(4) The caliper specified is the average of all required trunks.

2. **Height and Spread (Coverage)**

   (a) Height measurement shall be taken from ground level for field grown stock and from the soil line for container grown stock, which should be at or near the top of the root flare, and from the root flare for bare root plants.

   (b) Spread measurement shall be the average spread of the branches of the plant, without leaves for deciduous shrubs, including leaves for evergreens.

   (c) For deciduous shrubs, height measurement shall extend to the top of all canes meeting the height specification, as appropriate to the plant type.

   (d) For evergreens, height measurement shall not be taken at the tip of the leader but should be taken at the midpoint between the uppermost whorl(s) and the tip of the leader.

D. GENERAL STANDARDS

The following criteria and standards shall apply to landscape materials and installation:

1. **Plant Materials List**

   The planning division shall maintain a suggested and prohibited plant list as necessary to identify plant material requirements or prohibitions within the City. Where a species is chosen for a landscape plan that is not identified on a City plant list, the applicant shall provide information about growth and spacing characteristics on the landscape plan. Plant information shall be taken from objective sources, including professional landscape organization websites or nursery cut sheets. Plant materials identified in any prohibited plant list may not be used in landscaping.

2. **Quality**

   All trees and shrubs used for landscaping shall have well-developed leaders, tops, and roots characteristic of the species, cultivar, or variety per American National Standards Institute (ANSI) Z60.1, a copy of which is on file in the planning office, and shall show evidence of proper nursery pruning per the same standard. All plant materials must be free of insects, diseases, mechanical injuries, and other objectionable features at the time of planting.

3. **Coverage**

   (a) Grass, ground cover, shrubs, organic mulch, and other organic landscape materials shall be used to cover at least 75 percent of open ground. Shade provided by trees, shrubs, or structures, or anything not on the horizontal plane of the site does not qualify as ground cover.

      (1) Open ground includes all fill slopes and hillsides, regardless of the angle of the slope.

      (2) Open ground also includes all fill rock and shot rock slopes that must be covered with an appropriate depth of soil to allow for the healthy growth of the coverage.

      (3) Inorganic material can be incorporated into a landscape plan where appropriate and can be used to cover up to 25 percent of open ground.

   (b) No area required to be landscaped shall include any artificial trees, plants, or turf; impervious surfacing other than sidewalks, decorative pathways or other public amenities; or any carpeting designed as a visual substitute for lawn or other groundcover.

(c) Areas devoted to pasture, farm crops, or undeveloped areas of a parcel shall not be considered landscaped for the purpose of fulfilling any landscape requirements.

4. Trees

Trees used for landscaping shall be a species common to, or adapted to this area of the state, and not identified as prohibited on any City plant list. Trees shall have the following characteristics:

(a) Size

(1) Canopy trees shall be deciduous trees that have a minimum height of 30 feet at maturity. All canopy trees shall have a caliper width of at least two (2) inches at time of planting.

(2) Understory trees shall be deciduous trees that have a maximum height of less than 30 feet at maturity. All understory trees shall have a caliper width of at least one and one half (1.5) inches at time of planting.

(3) Coniferous trees shall have a minimum height of 20 feet at maturity. All coniferous trees shall be at least four feet in height at time of planting.

(4) Street trees shall be canopy trees.

(b) All trees shall conform to the American National Standards Institute (ANSI) Z60.1, a copy of which is on file in the planning office.

5. Shrubs, Hedges, and Ornamental Grasses

(a) Shrubs shall have the following characteristics:

(1) Small or dwarf deciduous shrubs that typically do not grow to a mature height or spread exceeding three feet shall have a minimum height of twelve inches with a minimum of four canes.

(2) Intermediate deciduous shrubs with a mature height or spread of three to seven feet shall have a minimum height of 18 inches with a minimum of four canes.

(3) Large or tall deciduous shrubs with a mature height exceeding seven feet shall have a minimum height of 24 inches and a minimum of five canes. Where these shrubs have a narrow habit the minimum number of canes may be reduced to one.

(b) Ornamental grasses shall have a minimum two-gallon pot size at time of planting.

(c) Hedges, where installed as a bufferyard screen, shall be planted and maintained so as to form a continuous, unbroken, solid, visual screen which will be at least three feet in height at the time of planting and achieve a minimum height of six feet within five years.

6. Ground Cover, Perennials, and Annual Planting Areas

Ground covers, perennials, and annual planting areas used in lieu of grass in whole, and in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage at maturity.

7. Lawn Grass

Grass areas may be sodded, plugged, sprigged, or seeded, except that sod or other erosion control products shall be used in swales, berms, or other areas subject to erosion.

8. **Naturalized Plants and Grasses**
Naturalized plants and grasses shall not be considered weeds that are subject to BMCC 25-302; however, the area planted in naturalized plants and grasses shall be kept weed-free to maintain this exemption. The owner shall provide documentation to show the seed mix used for naturalized plants and grasses.

9. **Fractions in the calculation of number of trees and shrubs.**
In the calculation of trees and shrubs for any required landscaping, all fractions shall be rounded to the nearest whole number.

E. INTERFERENCE AND VISIBILITY

1. All landscaping shall be sized and located so that it does not interfere with utilities, easements or fire hydrants.

2. All landscaped areas must comply with the clear vision area standards for intersections as established in Section 27-1802.H.

F. IRRIGATION SYSTEMS

1. **Required and Optional Systems**

(a) Automatic irrigation systems are not required for single unit or two-unit residential dwellings on single lots or in the CBD.

(b) Automatic irrigation systems shall be installed in required landscape areas in all other zone districts.

2. **General Standards**
The following standards shall apply to all in-ground permanent irrigation systems:

(a) The landscape plan shall identify the area of approximate installation of an automatic irrigation system, its maintenance, and intended uses. The landscape plan must note and delineate all irrigated and sod areas.

(b) Irrigation systems installed with new development must be installed prior to plant materials.

(c) Irrigation systems with a precipitation rate exceeding 0.75 inches per hour shall be prohibited on areas exceeding 1,000 square feet with a slope greater than 30 percent unless:

(1) Infiltration trenches, vegetated swales, bio detention areas, and similar facilities as approved by the City are employed to reduce runoff, or

(2) The landscape designer specifies an alternative design or technology that clearly demonstrates to the City's satisfaction no runoff or erosion will occur. Prevention of runoff and erosion must be confirmed during the final landscape inspection.

3. **Low-Flow Irrigation Systems**
Low-flow irrigation devices shall be used in all landscape areas that are less than eight feet wide in any direction to avoid overspray and runoff.

(a) System design shall be either surface drip system, subterranean drip system, micro-spray, or a combination of these systems.

(b) A hose bib system may be used for irrigation when a landscape area is less than 1,000 square feet in size and when all portions of the area are within 100 feet of a hose attachment.

4. Automatic Operation

(a) All systems shall be equipped with timers and scheduled to operate during evening or early morning hours to minimize evaporation rates.

(b) All automatic underground sprinkler systems shall be equipped with rain and freeze sensors.

SECTION 27-1209 FENCES, WALLS AND HEDGES

A. APPLICABILITY

1. Fences, walls, and hedges may be erected or maintained in any zoning district provided the height, setback, and material provisions outlined below are followed and a permit is secured.
2. "Fence" for the purposes of this section means any fence, wall or hedge.
3. No fence shall be erected or maintained in a public right-of-way.
4. All fences shall require a permit from the planning division.

B. HEIGHT

Height, for the purposes of this section, shall be defined as the vertical distance from the top rail, board or wire to the ground directly below.

C. SETBACKS REQUIRED

1. Front Yard

The maximum height for fences, walls, or hedges in a required front yard setback is four feet. Front yard setbacks are defined in the applicable zone district.

2. Side and Rear Yards

(a) Fences, walls, or hedges between a height of four and six feet may be erected or maintained in any side or rear yard setback. Fences may not block a clear vision area pursuant to Section 27-1802.H.

(b) Any fence, wall, or hedge in excess of six feet shall meet all of the yard setback requirements for structures as defined in the applicable zone district and will require a building permit.

3. Exceptions

The setback requirements described above shall not apply in the heavy commercial (CX), EBURD-CW, EBURD-IS, light industrial (I1), or heavy industrial (I2) zones.

D. SETBACKS FOR CLEAR VISION AREAS

No fence, wall, or hedge greater than 30 inches in height may be erected or maintained within a clear vision area in any zone district, pursuant to Section 27-1802.H.

E. MATERIALS

1. Residential and Commercial Zones

(a) Generally: All fences in residential, and commercial zoning districts shall be constructed from materials which are commonly used for fencing.

(1) Commonly used fence materials include wood, brick, stone, split railing, chain-link, wire, vinyl, ornamental iron work.

(2) Prohibited materials: Railroad ties, intact wood pallets, tires, or rubble.

(3) Salvaged material that do not meet one of the commonly used fence materials identified above are generally prohibited except as provided in this section. Salvaged material may be used for fencing where:

(i) The appearance of the completed fence is substantially similar to and consistent with the design of a fence constructed of commonly-used materials,

(ii) The salvaged material fence is constructed according to generally applicable fence construction standards, and

(iii) The salvaged material is in good repair and capable of long-term maintenance by the property owner.

(4) Materials not listed are subject to special review.

(b) Bufferyard Fencing: Required bufferyard fencing may be constructed of any of the materials identified in Section E.1(a) along with powder-coated or vinyl coated chain link fence.

(1) Where an opaque screening fence is required between uses – such as residential next to heavy commercial or industrial – solid vinyl, wood or similar solid fencing, or powder-coated or vinyl-coated chain link fence with opaque (solid) inserts shall be installed.

(2) An existing fence of the proper height and materials that is located on the property line where a bufferyard fence is required may be retained. Where an existing fence is not compliant with this section, the property owner who is required to install the bufferyard fence shall replace the existing fence with a compliant fence.

2. Industrial Zones

All fences in industrial zoning districts shall be constructed from materials commonly used for fencing and shall not be constructed from railroad ties, intact wood pallets, rubble, or salvaged material.

(a) Commonly used fence materials include wood, brick, stone, split railing, chain-link, wire, vinyl, ornamental iron work, finished or coated steel or aluminum building panels.

(b) Barbed wire is only permitted where an eight-foot tall fence is permitted. The barbed wire must be placed on top of the fence and must be located a minimum of eight feet from the ground. Electric fencing is not permitted.

(c) Materials not listed are subject to special review.

ARTICLE 27-1300 PARKING AND LOADING

SECTION 27-1301 GENERAL APPLICABILITY

A. OFF-STREET PARKING REQUIRED

1. Minimum off-street parking in any district other than CBD or EBURD shall be provided pursuant to this section at the time of erection of any building or structure or at the time of any change in occupancy of any building or structure.
2. No minimum off-street parking is required in the CBD or EBURD zone districts except as specifically provided in this section. Where off-street parking is provided, it shall meet the standards of this section.
3. Required off-street parking areas must be used for parking only. Automobile sales, storage, and other uses are prohibited unless specifically permitted by another section of this Zoning Code.

B. EXPANSION, ENLARGEMENT, AND NONCONFORMITIES

1. Whenever any building is enlarged in height or in ground coverage, off-street parking shall be provided for the expansion or enlargement in accordance with the requirements of Section 27-1100, Proportionate Compliance.
2. Changes to the size or location of existing off-street parking areas in NX, NO, NMU, and CMU districts shall be done in a manner that brings the parking area into greater compliance with the zone district site standards. See Section 27-1500, Nonconformities.
3. Nothing in this section shall be deemed to prevent the voluntary establishment of off-street parking or loading facilities to serve any existing use of land or buildings even though those uses or buildings are nonconforming, provided that the new parking can be provided in compliance with this section and the requirements of the zone district.

C. ZONE DISTRICT GROUPINGS

When reference is made to a group of zone districts, the following individual districts shall be included:

District Groupings Used in this Section	
Residential	All N districts, RMH
Mixed-Use	All NX districts, NO, NMU, All CMU districts
Commercial	C3, CX
Industrial	I1, I2
Public	All P districts
EBURD	All EBURD districts

SECTION 27-1302 CALCULATION OF REQUIRED PARKING

A. REQUIRED PARKING

1. Required off-street parking spaces shall be provided in conformance with Table 27-1300.1, Off-Street Parking Standards, unless modified by Article 27-1100, Proportionate Compliance.

2. In the case of mixed uses, the total requirements for the various uses shall be computed separately unless the joint use provisions of Section 27-1304 apply.

B. CALCULATION OF REQUIRED PARKING

1. When determination of the number of parking or loading spaces results in a requirement of a fractional space, any fraction shall be rounded up and counted as one parking space.
2. When there are multiple structures on a lot or multiple uses in a structure, parking shall be calculated separately for each different use area in a building or on a site, including all accessory uses.
3. Parking spaces required on a per-employee basis shall be based on the maximum number of employees on duty and/or residing on the premises at any one time.
4. Parking spaces required based on the number of beds in a facility shall be calculated based on the number of beds accommodated in the design capacity of the facility.
5. When the standards use seating as a unit of measurement, all calculations shall be based on the number of fixed seats. If fixed seats are not provided, then parking shall be determined at a rate of one space per four occupants unless otherwise specified in Table 27-1300.1, Off-Street Parking Standards.
6. When the standards use the number of occupants as a unit of measurement, all calculations shall be based on the maximum occupant load, as determined by the adopted building code.
7. Surface parking spaces provided for multiple-unit structures shall not be assigned and shall be available to all residents unless approved through Section 27-1600, Master Site Plan. Where surface parking is assigned, the minimum number of spaces provided shall be increased by 20%.

Table 27-1300.1: Off-Street Parking Standards

Use	Required Parking
RESIDENTIAL	
Households Living (dwelling unit/structure)	
Dwelling, single unit, detached and attached	2 per du
Dwelling, multiple unit structure	1.5 per du + 1 guest space per 10 units; 27-1302.C.8 also applies
Dwelling unit in a mixed-use structure	2 per du
Accessory dwelling unit	Sec. 27-1009 (ADU standards)
Manufactured Home (Class A, B, C)	2 per du
Group Household Living	
Comm. Res. Facility, Large	2 + 1 per 5 beds
Comm. Res. Facility, Small	Dwelling, single unit
Fraternity/Sorority House	1 per 2 sleeping rooms or 1 per 3 beds, whichever is greater
Group Living Facility	2 + 1 per 5 beds
Retirement Home or Village	1 to 6 units: 0.5 space/du 7 to 18 units: 0.33 space/du

Table 27-1300.1: Off-Street Parking Standards

Use	Required Parking
	Over 18 units: 0.25 spaces/du Minimum of 5 spaces
Travel Trailer Park/ Campground	1 space per campsite/RV site
PUBLIC, CIVIC, AND INSTITUTIONAL	
Assembly	
General Assembly	1 per 4 seats in assembly area or 1 per 100 SF GFA in assembly area without seats
Libraries and Museums	1 per 1,000 SF GFA for museum and art gallery; 1 per 333 SF GFA for library
Education	
School, College or University	1 per 400 SF GFA
School, Primary and Secondary	Elementary School: 2 per classroom Middle School: 2 per classroom High School: 6 per classroom and 1 per 300 SF GFA additional enclosed floor space
School, Trade, Business, Vo/Tech	1 per 300 SF indoor GFA
Government and Public Safety	
All	1 per 300 SF GFA of space used by the public + 1 per 600 SF GFA of space not used by the public
Health Care and Social Assistance	
Adult Day Care	1 per 400 SF GFA plus 2 stacking spaces at drop-off area for adult day care in mixed-use or non-residential districts
All Healthcare, unless otherwise specified	1 per 2 beds based on maximum capacity + 1 per 350 SF GFA for areas that are not patient rooms. Healthcare facilities without patient rooms apply the 1 per 350 SF GFA standard.
Parks and Recreation	
Arboretums/Botanic Gardens/Zoos	1 per 4 occupants at capacity
Golf Course/Swimming Pool (Public)	Golf: 4 per hole plus 2.5 per 1,000 sf GFA in clubhouse; Pool: Sec. 27-1302.D
Public Parks and Playgrounds	Sec. 27-1302.D
Public Recreation Facilities	Sec. 27-1302.D; Playfields (soccer, baseball, etc.) shall have minimum of 20 spaces per field
COMMERCIAL	
Amusement and Recreation	
Amusement & Recreation, Indoor	6 per 1,000 SF GFA
Amusement & Recreation, Outdoor	1 per 4 occupants at capacity
Adult Entertainment	1 per 200 SF GFA
Casino, Large	1 per 150 SF GFA

Table 27-1300.1: Off-Street Parking Standards

Use	Required Parking
Animal Sales and Services	
Boarding/Kennel	1 per 400 SF GFA
General Sales and Services	1 per 400 SF GFA
Shelter	1 per 800 SF GFA
Veterinary, all	1 per 400 SF GFA (indoor only)
Assembly, Entertainment and Trade	
All assembly	1 per 4 seats in assembly area or 1 per 100 SF GFA in assembly area without seats
Child Care	
All child care	1 per 400 sf GFA + 2 stacking spaces at drop-off area for child care in mixed-use or non-residential districts
Commercial Service	
Broadcasting Stations and Studios	1 per 400 SF GFA
Business Service	1 per 400 SF GFA
Crematory, Funeral Services	1 per 50 SF chapel area, minimum 2
Cemetery	1 per 50 SF chapel area, minimum 2
Consumer Maintenance and Repair	1 per 400 SF GFA
Personal Service	1 per 400 SF GFA
Studio or Instruction Service	1 per 400 SF GFA
Eating and Drinking Establishment	
Restaurant	1 per 150 SF GFA
with drive-thru	1 per 100 SF GFA
Bar or Tavern	1 per 150 SF GFA
Craft Alcohol	1 per 150 SF GFA
Financial Services	
Financial and Alternative Financial	1 per 300 SF GFA
Lodging	
Boarding	1 per guest room
Bed and Breakfast Inn	2 + 1 space for each guest room
Campground/RV Park	1 per campsite/RV site
Hotel/Motel	1 per room + 1 per 300 SF meeting or restaurant and bar area
Short-Term Rental	Parking assigned to dwelling unit
Office	
Business or Professional	1 per 350 SF GFA
Medical doctor or dental clinics	Medical, dental or optical: 1 per 222 SF GFA; Professional therapy (mental health, physical, occupational, or similar): 1 per 250 SF GFA
Research and Testing Laboratories	1 per 400 SF GFA

Table 27-1300.1: Off-Street Parking Standards

Use	Required Parking
Parking, Commercial	
Commercial, primary use	n/a
Retail Sales	
Retail (all unless otherwise specified)	1 per 200 SF GFA for the first 2,000 SF + 1 per 300 SF GFA over 2,000 sq. ft. up to 100,000 SF total GFA
Retail, large format	Retail standard up to 50,000 SF GFA then 1 per 1,000 SF GFA. If part of the structure is warehouse, apply the retail standard and Table 27-1300.2 to the areas in each use.
Retail, Extended Display Floor	1 per 1,000 SF GFA
Commercial Greenhouse/Nursery	1 per 1,000 SF GFA
Outdoor Sales Lot	1 per 1,000 SF GFA sales area
Vehicle Sales and Service, Personal	
Car Wash	
Fueling Station, with or without convenience store	1 per 200 SF GFA for the first 2,000 SF + 1 per 300 SF GFA over 2,000 sq. ft.
Vehicle Sales and Rental	Sales: 1 per 1,000 SF GFA used by general public plus storage of cars for sale Rental: 1 per 250 SF GFA used by general public plus storage of cars for rent
Vehicle Maintenance and Repair,	1 per 250 SF GFA
INDUSTRIAL, WHOLESALE, AND STORAGE	
Industrial and Construction Services	
All	Table 27-1300.2
Manufacturing, Assembly, or Processing	
All	Table 27-1300.2
Natural Resource Extraction	
All	1 per site
Warehouse and Storage Services	
All	Table 27-1300.2
Waste and Salvage	
All	Table 27-1300.2
TRANSPORTATION, UTILITIES, AND COMMUNICATIONS	
Alternative Energy Production	
Solar Power Array, large/commercial	1 per site
Wind Energy Conversion Systems, large/commercial	1 per site
BioMass Conversion Systems, large/commercial	1 per site

Table 27-1300.1: Off-Street Parking Standards

Use	Required Parking
Transportation	
Bus or Taxi Maintenance and Parking Shed	Sec. 27-1302.D
Airport Passenger Terminal	Sec. 27-1302.D
Bus/Public Transit Terminal	Sec. 27-1302.D
Train Passenger Terminal	Sec. 27-1302.D
Train/Railroad Freight Terminal, Switching Yard	Sec. 27-1302.D
Utilities and Public Facilities	
Major	Table 27-1300.2
Minor (e.g., lift stations, substations, pump stations)	Table 27-1300.2
Offices, Buildings, Yards, and Land	Table 27-1300.2
Pipelines (except natural gas)	n/a
Transmission and Distribution Lines	n/a
Wireless Communication Facilities	
Amateur Radio, greater than 100' high	1 per site
Land Mobile Radio and Broadcast Antennae	1 per site
Wireless Communication Facilities	Sec. 27-1302.D

C. PARKING FOR INDUSTRIAL AND WAREHOUSE USES

Uses that reference this subsection in Table 27-1300.1, shall provide the minimum number of parking spaces identified in Table 27-1300.2. The total number of required spaces is cumulative based on the variety of different functions present in a single structure or lot.

Table 27-1300.2: Parking for Industrial, Wholesale, and Storage Uses

Use or Activity		Minimum Required
Office or administrative area		1 per 300 GFA
Indoor sales area		1 per 200 GFA
Retail		Table 27-1300.1
Assembly, vehicular service, or manufacturing area:	First 1-3,000 sf of floor area:	1 per 200 GFA
	Additional SF over 3,000 calculated as follows:	
	3,001-5,000 sf of floor area	1 per 500 GFA
	5,001-10,000 sf of floor area	1 per 750 GFA
	10,001or more sf of floor area	1 per 1,250 GFA
Indoor storage or warehousing area		1 per 1,000 GFA or 1 per employee on largest shift
Outdoor sales, display, or storage area (3,000 sf or less)		1 per 750 GFA
Outdoor sales, display, or storage area (more than 3,000 sf)		1 per 1,000 GFA

D. USES WITH VARIABLE PARKING DEMAND

Uses that reference this subsection in Table 27-1300.1 have widely varying parking demand characteristics, making it difficult to establish a single parking standard. Upon receiving a development application for a use subject to this subsection, the Planning & Community Services Director, with input from the Engineering Division, shall apply the parking standard specified for the listed use that is deemed most similar to the proposed use or establish minimum parking standards on the basis of a parking study prepared by the applicant. Such a study shall include estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE) Parking Generation, or other acceptable estimates as approved by the zoning administrator, and should include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability will be determined by density, scale, bulk, area, type of activity, and location. The study shall document the source of data used to develop the recommendations.

E. ADA ACCESSIBLE PARKING

All parking lots shall provide the minimum number of accessible parking spaces required by the federal Americans with Disabilities Act (ADA). All accessible parking spaces shall meet the design and location requirements of the Americans with Disabilities Act (ADA). Accessible parking spaces shall be counted toward the minimum number of spaces required in Tables 27-1300.1. and 1300.2

F. MAXIMUM NUMBER OF PARKING SPACES

1. Calculation

   The maximum permitted number of parking spaces shall be determined as follows:

Table 27-1300.3: Maximum Parking

Number of spaces required	Parking May not Exceed the Minimum Number of Spaces Permitted by More than:
1 to 50	20%
51-500	10%
501 or more	50 spaces

2. Maximum Surface Parking Calculation Exceptions

   For the purpose of calculating parking requirements, the following types of parking spaces shall not count against the maximum surface parking requirement:

   (a) Accessible parking;

   (b) Vanpool and carpool parking;

   (c) Spaces with electrical vehicle charging stations, up to a maximum of two per 50 parking spaces;

   (d) Parking spaces which are used seasonally (March 1-Novermber 1) to provide bicycle parking;

   (e) On-street parking adjacent to the lot or lots on which the parking is located; and

   (f) Structured parking, underground parking, and parking within, above, or beneath the building(s) it serves.

3. Site Specific Standards

   (a) There is no limitation on the number of parking spaces provided when the spaces exceeding the minimum are located in a parking garage or similar structure.

(b) Any paved areas adjacent to parking lots, excluding drive aisles, access points, and permanent loading, storage, sales, rental or service areas, shall be considered to provide parking even if no parking spaces are delineated by pavement marking.

4. Maximum Surface Parking Waiver Request

(a) Requests to exceed the maximum surface parking requirement shall be accompanied by a written justification demonstrating how the maximum number of parking spaces specified in Table 27-1300.3 is insufficient for the proposed development. The written justification must include an analysis of current parking supply and conditions, an assessment of the ability of existing supply to meet existing peak demand, a projection of future demand, and must demonstrate consideration and evaluation of alternative parking management practices (e.g., shared parking, shuttle, valet, etc.).

(b) A waiver to the maximum surface parking requirement may be allowed by the Planning & Community Services Director in situations that meet all of the following criteria:

(1) The proposed development has unique or unusual characteristics such as high sales volume per floor area or low turnover, that create a parking demand that exceeds the maximum ratio and that typically does not apply to comparable uses;

(2) The parking demand beyond the maximum parking standard cannot be accommodated by on-street parking, shared parking with nearby uses, or by increasing the supply of spaces that are exempt from the maximum ratio;

(3) The request is the minimum necessary increase from the standards; and

(4) The applicant can provide all of the design requirements for excess parking.

5. Design Requirements for Excess Surface Parking

An applicant that receives a parking waiver to provide parking that exceeds the maximum number of permitted parking spaces permitted in Table 27-1300.3 shall be required to include additional internal landscaping as described below.

(a) Parking lot landscaping shall comply with the internal landscaping standards in Section 27-1200, Landscaping.

(b) In addition to the landscaping standards in Section 27-1200, deciduous trees and shrubs shall be provided in the quantities outlined in Table 27-1300.4 for parking that exceeds the maximum limit. Any required additional landscaping shall be distributed throughout the site.

Table 27-1300.4: Additional Landscaping Requirement for Excess Surface Parking

Number of Spaces Over Maximum Parking Limit	Number of Deciduous Trees (2-inch Caliper)	Number of Deciduous Shrubs (5-Gallon)
0-5	0	4
6-10	1	8
11-15	2	12
16-20	3	16
21+	1 per 4 spaces over maximum	1 per space over maximum

(c) Where the maximum number of parking spaces in the DX or CMU1 districts is exceeded, the applicant may provide, as an alternative to the additional landscaping standards in a lump sum payment of $500.00 per space for each space over the maximum to the Boulevard Tree Cost Share Program in lieu of installation.

G. BICYCLE PARKING

1. Applicable Design Standards
   (a) When required, bicycle parking must comply with the City of Billings Bicycle Parking Guidelines (referred to APBP: Association of Pedestrian and Bicycle Professionals), available at the Planning Division offices or on-line at the City of Billings Webpages on Transportation Planning.

   (b) In mixed-use, commercial, and public districts all short-term racks shall be located within 50 feet of the primary entrance of the building served by the rack(s) and shall be visible when facing that primary entrance.

2. When Required
   (a) Bicycle parking shall be provided in Table 27-1300.5. Where the amount of required parking is not specified in Table 27-1300.5, the requirements of the Billings Bicycle Parking Guidelines shall apply.

Table 27-1300.5: Bicycle Parking

Zone District	Required Bicycle Parking
Residential Districts	
N1, N2, N3, NX1	None
NX2	None required, long-term parking recommended
NX3	Short-term parking required per APBP. Long-term parking recommended.
Mixed-Use and Commercial Districts	
CBD	Pay into bike parking fund for number of short-term racks required by APBP.
DX	Short-term parking required per APBP. Long-term parking recommended.
CMU1	Min. 1 short-term rack per building
CMU2	Min. 1 short-term rack per building
NMU	Short-term parking required per APBP. Long-term parking recommended.
NO	Short-term parking required per APBP. Long-term parking recommended.
CX	Min. 1 short-term rack per building
EBURD	Min. 1 short-term rack per building
Public Districts	
P1	Short-term parking required per APBP. Long-term parking recommended when park is expected to be main work place for one or more employees. Sec. 27-1302.G.1(b) is not applicable when primary use is outdoor space.
P2	Short-term parking required per APBP. Long-term parking recommended.
P3	Short-term parking required per APBP. Long-term parking recommended.

SECTION 27-1303 LOADING SPACES

A. RETAIL AND COMMERCIAL

1. Required

   Any building or part thereof having a gross floor area of 10,000 square feet or more which is to be occupied by a use requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained on the same lot with such building at least one off-street loading space, plus one additional loading space for each 20,000 feet or major fraction thereof of gross floor area. Loading spaces are not required in CBD, CMU1, and NMU zones.

2. Design

   (a) Each loading space shall be not less than 20 feet in width, 25 feet in length, and 14 feet in height.

   (b) Loading space shall be located so as to preclude backing maneuvers on the public right-of-way.

B. WAREHOUSE AND WHOLESALE

Off-street loading space for warehouse, wholesale shipping and similar facilities will be determined by the city engineer. Such loading space shall be located so as to preclude backing maneuvers on the public right-of-way.

SECTION 27-1304 PARKING EXCEPTIONS AND REDUCTIONS

A. CBD AND EBURD EXCEPTION

Off-street parking is not required within the boundaries of the Central Business District (CBD) or East Billings Urban Redevelopment District (EBURD) in order to minimize disruptive curb cuts and driveways, encourage the consolidation of parking space in appropriate locations, and maximize the use of property for buildings and structures.

B. ON-STREET PARKING

On-street parking spaces on residential local streets that are directly adjacent to the property served may be counted towards the number of required spaces subject to the following:

1. Marked spaces shall be counted if:

   (a) 50 percent or more of the stall length of a parallel space is adjacent to the property served; or

   (b) 50 percent or more of the stall width of perpendicular or angled parking is adjacent to the property served.

2. Unmarked parallel spaces shall be determined by dividing the total curb length adjacent to the property served where parking is permitted by 20 feet.

C. JOINT USE

1. Authority and Calculation

   The Planning & Community Services Director may authorize the joint use or lease of parking facilities for the following uses or activities under conditions specified:

   (a) Up to 50 percent of the parking facilities required by this section for primarily "night time" uses such as theaters, bowling alleys, bars, restaurants and related uses, may

be supplied by certain other types of buildings, or uses herein referred to as "day time" uses such as banks, offices, retail, personal service shops, clothing, food, furniture, manufacturing or wholesale and related uses.

(b) Up to 100 percent of the parking facilities required by this section for a religious institution or for an auditorium incidental to a school, may be supplied by the off-street parking facilities provided by uses primarily of a "day time" nature.

2. Conditions Required for Joint Use or Lease

The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use, shall be located within 500 feet of such parking facilities, in addition to which:

(a) The application shall show that there is no substantial conflict in the principal operating hours at the two buildings or uses for which a joint use of off-street parking facilities is proposed.

(b) The applicant shall present to the Planning & Community Services Director a legal agreement (lease) executed by the parties concerned for joint use or lease of off-street parking facilities. The lease must be for a minimum of 10 years and contain a notification requirement whereby the city will be informed in writing of any termination or complication experienced during the term of the lease.

D. TRANSIT OFFSET

The number of required parking spaces may be reduced for developments within 1,320 feet of a regular route served by intra-city fixed route transit service.

1. To be eligible for a transit reduction the business owner must provide documentation of contracting for and securing a minimum of three years of employee transit passes. The reduction in required parking spaces shall be one space for each transit pass purchased meeting these requirements.

2. Uses eligible for a transit offset in the number of required parking spaces are:

(a) Rented or leased residential multi-family living units or manufactured home park with eight or more living units where a transit pass is included in the rental or lease of selected individual units: The maximum transit offset shall not exceed 20% of the number of living units in the complex.

(b) Hospitals; professional offices, including medical and dental clinics or offices; and financial institutions: the maximum transit offset shall not exceed 20% of the total required parking for such uses.

E. REDUCED NEED POPULATIONS

The required minimum number of parking spaces may be reduced by:

1. 33 percent for any group living use or multi-unit use in which occupancy of at least 80 percent of the units is restricted for use by those 55 years of age or older.

2. 50 percent for any group living use or multi-unit use in which occupancy of more than 80 percent of the units is restricted for use by those meeting the definition of “handicapped” individuals under the federal Fair Housing Act.

SECTION 27-1305 ACCESS AND CIRCULATION

A. STREET ACCESS

1. Street access to the parking lot will be governed by the curb cut policy in BMCC Section 6-1200.
2. Limited access through the alley. Customer access via an alley to any commercial use on a lot which is adjacent to an alley which abuts an "N" zone shall not be permitted over that alley except in the CBD, EBURD, and DX zones.

B. PEDESTRIAN ACCESS

1. Walkways with a minimum unobstructed width of five feet shall be provided between any building and an adjacent parking lot.
2. Pedestrian pathways shall be provided through all parking areas larger than 40 parking spaces to create a safe and convenient connection to building entryways,
3. Pedestrian pathways in and through parking areas must be designed and constructed to meet the following criteria:
   (a) Americans with Disabilities Act (ADA) guidelines
   (b) Limit conflict between pedestrians and vehicular traffic;
   (c) Be clearly delineated and directional using techniques such as contrasting textured or colored material, segregation of pathway from vehicle travel lanes, and raised pathway surfaces;
   (d) Be located a reasonable walking distance from all parking spaces to minimize conflict with moving vehicles;
   (e) Provide functional connection between the parking area, the building served by the parking area, and adjacent public sidewalks and rights of way; and
   (f) Provide safe, convenient pedestrian access to all building entryways open to the public.

SECTION 27-1306 LOCATION OF OFF-STREET PARKING

A. DISTANCE

Off-street parking facilities shall be located as follows:

1. One-and two-unit dwellings: on the same lot with the building they are required to serve.
2. Dwellings with more than two units, group household living, and lodging uses: within the walking distance of 100 feet.
3. Group living primarily for aging populations and health care: within 600 feet for employees and 300 feet for visitors.
4. Uses other than those specified above, off-street parking within 500 feet is required.

B. MEASUREMENT

Where Section 27-1306.A requires that parking spaces be located within a defined distance of a lot, building entrance, or similar, the following shall apply:

1. At least 50 percent of the spaces in any contiguous parking lot must entirely be within the required distance.
2. Where a distance is specified, such distance shall be in walking distance measured from the nearest point of the parking facility to the nearest point of the lot that such facility is required to serve.
3. The off-street parking shall not be located across an arterial or collector street except when both properties abut an intersection with traffic-control lights.
4. In addition, adequate and safe pedestrian access must be provided from and to the parking areas.

SECTION 27-1307 OFF-STREET VEHICLE PARKING AND STORAGE RESTRICTIONS

A. RESIDENTIAL DISTRICTS

1. Purpose and Applicability
   (a) The following standards for off-street parking and vehicle storage shall apply in all residential zoning districts and on property that is developed for residential use.
   (b) This section is intended to ensure that:
      (1) Parking is not the primary use of the property, and
      (2) Where accessory parking is permitted, it is provided in accordance with this Zoning Code.
2. Licensed and Operable Motor Vehicles
   The following standards apply to the open storage and off-street parking of licensed and operable motor vehicles is an allowed accessory use subject to the following standards:
   (a) This is an allowed accessory use for non-commercial vehicles. Parking and open storage of one licensed and operable motor vehicle used for commercial or business purposes is an allowed accessory use provided it does not exceed 12,000 pounds in G.V.W. (gross vehicle weight).
   (b) Front or side yard parking shall be on a surface prepared with asphalt or concrete.
   (c) Rear yard parking or open storage may be provided on any type of surface. (See also BMCC Sections 6-1203)
3. Licensed and Operable Recreational Vehicles
   Open storage and off-street parking of licensed and operable recreational vehicles (for the purposes of this section, including but not limited to snowmobiles, boats, and campers, all-terrain vehicles, off-road motorcycles, and sport/utility trailers) is an allowed accessory subject to the following standards:
   (a) The use is allowed in any rear yard and may be provided on any type of surface.
   (b) The use is allowed in a front or side yard only if there is no access to a rear yard. Where permitted in a front or side yard, the use shall be provided on a surface prepared with asphalt or concrete.
   (c) When provided in any yard:

(1) There shall be at least a five-foot separation between such recreational vehicle and any door, window, or other opening of a dwelling or accessory building that provides ventilation or access to the structure.

(2) There shall be setbacks to property lines at a minimum of three feet to a side or rear property line and eight feet from the back of a sidewalk. If no sidewalk exists, all measurements shall be made from the front and side adjacent to street property lines.

(d) The use of any recreational vehicle for living or sleeping purposes for more than five consecutive days is prohibited when parked off-street or stored in any residential zoning district or in an area developed for residential use.

B. MIXED-USE, COMMERCIAL, AND INDUSTRIAL DISTRICTS

The following standards for off-street parking and storage shall apply in all mixed-use, commercial, and industrial zoning districts.

1. Outdoor storage for the off-street parking of inoperable motor vehicles for more than five consecutive days as a primary use is a special review use of property as designated in Table 27-1000.1.
2. Accessory outdoor storage for the off-street parking of inoperable motor vehicles for more than five consecutive days is regulated in Section 27-1008, Accessory Uses.

ARTICLE 27-1400 SIGN CODE

SECTION 27-1401 GENERAL PROVISIONS

A. PURPOSE AND INTERESTS

The City has a legitimate, important, substantial, or compelling interest in:

1. Avoiding the proliferation of signs of generally increasing size, dimensions, and visual intrusiveness that tends to result from property owners competing for the attention of passing motorists and pedestrians because this approach to signage:
   (a) Creates visual distraction and obstructs views, potentially creating safety hazards for motorists, bicyclists, and pedestrians;
   (b) May involve physical obstruction of streets, sidewalks, or trails, creating public safety hazards;
   (c) Degrades the aesthetic quality of the City, making the City a less attractive place for residents, business owners, visitors, and private investment; and
   (d) Dilutes or obscures messages on individual signs due to the increasing competition for attention.
2. Maintaining and enhancing the character of the central business district and commercial corridors, both of which are resources of exceptional quality and vibrancy to the community as a whole.
3. Coordinating the location and type of signage with existing and proposed street frontage landscaping in a manner that that contributes to the character, environmental quality, and economic health of the City and the region.
4. Maintaining a high-quality aesthetic environment to protect and enhance property values, leverage public investments in streets, sidewalks, trails, plazas, parks, open space, civic buildings, and landscaping, and enhance community pride.
5. Protecting minors from speech that is harmful to them according to state or federal law, by preventing such speech in places that are accessible to and used by minors.

B. FINDINGS

The City finds that:

1. Content-neutrality, viewpoint neutrality, and fundamental fairness in regulation and review are essential to ensuring an appropriate balance between the important, substantial, and compelling interests set out in this article and the constitutionally protected right to free expression.
2. The regulations set out in this article are unrelated to the suppression of constitutionally protected free expression, do not relate to the content of protected messages that may be displayed on signs, and do not relate to the viewpoint of individual speakers.
3. The incidental restriction on the freedom of speech that may result from the regulation of signs pursuant to this article is no greater than is essential to the furtherance of the important, substantial, and compelling interests that are set out in this article.
4. Regulation of the location, number, materials, height, sign area, form, and duration of display of temporary signs is essential to preventing sign clutter.

5. Temporary signs may be degraded, damaged, moved, or destroyed by wind, rain, snow, ice, and sun, and after such degradation, damage, movement, or destruction, such signs harm the safety and aesthetics of the public on City's streets or sidewalks if they are not removed.
6. Certain classifications of speech are not constitutionally protected due to the harm that they cause to individuals or the community.

C. SAVINGS AND SEVERABILITY

1. Signs containing noncommercial speech are permitted anywhere that commercial speech signs are permitted, subject to the same regulations applicable to such signs. Any sign that can be displayed under the provisions of this article may contain a noncommercial message.
2. If any clause, section, or other part of the application of these sign regulations shall be held by a court of competent jurisdiction to be unconstitutional or invalid, it is the intent of the City that such clause, section, or specific regulation be considered eliminated and not affecting the validity of the remaining clauses, sections, or specific regulations that shall remain in full force and effect.

D. CONFLICTS WITH OTHER PROVISIONS

Nothing in this article shall be deemed a waiver of the provisions of any other ordinance or regulation applicable to signs. Signs located in areas governed by several ordinances or applicable regulations shall comply with all such ordinances and regulations. If there is a conflict between this article and any other ordinance or regulation, the more stringent shall apply.

SECTION 27-1402 APPLICABILITY

A. APPLICABILITY

1. The regulations contained in this article shall apply to, and regulate the display, construction, installation, erection, alteration, use, location, maintenance, and removal of all signs and support structures in all districts unless the sign, item, or activity is expressly exempted from these regulations.
2. No new sign shall be located, erected, modified, or maintained except in compliance with the regulations contained in this article.
3. Existing signs that were legally installed are not required to come into compliance with this article unless changes to the sign are made in a manner regulated in Section 27-1403, Nonconformities. Existing signs are required to comply with maintenance requirements and are subject to abandonment per Section 27-1410, Installation and Maintenance.

B. SIGN PERMIT REQUIRED

1. New Signs

A sign permit shall be required to erect, place, modify the size or shape, allow the continued placement, or convert any portion of a sign, including a conversion from temporary to permanent or from non-EMD to EMD unless otherwise provided in this article.

2. Existing Signs

Changes to existing signs that are made nonconforming by the 2020 Zoning Code update require a sign permit and are subject to Section 27-1403, Nonconformities.

3. **Sign Permit Exemptions**

The following activities shall not require a sign permit, provided that these exemptions shall not be construed as relieving the owner from the responsibility to comply with the provisions of this Zoning Code or any other law or ordinance, including the City's adopted building code(s):

(a) Changing of the advertising copy or message on an existing approved painted or printed sign, marquee, changeable copy sign or a similar approved sign whether electrical, illuminated, electronic changing message display or non-illuminated painted message which are all specifically designed for the use of replaceable copy;

(b) Painting, repainting, cleaning or other normal maintenance and repair of a sign not involving structural changes. Replacement of or a change of a plastic sign face will be included as an exempt operation;

(c) Changes in the content of show window displays and permitted temporary signs;

C. EXEMPTIONS

The following signs, items, and operations shall not require a sign permit, but shall be undertaken in conformance with this article, and all adopted building code(s):

1. **Internal and Integral Signs**

(a) Signs not intended for view or readily legible from the public right-of-way or adjacent residential, public, or civic districts or uses.

(b) Integral signs that are carved into stone or similar material that are integral to the building or plaques that are placed flat against a building. Integral signs shall not exceed four square feet in area

(c) Signs that are less than one square foot in area that are affixed to machines, equipment, fences, gates, walls, gasoline pumps, or utility cabinets.

(d) Signs or banners on fences and structures within an arena, park, recreational complex, or athletic field, provided such signs or banners face inward to the arena, park, recreational complex, or athletic field.

2. **Flags and Insignia**

(a) Flags that are affixed to a permanent flagpole or structure.

(b) Up to two flutter flags affixed to a permanent flag pole.

3. **Neighborhood Watch Area**

(a) All developed properties within a neighborhood watch area may post one sign provided by the neighborhood watch organization. Neighborhood watch signs shall be posted on private property.

(b) Wall signs, not exceeding four square feet in sign area, shall be placed flat against the wall of a building.

(c) Freestanding signs shall not exceed four square feet in sign area and six feet in height and shall be placed at least one foot behind all property lines. The maximum height for a freestanding sign located within a clear vision area, defined in Section 27-1802.H, is 30 inches.

4. **Public Signs**
   (a) Official public signs approved by a governmental body with jurisdiction over issues such as traffic safety, pedestrian safety, schools, railroads, or public notice, as well as signs required by the Manual of Uniform Traffic Controls.

   (b) Signs and notices required to be displayed, maintained, or posted by law or by any court or governmental order, rule, or regulation.

   (c) Government signs and notices provided for the convenience and safety of the community.

   (d) Bench signs. Bench signs on benches located on active, fixed bus routes, controlled or authorized by the Billings MET. The benches must be located on active, fixed routes. Signs shall be removed from or prohibited on benches located in prohibited sign locations or where the bench is not associated with an active, fixed route.

5. **Seasonal Displays**
   (a) Seasonal displays that might include incidental signage provided both the sign and the display meet the clear vision area requirements of Section 27-1802.H.

6. **Vehicle Signs**
   Lettering or symbols applied directly onto or flush-mounted magnetically to a motor vehicle operating in the normal course of business.

D. PROHIBITED SIGNS

The following types of signs and sign structures are prohibited in all districts, except as otherwise provided by this article.

1. **Distracting, Interfering, or Confusing Signs**
   (a) Non-electronic message displays signs that are animated by means of flashing, scintillating, blinking, traveling lights, displaying video, or any other means not providing constant illumination. Electronic message displays may be allowed provided they comply with the standards in Section 27-1405.C.

   (b) Signs that contain or are an imitation of an official traffic or emergency sign or signal or which, by reason of their size, movement, content, coloring or manner of illumination, may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign or signal or device.

   (c) Signs with a lighting or control mechanism that causes radio, radar, cellular, wireless, or other electronic signal interference.

   (d) Wind-driven signs; additionally, no sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement.

2. **External Movement and Light Projecting Signs**
   (a) Signs that operate or employ visible moving parts or any portion of which moves, or give the illusion of motion;

   (b) Signs that emit audible sound, odor or visible matter; or

   (c) Signs that are light projecting or operate or employ any motion picture projection or video projection in conjunction with any advertisements.

E. PROHIBITED LOCATIONS

Signs and sign structures, including exempt signs, are prohibited in the following locations:

1. Improper Location

(a) In the right-of-way or on other public property without approval of the City.

(b) Placed on private property without the consent of the owner or authorized agent of the owner of such property.

(c) Within a clear vision triangle (See Section 27-1802.H).

(d) Attached to utility poles, other utility or public infrastructure structures or equipment, or wireless communication facilities.

2. Creation of Hazardous Condition

(a) Signs that create conflict with traffic control signs, signals, or various private signs resulting in vehicular or pedestrian safety hazards, including any sign placed at any location where it may, by reason of its size, shape, design, location, content, coloring, or manner of illumination, constitute a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers, by obscuring or otherwise physically interfering with any official traffic control device, or that may be confused with an official traffic control device.

(b) Signs that creates a danger to the public during periods of inclement weather or high winds due to their location or the manner in which they are placed.

(c) Signs that create a hazard due to collapse, fire, collision, decay, abandonment, or other safety considerations.

(d) Signs that obstruct firefighting, police, or emergency activities.

(e) Signs that are improperly mounted or installed, such as signs attached to a standpipe, gutter drain, unbraced parapet wall, or fire escape, unless the safety of such sign and such mounting have been verified in writing by a structural engineered licensed to practice in the state.

3. Parking of Advertising Vehicles:

No person shall park any vehicle or trailer on a public right-of-way or public property or on private property so that it is visible from the public right-of-way and which has attached thereto or located thereon any sign or advertising device for the sole purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby property or any other premises. This section is not intended to prohibit any form of vehicular signage such as a sign attached to a bus or lettered on a motor vehicle, or company vehicle signs.

4. Fence or Wall Signs

Non-exempt signs that are painted on or attached to any fence or any wall which is not structurally a part of a building.

F. PROHIBITED CONTENT

No sign shall be approved or disapproved based on the content or message it displays, except that the following content, without reference to the viewpoint of the speaker, shall not be displayed on signs:

1. Text or graphics that is harmful to minors as defined by state or federal law;

2. Text or graphics that are obscene, fighting words, defamation, incitement to imminent lawless action, or true threats, as such words and phrases are defined by controlling law;
3. Text or graphics that present a danger or risk due to their potential confusion with traffic control signs;
4. Signs that provide false information related to public safety (e.g., signs that use the words "stop" or "caution" or comparable words, phrases, symbols, or characters) that are presented in a manner as to confuse or imply a safety hazard that doesn't exist; or
5. Text or graphics that provide false or misleading information.

SECTION 27-1403 NON-CONFORMING SIGNS

A. NONCONFORMING SIGNS

Where a lawful sign exists at the effective date of this article, or amendment of this article, that would be illegal under the terms of this article, the use of such sign may be continued so long as it remains otherwise lawful, subject to the provisions of this section.

B. CLASSIFICATION OF NONCONFORMITIES

There are two types of legal, nonconforming signs: major and minor. Signs with multiple nonconforming elements are classified in the category of the most significant nonconformity.

1. Major Nonconforming Signs

Major nonconforming signs are those signs for which the nonconformity generates a nuisance per se, violates City sign policy, or is incompatible with adjacent signs and/or the adopted guiding principles such that public policy favors their elimination from the zone if they are discontinued, abandoned, or destroyed. Major nonconforming signs include:

(a) Off-premises signs;

(b) Dangerous signs;

(c) Signs that exceed the maximum height or size permitted in the zone district by more than 20%;

(d) Nonconforming setback that encroaches on or over a public right-of-way, clear vision area, or public access easement;

(e) Signs with nonconforming illumination;

(f) Nonconforming sign types; and

(g) Signs approved with a variance that permits any issue included in this major nonconformity list,

2. Minor Nonconforming Signs

Minor nonconforming signs are any nonconforming signs that are not classified as major nonconforming signs. Minor nonconforming signs include but are not limited to:

(a) Signs that exceed the maximum height or size permitted in the zone district by 20% or less;

(b) Nonconforming setback that does not encroach on or over a right-of-way, and

(c) Nonconforming separation.

C. MAJOR NONCONFORMITIES

1. Alterations

(a) A major nonconforming sign or sign structure may not be altered in any way that increases any nonconformity. A proposed change to any nonconforming aspect of a major nonconforming sign shall require the entire sign to be brought into conformance with this article.

(b) General repairs, maintenance, and change to advertising copy that does not include replacing a static sign with an EMD are not considered alterations.

2. Replacement

(a) A major nonconforming sign that is voluntarily replaced shall be replaced with a conforming sign.

(b) A major nonconforming sign that loses its nonconforming status per Section 27-1403.F shall be replaced with a conforming sign.

D. MINOR NONCONFORMITIES

1. Alterations

(a) A minor nonconforming sign may be altered in a manner that conforms to this Zoning Code while still maintaining the nonconforming elements. For example, a sign that is two feet over the height limit for the zone district may be altered provided the height is not increased.

(b) General repairs, maintenance, and change to advertising copy that does not include replacing a static sign with an EMD are not considered alterations.

2. Replacement

(a) A minor nonconforming sign that is voluntarily replaced shall be replaced with a conforming sign.

(b) A minor nonconforming sign that loses its nonconforming status per Section 27-1403.F shall be replaced with a conforming sign.

E. SIGN REMOVAL FOR PUBLIC PURPOSES

Any nonconforming sign temporarily removed by a public utility company, the City, or any governmental agency to accommodate repair, maintenance, or expansion operations may be replaced, provided that there is no change in size, height, or location of the sign. If any sign is moved as a direct result of a governmental or utility project, it may be relocated to a position determined by the City engineer to be appropriate in relation to the project, and such a sign shall not be considered nonconforming for the reason of applicable separation standards. No permit shall be required for such replacement.

F. LOSS OF NONCONFORMING STATUS

A nonconforming sign shall lose its nonconforming designation and be required to come into compliance with this article if any of the following apply:

1. Any portion of the primary sign structure is replaced.
2. The primary structure on the site is replaced, renovated in a manner that expands the building footprint by more than 50%, or when the sign is required to be moved to accommodate building replacement or expansion in compliance with the zone district regulations.

3. A major nonconforming sign is removed, relocated, or replaced for any reason except towards compliance with this article.
4. If more than 50 percent of a nonconforming sign is damaged by any means, as measured by total replacement cost of both the sign and structure prior to such destruction, and the sign type is no longer permitted in the zone district, it shall be considered destroyed and shall not be brought back into service or use except in conformity with the provisions of this article.
5. The sign is voluntarily replaced in compliance with this article.
6. The sign is abandoned pursuant to Section 27-1410.C.

G. MAINTENANCE AND REPAIR

1. A nonconforming sign is subject to all requirements of this article regarding safety, maintenance, and repair.
2. Temporary removal of any portion of a sign for repairs or general maintenance shall not be considered to be in violation of this section, provided that no alterations are made to the sign or sign structure. Should such sign or sign structure be moved permanently for any reason and over any distance whatsoever, it shall thereafter conform to all regulations for the district in which it is located after it has been moved or relocated.
3. Maintenance shall not include the conversion of a nonconforming sign to an electronic message display sign. Any such conversions may only be made to a conforming sign and shall be subject to the permitting and fee requirements set forth in this article.

H. RECORDS

In addition to initial and construction inspections, signs may be inspected periodically by the Planning and Community Services Department to ensure continued compliance with this article.

SECTION 27-1404 MEASUREMENT AND CALCULATION

A. APPLICABILITY

This section applies to all sign types and classifications, including permanent signs, temporary signs, and off-premises signs.

B. SIGN AREA

1. Maximum

The permitted maximum area for all individual signs is determined by the sign type and the zoning district in which the sign is located.

2. Building and Street Frontage

(a) Building frontage is the wall of the principal building that faces the street abutting the property.

(1) If the principal building is located on a corner lot, the frontage shall be the wall of the principal building which faces the street with the highest average daily traffic count.

(2) Accessory structures shall not be included in the calculation of maximum signage. Wall signs may be affixed to accessory structures; where this is done the amount of signage used on the accessory structure shall be deducted from the total amount of wall signage permitted on the property.

(3) The surface area of a wall shall be determined by measuring the building height and multiplying it by the length of the wall, without deduction for doors and windows. "False fronts" and mansard roofs shall not be included when calculating the total area of a wall.

(b) Street frontage is the linear footage of a lot adjacent to a street or right-of-way. Street frontage calculation includes driveways.

(c) If the principal building is located on a corner lot, both frontages on a public street or right-of-way shall be allowed to apply principal signage standards. When a site has multiple frontages with permitted signage, the permitted signage may only be used on the frontage for which it has been calculated; permitted sign area may not be transferred from one frontage to another unless specifically stated in this article.

3. Method of Measuring Sign Area

(a) Freestanding Signs

(1) The sign area of a freestanding sign shall be measured from the outside edge of the sign face.

a. The sign area of a freestanding sign consisting of more than one single-sided sign shall be computed by adding together the total area(s) of all signs.

b. Area calculation does not include decorative rocks or landscaping adjacent to a monument sign.

(2) The sign area for multiple-sided signs shall be calculated as follows:

a. The total sign area for a two-sided sign shall be calculated using one face, but the second face may not exceed the area of the first face.

b. The total sign area for a three-sided sign shall be calculated using one face, but the second and third face total area may not exceed the area of the first face.

(b) Three-Dimensional Signs

The sign area of three-dimensional free-form or sculptural (non-planar) signs is calculated as 50 percent of the sum of the area of the four vertical sides of the smallest cube that will encompass the sign.



Identification of the vertical sides of a three-dimensional sign

(c) Wall Signs

(1) Wall Sign with Border: The sign area is entire area within any type of perimeter or border which may enclose the outer limits of the sign face.

(2) Wall Sign without Border: The area of the sign that does not have a perimeter or border shall be computed by enclosing the entire area with parallelograms, triangles, or circles of the smallest size sufficient to cover the entire area of the sign and computing the area of these parallelograms, triangles or circles. The area computed shall be the maximum portion or portions which may be viewed from any one direction.

(d) Window Signs

Sign area percentage is measured for each architecturally distinct window by dividing the sign area by the window area.

C. HEIGHT AND CLEARANCE

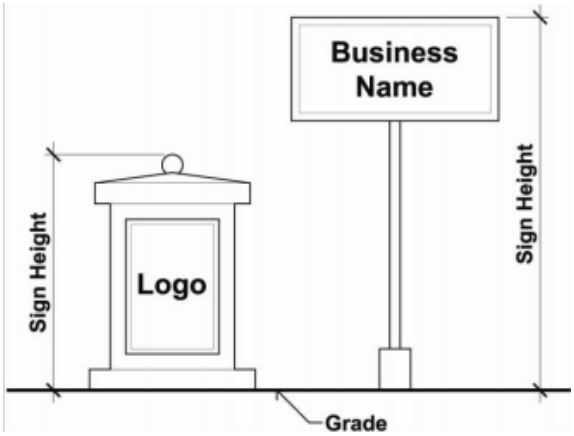
The permitted maximum height for all signs is determined by the sign type and the zoning district in which the sign is located. Sign height and clearance is measured as follows:

1. Freestanding Sign Height

(a) The vertical distance measured from the highest point of the sign to the crown of the adjacent street, not including the interstate highway.

(b) Height shall include the sign face, base, cabinet, and ornamental cap.

(c) When the existing finished grade at the point of measurement is lower than the average elevation of the adjacent street finished grade parallel to the location where the sign will be installed, that portion of the sign below the street shall not be included in determining the sign's overall height.



2. Sign Clearance

(a) Clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between finished grade directly underneath the sign at the lowest

point of the sign structure, including any framework or other structural elements.

(b) Signs that project over a roof shall maintain a four foot clearance over the average roof height.

D. SEPARATION

1. On-premises sign separation shall be measured along the property lines from the center of the sign.
2. Off-premises sign separation shall be measured either by linear feet or radius and diameter, as specified in Section 27-1409.

E. SETBACK

1. Required setbacks are measured from the property line inward.
2. Clear vision areas, defined in Section 27-1802.H, may be required in addition to specified setbacks.

SECTION 27-1405 GENERAL REGULATIONS FOR PERMANENT, ON-PREMISES SIGNS

The purpose of this section is to provide generally applicable sign regulations by sign type. The section is organized by sign category – freestanding, attached, and electronic message displays (EMDs). The amount of signage permitted by zone district is identified in Section 27-1406.

A. FREESTANDING SIGNS

1. Number of Signs Permitted and Required Separation for Multiple Signs

(a) Where a developed property abuts more than the total lineal feet of street frontage applicable to a specific district, one additional free-standing may be erected for each additional 300 feet of street frontage as described in Table 27-1400.1.

(b) For properties where more than one freestanding sign is permitted, the distance between freestanding signs on that parcel shall meet the distance specified in Table 27-1400.1.

(c) Where a developed parcel has frontage on more than one public right-of-way or street, excluding alleys, driveways, and service ways the provisions of this subsection shall apply to each street frontage.

Table 27-1400.1: Permitted Number of Permanent Freestanding Signs

Number of Permanent Freestanding Signs	Street Frontage Length	
	Frontage (linear feet)	Separation (ft)
1	0-600	150
2	601-900	150
3 (max)	901-1200	150

2. Access Point Signs

(a) Access point signage shall be located at public access points where a driveway or other public entryway intersects with a public street. Access point signs are for vehicular access, not pedestrian access.

(b) Access point signs that are visible from the public right-of-way shall be permanently anchored or fastened.

(c) Each vehicular access point may have one access point sign.



Figure 1: Sample Access Point Sign

(d) Access point signs are exempt from the total freestanding sign calculation in Table 27-1400.1 and are not included in freestanding sign separation measurements.

3. Monument Signs

Monument signs shall have zero clearance above the existing finish grade level and shall be supported in or on the ground.

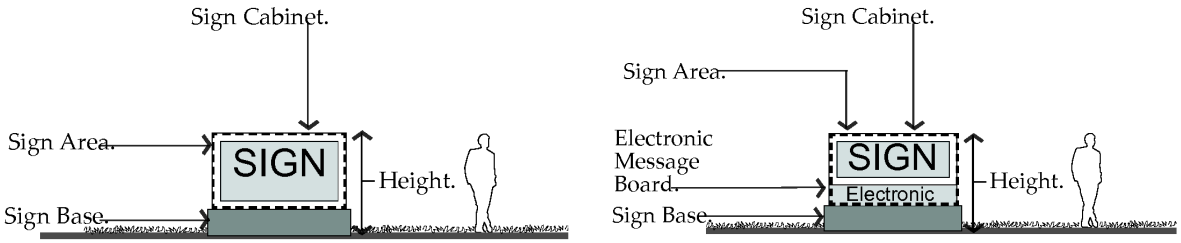


Figure 2: Monument Sign Elements



Figure 3: Monument Sign Examples

4. Pole Signs

(a) If a free-standing sign projects over a private vehicular driveway or parking lot aisle, the minimum clearance of 14 feet shall be maintained between the bottom of the sign edge and the established grade of the site.

(b) A clear, unobstructed area, a minimum of eight feet in height is required above existing finish grade level when a pole sign is located over a pedestrian walkway or within a clear sight triangle.

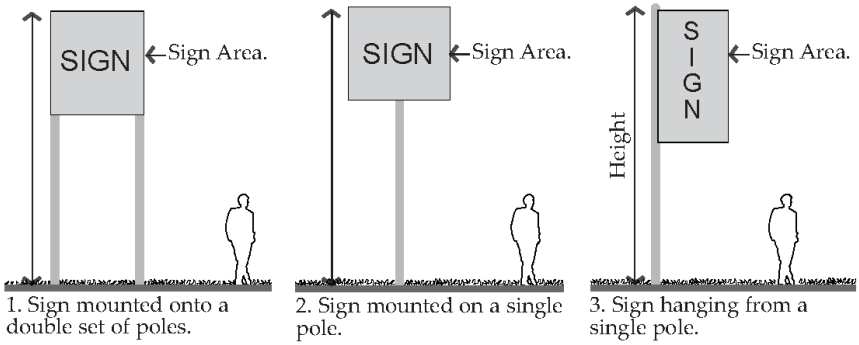


Figure 3: Pole Sign Configurations



Figure 4: Pole Sign Examples

5. Pedestrian-Scale Signs

(a) A pedestrian-scale pole-mounted sign is freestanding and may be mounted on one or two poles. Three configurations are permitted:

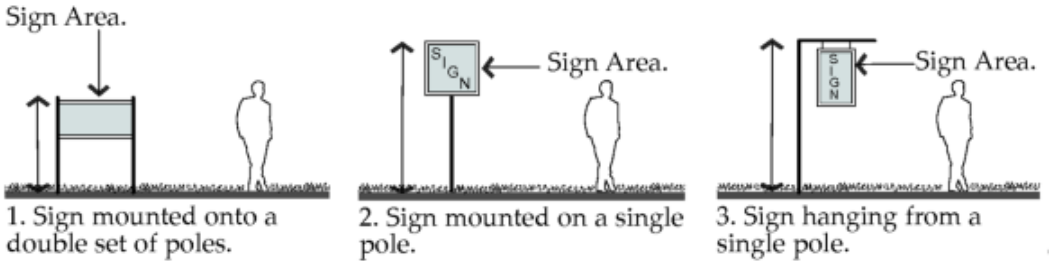


Figure 5: Pedestrian-Scale Sign Configurations

(b) Hanging signs may not overhang a lot line or right-of-way.

6. Structural Canopy

Structural canopy signs shall be mounted on the canopy and shall not project more than 24 inches above or below the canopy structure. Signs that project below the canopy shall maintain a minimum clearance of 14 feet between the bottom of the sign edge and the established grade of the site.



Figure 6: Structural Canopy Sign Examples

7. **Subdivision, and Neighborhood Signs**

(a) Two entrance signs are permitted per subdivision or neighborhood entrances.

(b) A sign, masonry wall, landscaping and other similar materials or features may be combined to form a display.

(c) Dimensions:

(1) Sign area, max: 32 square feet

(2) Height, max.: Eight feet or the height of the wall on which the sign is located, whichever is lower.

(3) Setback: a minimum of five feet behind all property lines.



Figure 7: Subdivision and Neighborhood Sign Examples

B. ATTACHED SIGNS

1. Awning Signs

(a) Signage placed upon an awning will count as one sign for that awning or canopy regardless of the number of sides of the awning or canopy have signage.

(b) Maximum Projection: six feet from the building and the awning and sign shall not project closer than two feet from back of curb. An encroachment permit is required for any awning sign that encroaches into the public right-of-way.

(c) Minimum Clearance: eight feet.

(d) The awning sign shall not interfere with the operation any window, door, ventilation system or the roof design.

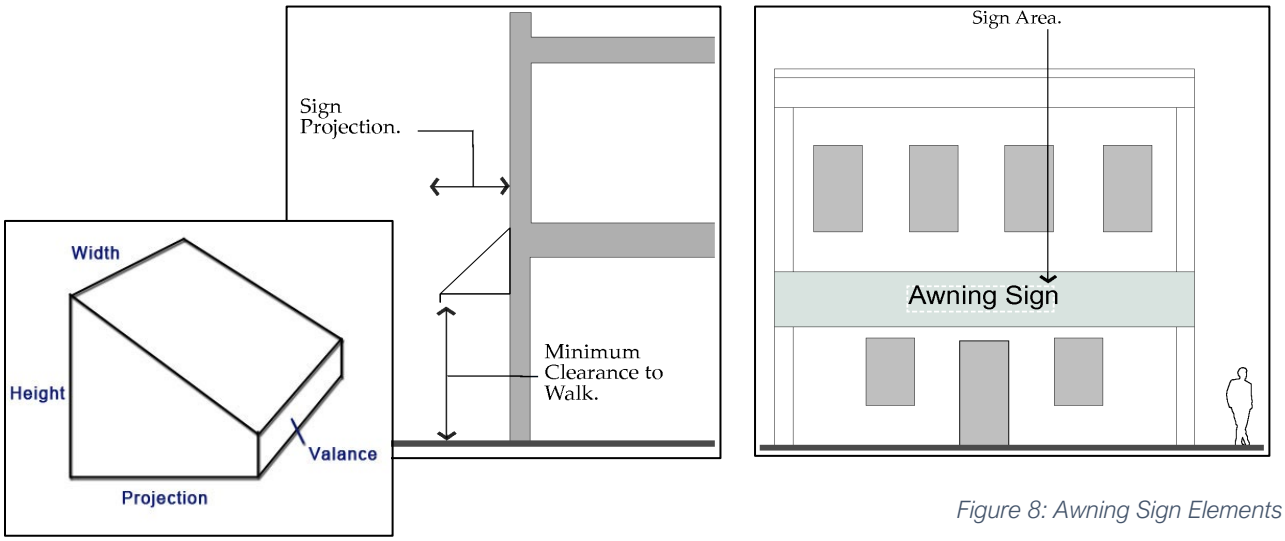


Figure 8: Awning Sign Elements



Figure 9: Awning Sign Examples

2. **Canopy Signs**

(a) Minimum Clearance: eight feet. Where under-canopy signs are permitted there shall be eight feet of clearance beneath the under-canopy sign.

(b) Maximum Projection: Canopy signs may project up to two feet to a vertical line from the curb face over the right-of-way. An encroachment permit is required for any canopy sign that encroaches into the public right-of-way.

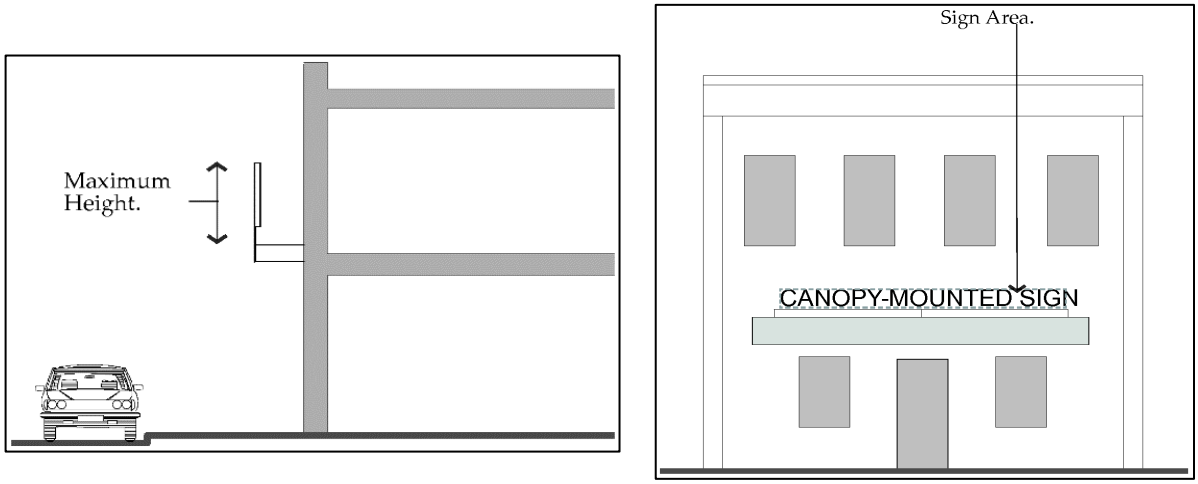
(c) Signage placed on a canopy will count as one sign for that canopy regardless of the number of sides of the canopy have signage.

(d) The canopy sign shall not interfere with the operation of any window, door, ventilation system, or the roof design.

Figure 10: Canopy Sign Examples



Figure 11: Canopy Sign Elements



3. Marquee Sign

(a) Minimum Clearance: Eight feet

(b) Maximum Projection: six feet from the building; the sign shall not project closer than two feet from back of curb. An encroachment permit is required for any projecting sign that encroaches into the public right-of-way.

(c) Marquee signs may be used only on theaters.

(d) The roofs of all marquees exceeding 40 square feet shall be properly guttered and connected with downspouts to storm sewers so that water will not drip or flow into sidewalks or streets.

(e) All signage on the marquee shall be affixed flat to the vertical face of the marquee.

(f) Either manual changeable copy or EMDs may be incorporated in the overall signage. EMD and manual changeable copy sign areas are limited to the face of the marquee, without extension above or below the marquee. The EMD message shall be limited to one copy change every 24 hours.



Figure 12: Marquee Sign Examples

4. Projecting Sign

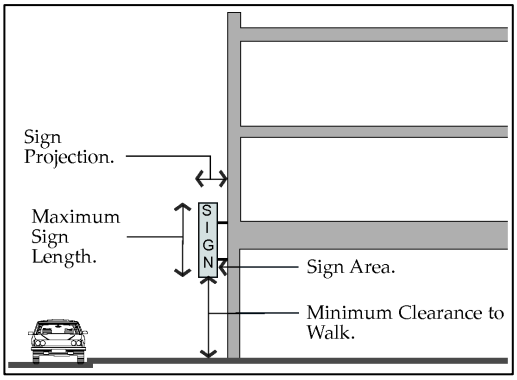
(a) Minimum Clearance: Eight feet

(b) Maximum Projection: Six feet from the building or two feet from the back of curb, whichever is less. An encroachment permit from City Engineering is required for any projecting sign that encroaches into or over the public right-of-way.

(c) Maximum Sign Dimensions: Six by eight feet.

(d) Supports shall be covered in a neat and orderly fashion. Guy wire support is prohibited.





5. **Roof Sign**

(a) Maximum Height: Roof signs shall not extend more than four feet above the average height of the roof.

(b) Maximum Projection: Roof signs shall not project horizontally, overhang, or extend beyond any exterior wall or parapet line of any roof.

(c) The supports, anchors, or braces for the roof sign shall be enclosed so that they are not visible from the street or other public or private property.

(d) Roof signs shall be designed to look like part of the building or roof structure, with most of the sign structure incorporated into the sign design, rather than suspended from or standing on the building that displays significant sign structure. Roof signs shall typically be situated parallel to the adjacent street.

(e) Neon glass is permitted provided the neon is not visible from the rear of the sign.



Figure 13: Roof Sign Examples

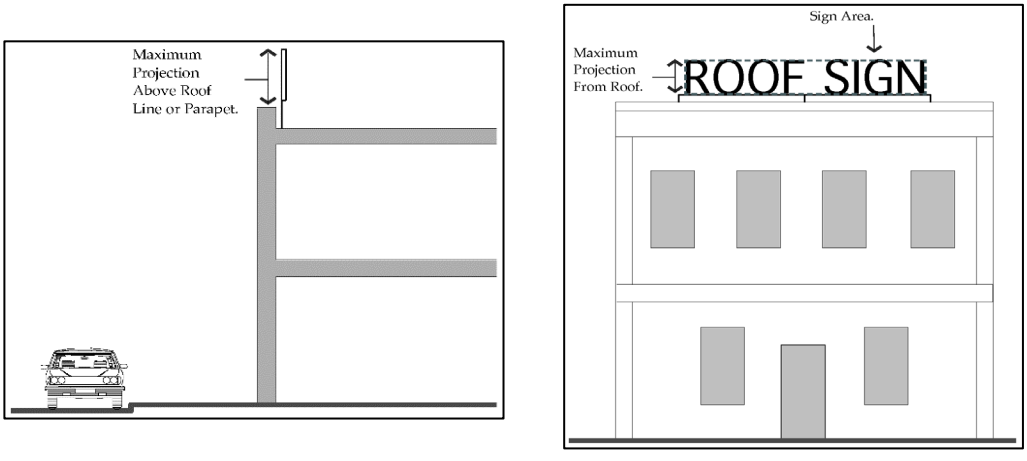


Figure 14: Roof Sign Elements

6. **Wall Sign**

(a) Maximum Projection:

(1) Wall signs that do not extend more than 12 inches from the face of the building may be installed at any height on the structure.

(2) Wall signs that project more than 12 inches from the face of the building shall be installed with eight feet of clearance below the sign.

(3) Signs that project more than 24 inches or that are not installed parallel to the wall plane shall be considered projecting signs.

(b) Maximum Height:

(1) Wall sign(s) shall not extend above the roofline of the building to which it is attached.

(2) An EMD wall sign shall be placed at least two feet from the top of the wall on which it is installed. Where the size of the structure on which the sign is placed permits, the maximum height of a wall sign with an EMD shall be 40 feet from the building wall grade.



Figure 15: Wall Sign Examples

7. **Window Sign**

(a) The area of window signs shall be counted as part of the overall permitted sign area as follows:

(1) Sign face coverage of up to 25 percent of the area of an individual window is exempt from calculation in the overall sign area maximum.

(1) The total amount of any sign face coverage that exceeds 25 percent of the area of an individual window shall be included in the wall area signage calculation. For example, if a business installs a window sign that covers 35 percent of the window, 10% of the sign area is included in the wall sign area calculation.

(b) Location: Ground or upper story windows.

(c) Installation: Signs may be affixed directly to the inside or outside window or hung/mounted inside the window from the top, side, or bottom of the window frame or similar architectural element.



Figure 16: Window Sign Examples

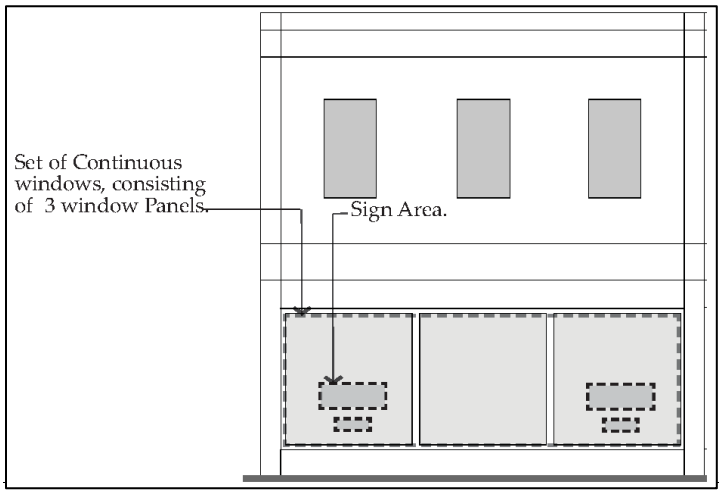


Figure 17: Window Sign Elements

C. ELECTRONIC MESSAGE DISPLAY (EMD) SIGNS

1. EMD Signs Prohibited

EMD signs are prohibited in the following districts:

(a) All residential neighborhood districts: N1-3, NX1-3 and RMH

(b) Neighborhood Office

(c) Neighborhood Mixed-Use

(d) Public 1

(e) Historic districts

2. Display Technology

The technology currently being deployed for EMDs is LED (light emitting diode), but there may be alternate, preferred, and superior technology available in the future. Any other technology that operates pursuant to the display brightness limits above shall not require an ordinance change for approval.

3. Incorporation in Wall or Freestanding Sign

(a) An EMD may only be used in conjunction with an adjacent wall sign or as part of a freestanding sign and shall not be displayed on its own.

(1) The EMD shall not be larger than 40 percent of the total square footage of the permanent graphic portion of the sign when compared as separate components.

(2) For purposes of determining the allowable total sign area, the permanent graphic portion of the sign and the EMD shall be included in the same perimeter and measured as a single sign, inclusive of any physical separation between the two components.

(b) Only one EMD sign, either wall or freestanding is permitted per developed parcel. EMD sign(s) shall be counted in the total number of signs allowed on the parcel.

4. Generally Applicable Display Standards

(a) All EMD signs shall comply with the following display standards:

(1) EMDs must be equipped with an automatic image dimming capability (ambient light monitors). This feature must be enabled at all times, allowing the display to automatically adjust brightness based on ambient light conditions. The sign must be operated at a brightness level no greater than the manufacturer's recommended levels

(2) The sign shall not include audio, pyrotechnic, bluecasting (bluetooth advertising), or other similar components.

5. Static Display EMD

Where a static display EMD is permitted by this article, the following standards shall apply:

(a) A static display EMD may display a series of static messages and may not flash, scintillate, blink, show motion borders or traveling lights, employ any other aspect of animation, or display video.

(b) Messages on static display EMDs shall not include flashing, the varying of light intensity, or scrolling.

(c) Each static message on the sign shall be displayed for a minimum of six seconds in duration.

(d) Message change shall be completed instantaneously.

(e) There shall be a direct change from one message to the next. All transition effects, such as motion, animation, fading, scrolling, or dissolving are prohibited.

6. Animated Display EMD

Where an animated display EMD is permitted by this article, the following standards shall apply:

(a) The sign shall be on-premises;

(b) A freestanding animated display EMD sign shall be separated by at least 35 linear feet in any direction from any other freestanding animated display EMD;

(c) The sign shall be located at least 100 feet from any residential neighborhood zone (N1-3, NX1-3, or RMH); and

(d) Video display is prohibited.

7. Sign Permit Conditions

The following conditions apply to all EMD sign permits. Failure to comply shall result in the sign ceasing operation until compliance occurs.

(a) That the sign shall at all times be operated in accordance with City codes and that the owner or operator shall provide proof of such conformance within 24-hours of a request by the City;

(b) That a City inspector may access the property upon 24 hours' notice to the owner, operator or permittee so that the City may verify that the EMD has the automatic image dimming capability engaged. In the event of a citizen complaint regarding the EMD brightness, the owner, operator or permittee may be required by the City inspector to manually reduce the brightness to a lower setting;

(c) That whether the sign is programmed from the site or from a remote location, the computer interface that programs the sign and the sign's operation manual shall be available to City staff upon 24 hours' notice to the owner, operator or permittee.

(d) Sign permit applications to install an EMD must include a certification from the owner or operator that the sign shall at all times be operated in compliance with the conditions set out in City code. The owner, operator or permittee shall immediately provide proof of such conformance upon request of the City.



Figure 18: EMD Sign Examples

SECTION 27-1406 GENERALLY APPLICABLE SITE AND DESIGN STANDARDS

A. ILLUMINATION FOR NON-ELECTRONIC MESSAGE DISPLAYS

1. Intent

Light sources to illuminate signs shall neither be visible from any street right-of-way, nor cause glare which is hazardous or distracting to pedestrians, vehicle drivers, or adjacent properties.

2. External Illumination

Externally illuminated signs shall have lighting confined to the sign and shall be positioned and shielded to minimize impacts to the surrounding area(s).

3. Internal Illumination

(a) Internally illuminated signs, where permitted, including neon lighting, must be static in intensity and color.

(b) The light source for internally illuminated signs must be entirely enclosed within the sign.

4. Flashing or Rotating Lights Restricted

Flashing or rotating lights are prohibited.

B. LANDSCAPING

The area surrounding a freestanding sign shall comply with the applicable requirements of Section 27-1200, Landscaping.

SECTION 27-1407 SIGN REGULATIONS BY ZONE DISTRICT

A. NEIGHBORHOOD RESIDENTIAL

1. Applicability

The standards in this section shall apply to the following districts: N1, N2, N3, NX1, NX2, NX3, RMH

2. Summary Table

Table 27-1400.2 identifies the types of signs permitted in the neighborhood districts, subject to the regulations identified in the table and this article.

Table 27-1400.2: Permanent Signs in Neighborhood Residential Districts

Sign Type	Number	Height (max., ft.)	Sign Area per Sign (max., sf.)	Setback (min., ft.)	Illumin.	Additional Standards
Attached Signs						
Wall: Multi-unit Development	1; see27-1407.A.3	Same as wall [1]	12	n/a	Internal or external	27-1405.B Wall Signs
Wall: Public, Civic, and Institutional Uses	1	Same as wall [1]	32	n/a	Internal or external	27-1405.B Wall Signs
Freestanding Signs						
Monument: Neighborhood or Subdivision	2 per entrance	8	32	5 [2]	Internal or external	27-1405.A Monument Signs
Monument: Public, Civic, and Institutional	1 per parcel	8	48	5 [2]	Internal or external	27.1405.A, Monument Signs
Notes:						
[1] May not project above wall on which located [2] From all property lines; must comply with clear vision areas per 27-1802.H.						

3. District Specific Standards

(a) Where signs are linked to a use category, a description of the category can be found in Section 27-1000, Use Standards.

(b) EMD signs are not permitted in neighborhood residential districts.

(c) Multi-unit wall signage is permitted as follows:

(1) NX1: the sign shall be located on the primary building on a wall facing the main entrance to the development.

(2) NX2,3, and RMH, all with 10 or more units: wall sign with the same restrictions as NX1 plus one neighborhood monument sign.

B. NEIGHBORHOOD OFFICE, NEIGHBORHOOD MIXED-USE, AND EBURD RSV

1. Applicability

The standards in this section shall apply to the following districts: NO, NMU, and EBURD RSV

2. Maximum Total Permitted Sign Area

(a) Attached signs: 20% of total wall area of a public street-facing wall, to a max of 100 square feet.

(b) Freestanding signs: 60 square feet unless otherwise provided in Table 27-1400.4. Table 27-1400.1, Permitted Number of Permanent Freestanding Signs applies.

3. Summary Tables

Tables 27-1400.3 and 27-1400.4 identify the types of signs permitted in the NO and NMU districts, subject to the regulations identified in the table and this article.

Table 27-1400.3: Attached Signs NO, NMU, and EBURD RSV

Sign Type	Number	Height (max., ft.)	Sign Area per Sign (max., sf.)	Illumin.	Additional Standards
Awning	1 per awning	n/a	n/a	Internal or external	27-1405.B, Awning Signs
Canopy	1 per canopy	n/a	n/a	Internal or external	27-1405.B, Canopy Signs
Projecting	1 per street frontage	Same as wall [1]	32	Internal or external	27-1405.B, Projecting Signs
Wall	1 per tenant per street frontage	Same as wall [1]	32 [2]	Internal or external	27-1405.B, Wall Signs
Window	n/a	Limited to architect. distinct window area	27-1405.B, Window Signs	No	27-1405.B, Window Signs

Notes:

[1] May not project above wall on which located

[2] Distribution of this signage across multiple tenancies is the responsibility of the property owner. Extra signage will not be permitted once the maximum signage identified here has been met.

Table 27-1400.4: Freestanding Signs NO, NMU, and EBURD RSV

Sign Type	Number	Height (max., ft.)	Sign Area per Sign (max., sf.)	Setback (min., ft.)	Illumin.	Additional Standards
Access Point	1 per vehicle access	3	2	0 [1]	Internal or external	27-1405.A, Access Point Signs
Monument	1 per street frontage	8	32	5 [1]	Internal or external	27-1405.A, Monument Signs
Monument, Multitenant [2]	1 per street frontage	8	Same as monument plus 10 sf per tenant up to 6 tenants (base + 60 sf max)	5 [1]	Internal or external	27-1405.A, Monument Signs
Pedestrian-Scale Freestanding	1 per street frontage	Single pole: 8 Double pole: 5	8	2 [1]	Internal or external	27-1405.A, Pedestrian-Scale Signs
Structural Canopy	1 per street frontage	2 feet above canopy	n/a	Canopy: zone district standards	Internal or external; static EMD	27-1405.A, Structural Canopy Signs

Notes:

[1] From all property lines; must comply with clear vision areas per 27-1802.H
[2] Distribution of this signage across multiple tenancies is the responsibility of the property owner. Extra signage will not be permitted once the maximum signage identified here has been met.

4. District Specific Standards

(a) Where signs are linked to a use category, a description of the category can be found in Section 27-1000, Use Standards.

(b) Residential uses and structures within an NO, NMU, or EBURD RSV district are permitted the same signage as neighborhood residential districts as provided in Table 27-1400.2.

(c) EMD signs are not permitted in NO, NMU, or EBURD RSV districts.

(d) Tenant signage in multitenant structures shall be allocated to each tenant unit based on the front wall area of the individual unit. Tenants with side, rear, or alley entrances are permitted wall signage on the wall with their primary public entrance only.

C. CORRIDOR MIXED-USE AND EBURD RSVMS

1. Applicability

The standards in this section shall apply to the following districts: CMU1, CMU2, and EBURD RSVMS.

2. Maximum Total Permitted Sign Area

(a) Attached signs: Attached signs: 20% of total wall area to a max of 250 square feet.

(b) Freestanding signs:

(1) Table 27-1400.1, Permitted Number of Permanent Freestanding Signs applies.

(2) Table 27-1400.5, Maximum sign area for freestanding signs is as follows:

Table 27-1400.5: Freestanding Sign Maximum Area in CMU1, CMU2, and EBURD RSVMS

Zone District and Number of Businesses	Street Frontage 0-300 linear feet	Street Frontage Greater than 300 linear feet
CMU1 One Tenant	50 sf	50 sf
CMU1 Multiple Tenants [1]	+ 10 sf sign area per additional tenant up to 6 tenants (110 sf)	+ 10 sf sign area per additional tenant up to 6 tenants (110 sf)
CMU2 One Tenant	80 sf	140 sf
CMU2 Multiple Tenants [1]	+ 20 sf sign area per additional tenant up to 6 tenants (200sf)	+ 10 sf sign area per tenant up to 10 tenants (240 sf)
CMU2 Shopping Center [1]	375 sf	375 sf
Notes: [1] Distribution of this signage across multiple tenancies is the responsibility of the property owner. Extra signage will not be permitted once the maximum signage identified here has been met.		

3. Summary Tables

Tables 27-1400.6 and 27-1400.7 identify the types of signs permitted in these districts, subject to the regulations identified in the table and this article.

Table 27-1400.6: Attached Signs in CMU1, CMU2, and EBURD RSVMS

Sign Type	Number	Height (max., ft.)	Sign Area per Sign (max., sf.)	Illumin.	EMD	Additional Standards
Awning	1 per awning	n/a	n/a	Internal or external	n/a	27-1405.B, Awning Sign
Canopy	1 per canopy	n/a	n/a	Internal or external	n/a	27-1405.B, Canopy Sign
Projecting	1 per tenant	Same as wall	48	Internal or external	n/a	27-1405.B, Projecting Sign
Wall	1 per tenant per street frontage	Same as wall	D.2.(a), above [1]	Internal or external	Static; Max 40% of sign area	27-1405.B, Wall Sign
Window	n/a	architect. distinct window area	27-1405.B, Window Signs	No	n/a	27-1405.B, Window Signs
Notes						
[1] Distribution of this signage across multiple tenancies is the responsibility of the property owner. Extra signage will not be permitted once the maximum signage identified here has been met.						

Table 27-1400.7: Freestanding Signs in CMU1, CMU2, and EBURD RSVMS

Sign Type	Number	Height (max., ft.)	Sign Area per Sign (max., sf)	Setback (min., ft.)	Illumin.	EMD	Additional Standards
Access Point	1 per vehicle access	3	6	0 [2]	Internal or external	n/a	27-1405.A, Access Point Sign
1) Monument, 2) Multitenant Monument, or 3) Shopping Center	Table 27-1400.1	8	Table 27-1400.5	5 [2]	Internal or external	Static: Max 40% of sign face	27-1405.A Monument Sign
Pedestrian-Scale Freestanding	Table 27-1400.1	Single Pole: 8; Double Pole: 5	8	2 [2]	Internal or external	Static: Max 40% of sign face	27-1405.A, Pedestrian-Scale Freestand.
Pole	1 per parcel	25 [1]	Table 27-1400.5	5 [2]	Internal or external	Static: Max 40% of sign face	27-1405.A, Pole Sign
Structural Canopy	1 per street frontage	2 feet above canopy	n/a	Canopy: Zone district standards	Internal	Static; Max 40% of sign face	27-1405.A, Structural Canopy Sign

Notes:

[1] The maximum height of pole signs located in the CMU2 and EBURD RSVMS districts within 660 feet of and oriented to the interstate or interstate frontage right-of-way is 40 feet.
[2]From all property lines; must comply with clear vision areas per 27-1802.H.

4. District Specific Standards

(a) Where signs are linked to a use category, a description of the category can be found in Section 27-1000, Use Standards.

(b) Tenant signage in multitenant structures shall be allocated to each tenant unit based on the front wall area of the individual unit. Tenants with side, rear, or alley entrances are permitted wall signage on the wall with their primary public entrance.

D. CBD AND DX

1. Applicability

The standards in this section shall apply to the CBD and DX zone district.

2. Maximum Total Signage

(a) Attached signs

(1) Buildings under 10 stories: 10% of the wall area up to a max of 250 square feet.

(2) Buildings 10 stories and taller: 10% of wall area with no maximum.

(b) Freestanding signs: 0.5 square foot per lineal foot of street frontage to a max of 50 square feet unless otherwise provided in Table 27-1400.9. Table 27-1400.1, Permitted Number of Permanent Freestanding Signs: urban standards apply.

3. Summary Tables

Tables 27-1400.8 and 27-1400.9 identify the types of signs permitted in these districts, subject to the regulations identified in the table and this article.

Table 27-1400.8: Attached Signs in CBD and DX

Sign Type	Number	Height (max., ft.) [1]	Sign Area Max per Sign (sf)	Illumin.	EMD	Additional Standards
Awning	1 per awning	n/a	n/a	Internal or external	n/a	27-1405.B, Awning Signs
Canopy	1 per canopy	n/a	n/a	Internal or external	n/a	27-1405.B, Canopy Signs
Projecting	1 per street frontage	May not extend beyond roofline	48 sf	Internal or external	n/a	27-1405.B, Projecting Signs
Roof	1 per premises	4 ft above roofline	x	Internal or external	Animated; Max 40% of sign face	27-1405.B, Roof Sign
Under awning or canopy signs	1 per tenant	Below awning or canopy	x	Internal or external	n/a	Buildings with awnings or canopies over the right-of-way
Wall	1 per tenant per street frontage	Same as wall	E.2(a) above [2]	Internal or external	Animated; Max 40% of sign face	27-1405.B, Wall Sign
Window	n/a	Limited to architect. distinct window area	27-1405.B, Window Signs	No	n/a	27-1405.B, Window Signs

Notes:

[1] Attached signs on taller structures, except for roof signs, shall be located at or below the 10th story of the building.

[2] Distribution of this signage across multiple tenancies is the responsibility of the property owner. Extra signage will not be permitted once the maximum signage identified here has been met.

Table 27-1400.9: Freestanding Signs in CBD and DX

Sign Type	Number	Height (max., ft.)	Sign Area per Sign (max., sf)	Setback (min., ft.)	Illumin.	EMD	Additional Standards
Access Point	1 per vehicle access	3	6	0 [2]	Internal or external	n/a	27-1405.A, Access Point Sign
Monument; Monument, Multitenant	1 per street frontage; Table 27-1400.1	8	50 per side; plus 4 sf sign area per tenant up to 6 tenants (24 sf) [1]	0 [2]	Internal or external	Animated, max 40% of sign area	27-1405.A Monument Sign
Pedestrian-Scale Freestanding	1 per street frontage; Table 27-1400.1.	Single Pole: 8; Double Pole 5	12 per side	0 [2]	Internal or external	Animated, max 40% of sign area	27-1405.A, Ped.-Scale Freestand. Sign
Structural Canopy	1 per street frontage	2 feet above canopy	n/a	0 [2]	Internal	Static, max 40% of sign area	27-1405.A, Structural Canopy Sign

Notes:

[1] Distribution of this signage across multiple tenancies is the responsibility of the property owner. Extra signage will not be permitted once the maximum signage identified here has been met.

[2] From all property lines; must comply with clear vision areas per 27-1802.H.

E. COMMERCIAL, INDUSTRIAL, AND EBURD CW, 13TH ST, AND IS

1. Applicability

The standards in this section shall apply to the following districts: CX, I1, I2, and EBURD CW, 13th St. and IS

2. Maximum Total Signage

(a) Attached signs: 2 square feet per lineal foot of building frontage to a max of 250 square feet.

(b) Freestanding signs: 1 square foot per lineal foot of street frontage to a max of 250 square feet unless otherwise provided in Table 27-1400.11. Table 27-1400.1, Permitted Number of Permanent Freestanding Signs applies.

3. Summary Table

Tables 27-1400.10 and 27-1400.11 identify the types of signs permitted in these districts, subject to the regulations identified in the table and this article.

Table 27-1400.10: Attached Signs Commercial, Industrial, and EBURD CW, 13th, and IS

Sign Type	Number	Height (max., ft.)	Sign Area Max per Sign (sf)	Illumin.	EMD	Additional Standards
Awning	1 per awning	n/a	n/a	Internal or external	n/a	27-1405.B, Awning Sign
Canopy	1 per canopy	n/a	n/a	Internal or external	n/a	27-1405.B, Canopy Sign
Projecting	1 per tenant	Same as wall	48	Internal or external	n/a	27-1405.B, Projecting Sign
Roof [1]	1 per premises	4 ft above roofline	250	Internal or external	n/a	27-1405.B, Roof Sign
Wall	1 per tenant per street frontage	Same as wall	F.2(a) above, [2]	Internal or external	Static; Max 40% of sign face	27-1405.B, Wall Sign
Window	n/a	Limited to architect. distinct window area	27-1405.B, Window Signs	No	n/a	27-1405.B, Window Signs

Notes:

[1] Permitted in lieu of a wall sign.
[2] Distribution of this signage across multiple tenancies is the responsibility of the property owner. Extra signage will not be permitted once the maximum signage identified here has been met.

Table 27-1400.11: Freestanding Signs Commercial, Industrial, and EBURD CW, 13th St., and IS

Sign Type	Number	Height (max., ft.)	Sign Area per Sign (max., sf)	Setback (min., ft.)	Illumin.	EMD	Additional Standards
Access Point	1 per vehicle access	3	6	0 [1]	Internal or external	n/a	27-1405.A, Access Point Sign
Monument	1 per street frontage; Table 27-1400.1	8	100 per side	5 [1]	Internal or external	Static; Max 40% of sign face	27-1405.A Monument Sign
Multitenant Monument [2]	1 per street frontage; Table 27-1400.1	8	100 plus 10 sf per tenant up to 6 tenants; 160 max	5 [1]	Internal or external	Static; Max 40% of sign face	27-1405.A Monument Sign
Shopping Center Monument	1 per street frontage	8	375	5 [1]	Internal or external	Static; Max 40% of sign face	27-1405.A, Monument Sign
Pole	1 per street frontage; Table 27-1400.1.	25 [3]	100 per side	5 [1]	Internal or external	Static; Max 40% of sign face	27-1405.A, Pole Sign
Structural Canopy	1 per street frontage	2 feet above canopy	n/a	5 [1]	Internal	Static; Max 40% of sign face	27-1405.A, Structural Canopy Sign

Notes:

[1] From all property lines; must comply with clear vision areas per 27-1802.H.
[2] Distribution of this signage across multiple tenancies is the responsibility of the property owner. Extra signage will not be permitted once the maximum signage identified here has been met.
[3] The maximum height of pole signs within 660 feet of and oriented to the interstate or interstate frontage right-of-way is 40 feet.

F. PUBLIC DISTRICTS

1. Public 1: Park and Open Space

(a) Freestanding signage is permitted per street frontage as identified in Table 27-1400.12.

(b) Internal park signage is exempt per Section 27-1403.C.

Table 27-1400.12: Maximum Sign Area P1

Street Type	Maximum Total Sign Area (sf)
Local	32
Collector	64
Minor Arterial	64
Principal Arterial	100

2. Public 2: Public and Institutional

Signage is permitted pursuant to Section 27-1406.B, NO and NMU.

3. P3: Medical Campus Signs

(a) Applicability

(1) The standards in this section shall apply to the P3 Medical Campus district.

(2) The permitted signage in the P3 Medical Campus is applicable to two categories of structures and uses, both of which are defined in Section 27-1800:

a. Medical Structures: any primary structure on the campus that is used for the provision of medical services or support of medical staff and administration.

b. Non-Medical Structures: Permitted support campus structures such as, but not limited to, restaurants or hotels.

(b) District Specific Terms

(1) Internal signage is defined as signage that is not visible from outside of the campus or from the main circulation routes of the campus.

(2) Street frontage is defined as building frontage on an exterior street. Signs facing other internal streets are considered internal signage.

(c) Prohibited Signs and Lighting

The following signs and lighting are prohibited in the P3 Medical Campus district:

(1) Animated display EMD

(2) Inflatable signs

(3) Flashing illumination and flashing neon

(4) Strobe lights

(5) Searchlights

(6) Temporary signs

(7) Window signs

(d) Medical Structures Signage

Maximum signage is calculated by sign category as provided below.

Table 27-1400.13: Medical Structure Signs in P3

Attached					
Sign Type	**Number**	**Height (max., ft.)**	**Sign Area per Sign (max., sf)**	**Illumination**	**Additional Standards**
Attached, all	n/a	Height of wall	Smaller of 25% of wall area or 250 feet [1]	Internal, external, or static EMD	27-1405

Freestanding						
Sign Type	**Number**	**Height (max., ft.)**	**Sign Area per Sign (max., sf)**	**Setback (min, ft)**	**Illumin.**	**Additional Standards**
Freestanding, all	n/a	20	175	5 [2]; 100 ft separation from other freestanding signs	Internal, external, or static EMD	27-1405

Notes:

[1] On a structure within 150 feet of and not separated by a public street from an N zone, wall signs may not, individually or collectively, cover more than 25 percent of the surface area of any wall. The surface area of a wall shall be determined by measuring the building height and multiplying it by the length of the wall, without deduction for doors and windows

[2] From all property lines; must comply with clear vision areas per 27-1802.H.

(e) Non-Medical Structure Signage

(1) Maximum signage is calculated by sign type, as provided below.

(2) Tables 27-1400.14 and 27-1400.15 identify the types of signs permitted for non-medical structures in the P3 district, subject to the regulations identified in the table and this article.

Table 27-1400.14: Non-Medical Structure Attached Signs in P3

Sign Type	Number	Height (max., ft.)	Sign Area per Sign (max., sf)	Illumination	Additional Standards
Awning	1 per awning	Flat on awning	Size of awning	Internal or external	27-1405.B, Awning Sign
Canopy	1 per canopy	24" above canopy	27-1405.B, Canopy Sign	Internal or external	27-1405.B, Canopy Sign
Projecting	1 per street frontage	Height of wall	27-1405.B, Projecting Sign	Internal, external, or static EMD	27-1405.B, Projecting Sign
Wall	1 per street frontage	Height of wall	25% of wall or 100 sf, whichever is less	Internal, external, or static EMD	27-1405.B, Wall Sign

Table 27-1400.15: Non-Medical Structure Freestanding Signs in P3

Sign Type	Number	Height (max., ft.)	Sign Area per Sign (max., sf)	Setbacks (min., ft.)	Illumin.	Additional Standards
Access Point	2 per vehicle access	3	8	n/a [2]	Internal or external	27-1405.A, Access Point Sign
Monument	1 per street frontage	8	32	5 [2]	Internal, external, or static EMD	27-1405.A Monument Sign
Structural Canopy	1 per street frontage	Same as canopy	20% of canopy facia on side where mounted	5 [2]	Internal or static EMD	27-1405.A, Structural Canopy Sign
Notes:						
[1] From all property lines; must comply with clear vision areas per 27-1802.H.						

4. **P3 Educational and Civic Campus Signs**

(a) Applicability

(1) The standards in this section shall apply to the P3 Educational Campus and P3 Civic Campus district.

(2) The permitted signage in the P3 Educational or Civic Campus is applicable to two categories of structures and uses:

a. Educational or Civic Structures: any primary structure on the campus that is used for the provision of core campus services or support of staff and administration.

b. Support Structures: Permitted support campus structures that may include but are not limited to uses such as restaurants or hotels.

(b) District Specific Terms

(1) Internal signage is defined as signage that is not visible from outside of the campus or from the main circulation routes of the campus.

(2) Street frontage is defined as building frontage on an exterior street. Signs facing other internal streets are considered internal signage.

(c) Educational and Civic Structure Signage

Maximum signage is calculated by sign category as provided below.

Table 27-1400.16: Educational Structure Signs in P3

Attached					
Sign Type	**Number**	**Height (max., ft.)**	**Sign Area per Sign (max., sf)**	**Illumination**	**Additional Standards**
Attached, all	n/a	Height of wall	Smaller of 25% of wall area or 175 feet [1]	Internal, external, or static EMD	27-1405

Freestanding						
Sign Type	**Number**	**Height (max., ft.)**	**Sign Area per Sign (max., sf)**	**Setback (min, ft)**	**Illumin.**	**Additional Standards**
Freestanding, all	n/a	20	175	5 [2]; 100 ft separation from other freestanding signs	Internal, external, or static EMD	27-1405

Notes:

[1] On a structure within 150 feet of and not separated by a public street from an N zone, wall signs may not, individually or collectively, cover more than 25 percent of the surface area of any wall. The surface area of a wall shall be determined by measuring the building height and multiplying it by the length of the wall, without deduction for doors and windows

[2] From all property lines; must comply with clear vision areas per 27-1802.H.

(d) Support Structure Signage

(1) Maximum signage is calculated by sign type, as provided below.

(2) Tables 27-1400.17 and 27-1400.18 identify the types of signs permitted for non-educational structures in the P3 district, subject to the regulations identified in the table and this article.

Table 27-1400.17: Support Structure Attached Signs in P3

Sign Type	Number	Height (max., ft.)	Sign Area per Sign (max., sf)	Illumination	Additional Standards
Awning	1 per awning	Flat on awning	Size of awning	Internal or external	27-1405.B, Awning Sign
Canopy	1 per canopy	24" above canopy	27-1405.B, Canopy Sign	Internal or external	27-1405.B, Canopy Sign
Projecting	1 per street frontage	Height of wall	27-1405.B, Projecting Sign	Internal, external, or static EMD	27-1405.B, Projecting Sign
Wall	1 per street frontage	Height of wall	25% of wall or 100 sf, whichever is less	Internal, external, or static EMD	27-1405.B, Wall Sign

Table 27-1400.18: Support Structure Freestanding Signs in P3

Sign Type	Number	Height (max., ft.)	Sign Area per Sign (max., sf)	Setbacks (min., ft.)	Illumin.	Additional Standards
Access Point	2 per vehicle access	3	8	n/a [2]	Internal or external	27-1405.A, Access Point Sign
Monument	1 per street frontage	8	32	5 [2]	Internal, external, or static EMD	27-1405.A Monument Sign
Structural Canopy	1 per street frontage	Same as canopy	20% of canopy facia on side where mounted	5 [2]	Internal or static EMD	27-1405.A, Structural Canopy Sign
Notes:						
[1] From all property lines; must comply with clear vision areas per 27-1802.H.						

G. HISTORIC DISTRICTS

Statement of special purpose. This special code acknowledges the unique visual concerns associated with the Billings' historic districts, including the Billings Townsite Historic District, Old Town Historic District, and North Elevation Historic District, as defined in BMCC Section 6-1103, and recognizes the benefits of restoring the district's visual appearance of prosperity, cohesiveness, and historic integrity, while continuing to promote business advertising variety, individuality, and growth.

1. Signs Permitted in Historic Districts

Within the North Elevation Historic District signs are permitted as per the underlying zone district and in compliance with the requirements for placement and style as per this code section.

Within the Billings Townsite Historic District and Old Town Historic District, signs are permitted as follows:

(a) Excluding window signs, one additional sign type per business is allowed, except for business with entrances on more than one street, in which case one sign type per street entrance is allowed.

(b) The size of signs in the historic district is limited to 50 percent of that allowed in this article.

(c) No new roof signs shall be permitted after the adoption of this code [insert date].

2. Sign Standards

(a) Signs and sign lettering within the Billings Townsite, Old Town, and the North Elevation Historic Districts shall be designed and installed to compliment the architectural style.

(b) Where an awning does not have a clear vertical plane, the signage may not exceed 25 percent of the lower third of the awning.

(c) Signage placed on a valance of an awning may not exceed 12 inches in height.

(d) Internally illuminated signs shall be constructed with an opaque background and translucent letters and symbols. Opaque means that the material must not transmit light from an internal illumination source.

(e) In the Billings Townsite and Old Town Historic Districts, the use of neon is encouraged when done in a manner that is historic in nature, compatible, or complementary to the character of the district and adjacent signage. The use of neon should be incorporated into the design of the sign. Neon and incandescent lamps may flash in the following ways.

(1) Alternating. One section comes on as another goes off.

(2) Scintillating. Random sections go on and off with part of the lighting on at all times.

(3) Chasing. One section comes on at a time and is followed by one section going off at a time. Part of the sign is on at all times.

(4) Sweeping (filling). The lighting sections individually go on until all of the sections are on, then the entire group goes off and then the process is repeated.

(5) On-off action—not allowed. Lighting that goes all on and then all off.

(f) No sign will be permitted to obscure or cover any significant architectural detail or decorative element of the existing building.

(g) The material used in the manufacturing of the sign should either be materials traditional to the time period of the structure, such as wood, stone, metal, neon, or a modern material that effectively simulates the original materials.

(h) The use of lighting should be sensitive to the character of the district. Direct lighting through the use of fixtures such as goose neck lamps is encouraged. Back lighted solid letters or stained glass is encouraged. The use of back lighted, molded plastic faces is discouraged. Installation must comply with the applicable electrical codes. All raceways, exposed conduits and supports will be painted to match or compliment the building.

(i) Ghost signs that were created prior to 1935 shall be permitted. These signs will not count toward the allowable square footage or allowable number of signs. Ghost signs are encouraged provided they meet the following conditions:

(1) Ghost signs shall be permitted to fade, to be stabilized, or restored to the original condition.

(2) Any ghost sign that is changed, or any post-1935 ghost sign that is restored or changed shall comply with the applicable sign district regulations.

(j) Only on-premises signs shall be allowed within the Billings Townsite, Old Town and North Elevation Historic Districts.

(k) Once the copy of an existing sign is changed it must come into compliance with the special provisions of the historic sign district and the existing sign code.

3. Prohibited Signs

The following signs are prohibited.

(a) New billboards, off-premise/third party signs.

(b) Electronic message displays.

(c) Changeable copy signs, except for the use on a theater marquee.

(d) Rotating signs.

(e) Intermittent or flashing lights, except for neon signs as described above.

(f) Above peak roof signs unless a roof sign had previously been on the building.

4. Temporary Signs

(a) Banner signs in the Public Right-of-Way

(1) Banners may be placed upon light standards to announce district wide events or exhibits at the Western Heritage Center.

(2) Banners may not exceed 20 square feet in area.

(3) Banners may not be stretched across the public rights-of-way.

(b) Banners on Private Property

Each business shall be permitted to display one banner not to exceed 32 square feet in area for one five-day period per calendar year.

(c) Sandwich board (A-frame) signs.

(1) One sandwich board sign shall be permitted per public entrance.

(2) All requirements of BMCC Section 22-407.1 and 22-407.2 must be met.

(3) Sandwich boards must be securely anchored to the ground.

(4) Sandwich boards may only be displayed during regular business hours.

SECTION 27-1408 TEMPORARY SIGNS

A. PURPOSES

The purposes of these temporary sign regulations are as follows:

1. Enhance opportunities for visual communication, including promoting the legibility of such communications;
2. Create a more attractive economic and business climate within the City;
3. Enhance and protect the physical appearance of all areas of the City;
4. Identify permissible signage for temporary uses and temporary events, and
5. Reduce the distractions, obstructions, and hazards to pedestrian and automobile traffic caused by the excessive number, size, or height, inappropriate means of illumination or movement, indiscriminate placement, overconcentration, or unsafe construction of signs.

B. ALLOWED ON PRIVATE PROPERTY RESTRICTIONS

Temporary event signs, including, but not limited to, those specified within this article, may be allowed off-premises on private property provided they meet the following requirements:

1. The sign conforms to all requirements of this article;
2. The sign does not interfere with automobile traffic or pedestrians;
3. The sign is not placed in the public right-of-way or on public property;
4. When a sign placed on private property, is done with the express permission of the property owner; and
5. The sign is not a public danger or nuisance during high winds or inclement weather.

C. PERMIT AND DISPLAY

1. A temporary sign permit is required unless otherwise specified in this article.
2. Temporary signs shall comply with the following unless otherwise specified in this article:
   (a) Maximum display time: 30 days;
   (b) Maximum number of temporary signs: shall not exceed one 32 sf sign per property frontage unless otherwise permitted in this article.

D. GENERALLY APPLICABLE TEMPORARY SIGN STANDARDS

1. Temporary Sign Types

The following temporary sign types are applicable to this section:

Table 27-1400.19: Temporary Sign Types

Sign	Max. Size	Max. Height
Banner	32 sf	n/a
Inflatable	4,500 cubic ft (volume)	30 ft
Sandwich Board	8 sf per side	4 ft
Yard, Large	32 sf	8 ft
Yard, Small	16 sf	6 ft

2. Location

(a) Temporary signs are subject to the prohibited sign locations identified in Section 27-1401.E.

(b) No temporary sign shall cause unsafe ingress or egress or otherwise create traffic visibility problems – Sec. 27-1802.H.

3. Size and Placement Limitations

The following placement limitations are generally applicable to temporary signs unless otherwise specified in this article.

(a) Signs may be printed on both sides or two single-sided banners may be placed back-to-back. V-type configurations are not permitted.

(b) Measuring one side of the display shall determine the square footage for purposes of computation.

E. ADDITIONAL TEMPORARY SIGNS PERMITTED BY TYPE

1. Banner Sign

(a) One banner sign is permitted for one 30-day period in mixed-use, commercial, industrial, and EBURD districts.

(b) Banner signs are limited to use on private property unless otherwise provided in a zone district.

(c) Banner signs must be securely attached to a structure, the wall of a building, or canopy.

2. Inflatable Signs

(a) One inflatable sign is permitted for one 30-day period in the CMU1, CMU2, CX, I1, I2, and EBURD districts.

(b) Inflatable signs are permitted on rooftops provided the sign and structure are securely anchored to the rooftop.

3. Sandwich Board Signs

(a) Sandwich board signs may be placed on private property or the public sidewalk in the NO, NMU, CBD, DX, and EBURD districts directly in front of the business at any time when the business is open.

(b) Sandwich board signs shall be placed so they do not interfere with or impede the flow of pedestrian movement; a minimum of three feet of unobstructed sidewalk with must be maintained while the sign is displayed.

(c) Sandwich board signs placed on a public sidewalk within the street right of way will follow all requirements of BMCC Section 22-407.1 and 22-407.2.

F. ADDITIONAL TEMPORARY SIGNS PERMITTED BY ACTIVITY

1. Active Real Estate Listing

Additional temporary signage is permitted for the duration of the active real estate listing as follows:

(a) Neighborhood residential use or property: one small yard sign per street frontage.

(b) Mixed use, commercial, and industrial use or property: one large yard sign or banner attached to a permanent structure per street frontage.

(c) Open house event: signage permitted per Table 27-1400.20.

(d) Temporary sign permits are not required.

2. Active Building Permit / Active Construction

(a) Single structure development shall be permitted one large yard sign per construction project. The sign shall be confined to the site of construction and shall be removed five days after issuance of an occupancy certificate or completion of construction and prior to occupancy.

(b) Subdivision development projects shall be permitted two large yard signs per subdivision development project. The sign shall be removed six months after construction on the last lot is commenced.

(c) Contractor, architect, surveyor, or engineer signs. Subcontractors on an active construction project may place a maximum of one small yard sign on one street frontage for the same period of time as the single structure or subdivision development sign. Subcontractor signs may be moved from lot to lot as construction progresses.

(d) Temporary sign permits are not required.

3. New or Relocating Business

New businesses or existing businesses which are relocating may have one additional temporary sign that complies with the standards of Table 27-1400.19. The temporary sign shall be limited in use to one time for no longer than 60 days. A Temporary Sign permit is required.

4. Real Estate Sign – Prospective Development Listing

Additional temporary signage is permitted for a subdivision, multi-unit residential development, or non-residential structure following the issuance of a building permit as follows:

(a) Residential development: One large yard sign per public entrance.

(b) Non-residential development: One large yard sign per public entrance or one banner placed on the structure per street frontage.

(c) The sign shall remain only as long as property remains unsold or unleased for the first time within the tract, but not to exceed one year. The planning division may extend the one-year time period upon written request by the owners/developers of the project.

(d) A Temporary sign permit is required.

G. TEMPORARY SIGNAGE PERMITTED BY TEMPORARY USE GROUP PERMIT

1. Temporary Use Signage Permitted

(a) Temporary uses allowed by temporary use permit may have up to 100 square feet of temporary sign area allocated across signage that complies with Table 27-1400.19 for the district in which the temporary use is located.

(b) Group 3 Temporary Uses will require a Temporary sign permit. Group 1 and Group 2 Temporary Uses will not require sign permits for temporary signage.

(c) The temporary signage shall meet the following standards:

(1) Signs advertising the temporary use or activity are allowed only at the same location as the temporary use.

(2) Signage may only be displayed while the temporary use is on the property.

(3) Clear vision triangle standards are applicable (Sec 27-1802.H).

(4) Paper or cardboard signs are prohibited.

(5) All signage and temporary structures must be removed at the time the temporary use has ceased on the property.

H. TEMPORARY SIGNAGE PERMITTED BY EVENT

1. Standards for Temporary Event Signage

(a) Temporary signs may be allowed as part of a special event whether or not a temporary use permit for the event is required.

(b) Temporary signs for special events may be off-premises with the permission of the property owner, and may be allowed on a parcel in addition to the maximum amount of temporary signage permitted on that parcel.

(c) Temporary signs for special events do not require permits.

2. Signage Permitted

Temporary signs permitted for special events are restricted to the types, sizes, and heights identified in Table 27-1400.20 unless otherwise specified in this subsection.

Table 27-1400.20: Temporary Signage by Event

Event	Type of Sign	Number Permitted	Duration
Estate/Garage/Rummage Sale	Yard, small	4	24 hours before and after event, no permit required
Open House/Auction	Yard, small	4	24 hours before and after event
Public Event	Yard, large	10	Placed no more than 7 days before; removed w/in 48 hours
	Banner	5	

SECTION 27-1409 OFF-PREMISES/BILLBOARD SIGNS

A. PURPOSE AND INTENT:

The purpose of this section is to regulate the impact of billboards on the community; to improve the appearance of major corridors and gateways; to enhance the urban design of the greater downtown area and the west end; to insure compatibility between billboards and adjacent land uses; and to limit the impact that billboards have on sign clutter in the community. The City recognizes that billboards are a necessary and appropriate advertising medium, and that there are acceptable and viable locations for billboards within the community.

It is the intent of this subsection to address the following specific concerns regarding the impact of billboards upon the community:

1. The citizens of Billings, and others visiting or traveling through the City are very concerned about the urban design and visual integrity of the City.
2. Billboards may be often incongruous with the City's natural setting and features due to their large-scale figures, numbers, letters, and colors.
3. A billboard may dominate the view from vehicles and interfere with the occupants' enjoyment of the City's natural setting and features.
4. A high concentration of billboards may create traffic safety problems and distract attention away from public safety signs.
5. Billboards of excessive size or height should be downsized within a reasonable period of time.
6. Billboards are incompatible with residential uses.
7. The I-90, Highway 3, Main Street, 27th Street, other gateways, and Shiloh Road are major entryways to the City which are of particular importance in terms of urban design and public perception to citizens, visitors, and tourists.
8. The downtown area defined in the Downtown Strategic Plan is an area in which urban design significantly influences the health and vitality of the total community.

B. NO NEW OFF-PREMISES/BILLBOARD SIGNAGE PENDING REMOVAL OF NON-CONFORMING SIGNS

1. New Billboards Prohibited

No off-premises/billboard sign shall be constructed or erected in any district after the date of the enactment of this subsection 27-1409 [previous code Section 27-706(b), adopted by Ord. No. 99-5107, enacted Nov. 22, 1999].

2. Billboard Replacement Provisions

(a) For each non-conforming off-premises/billboard sign face removed a replacement conforming off-premises/billboard sign face may be erected. Replacement off-premises/billboard sign face(s) shall comply with all of the applicable regulations contained herein.

(b) When all non-conforming off-premises/billboard signs within the City have been removed pursuant to this section, then additional off-premises/billboard signs may be constructed in accordance with the regulations contained herein.

C. LOCATION STANDARDS FOLLOWING COMPLIANCE WITH SEC. 27-1409.B

All replacement billboards shall be located in accordance with the following standards:

1. **Zoning Districts**
   (a) Replacement billboards shall be permitted as an allowed use in Heavy Commercial (CX), Controlled Industrial (I1), and Heavy Industrial (I2) zoning districts and on Boulevard Street Types in EBURD zone districts.
   (b) Billboards shall be permitted as an allowed use in Corridor Mixed Use 2 (CMU2) zoning district provided that the structure is two hundred (200) feet or more from a residential zoning district.
   (c) A special review shall be required for all billboards to be located in a CMU2 zone if the structure is less than 200 feet but greater than 150 feet from a residential zoning district.
   (d) Billboards may be permitted in the CBD through Section 27-1623, Special Review.
   (e) No new billboards shall be permitted on, directed to, or within 200 feet of the following corridors regardless of the applicable zoning:
      (1) 27th Street from I-90 to Airport Road (excluding 27th Street North from Montana Avenue to 6th Avenue North).
      (2) Highway 3 (Airport Road) from Alkali Creek Road west to the City limits.
      (3) Shiloh Road from I-90 to Rimrock Road.
      (4) Yellowstone River.
      (5) Any historic district registered on the National Register of Historic Places.
2. **Locations Standards**
   (a) Billboards shall be set back 20 feet from the front property line.
   (b) No billboard shall be placed on the roof of any building or structure.
3. **Spacing Standards**
   Billboards shall be required to have the following spacing requirements:
   (a) Billboards located in CMU2 shall have a minimum spacing of a 1,000-foot radius from any other billboard.
   (b) Billboards located in CX, I1, I2, and EBURD shall have a minimum spacing of 600 linear feet from any other billboard.
   (c) No billboard shall be placed within 150 feet of any neighborhood residential zone.
4. **Area, Height, Face, and Pole Standards**
   All replacement billboards (and new billboards when permitted) shall conform to the following standards:
   (a) Sign area: New and replacement billboards faces and supporting framework shall not exceed the following sign areas:
      (1) Generally: 250 square feet.
      (2) Located within the interstate corridor: 480 square feet.

(b) Height, maximum:

(1) 35 feet above the road grade to which the billboard reads.

(2) The minimum distance between grade and the bottom of the billboard shall be 15 feet.

(c) Faces:

(1) There shall be no more than a total of two faces per supporting structure.

(2) All structures must be single face, back-to-back, or "v" type of construction. Stacked faces are prohibited.

(d) Pole construction: All structures must be of single pole construction.

5. Special Review Requirements for Off-Premise/Billboard Signs in CMU2 and CBD

The following criteria will be used in reviewing the proposed structure:

(a) The location and placement of the sign will not endanger motorists or pedestrians and does not interfere with the clear vision triangle at street, railroad, or street driveway intersections.

(b) The signs will not cover or blanket any prominent view of a structure or facade of historical or architectural significance.

(c) The sign will not obstruct views of users of adjacent buildings to side yards. This requirement does not include views of distant vistas.

(d) The sign cannot be seen from religious assemblies, schools, the Yellowstone River or any City, county, or state park; or, if it can be seen it must be located at 250 feet from the boundaries of such places.

(e) The height of signs located in undeveloped areas (no buildings within 300-foot radius) shall not exceed 26 feet above grade. The minimum clearance of a sign shall be at least 15 feet.

(f) The sign's lighting will not cause hazardous or unsafe driving conditions for motorists and will not glare, reflect, or spill onto adjacent business or residential areas.

6. Lighting and Display

(a) Static lighting shall comply with Section 27-1406.A or the EMD provisions in this section.

(b) Electronic Message Display (EMD) lighting shall comply with Section 27-1405.C and the following:

(1) A billboard EMD may be allowed on any off-premises/billboard sign face provided it conforms to all of the standards and requirements of the City sign code including the limitation on replacement of nonconforming off-premises billboard signs in Section 27-1409(b) and the maintenance and repair requirements of Section 27-1410.

(2) A billboard EMD does not need to be incorporated in a freestanding or wall sign pursuant to Section 27-1405.C, the EMD may be used as the only sign area on the billboard sign face.

7. **Landscaping**
   The provisions of Section 27-1406.B, Landscaping, apply to new and replacement billboards.

8. **Discontinuance**
   The City may order the removal of any billboard, without compensation, upon which the advertising or other message has been discontinued for more than 60 days continuous days. The owner shall either advertise upon or remove the billboard within 30 days of written notification by the City.

SECTION 27-1410 INSTALLATION AND MAINTENANCE

A. INSTALLATION

1. Compliance with Adopted Building Code(s)

All signs shall comply with the appropriate provisions of any adopted building and related code(s) with standards for design, structural members, and connections. Signs shall also comply with the provisions of the applicable electrical code and the additional construction standards hereinafter set forth in this section.

B. MAINTENANCE

1. Good Condition

Every sign in the City, including but not limited to those signs for which permits or for which no permits or permit fees are required, shall be maintained in good condition at all times.

(a) All signs, including those exempted, shall be kept neatly painted, including all metal parts and supports by which these conditions are deteriorating.

(b) The sign administrator may inspect and have the authority to order the painting, repair, alteration, or removal of signs which become dilapidated or are abandoned, or which constitute physical hazard to the public safety.

2. Continuous Maintenance Required

(a) Any sign that has been approved or that has been issued a permit shall be maintained by the owner or person in possession of the property on which the sign is located. Maintenance shall be such that the signage continues to conform to the conditions imposed by the sign permit.

(b) Any damaged sign base shall be repaired within 60 days.

(c) No person shall maintain or permit to be maintained on any premises owned or controlled by such person any sign which is in a dangerous or defective condition. Any such sign shall be removed or repaired by the owner of the sign or the owner of the premises.

(d) Any signage which has been damaged to such extent that it may pose a hazard to passersby shall be repaired or removed immediately. If the sign is repaired, it shall be done in compliance with this article.

C. ABANDONMENT

1. Abandoned Signs

(a) Except as otherwise provided in this article, the City may determine that a sign or sign structure has been abandoned where either:

(1) The sign or sign structure is no longer used by the property or sign owner, in which case discontinuance of sign use may be shown by expiration or revocation of a business license for the business located on the property, or cessation of use of the property where the sign or sign structure is located for the use or purpose associated with the sign; or

(2) The sign or sign structure has been damaged, and repairs and restoration have not been started within 45 days of the date the sign was damaged, or, once started, are not diligently pursued to completion.

(b) A nonconforming sign that meets the requirements of this section may be considered abandoned and will be subject to enforcement and removal.

(c) Temporary signs shall be considered abandoned if the associated permit has expired, the special event has occurred in the past or if the sign fails to meet the maintenance requirements of this article.

2. Sign Face Change

(a) Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business or where a building or tenant space is for lease shall not be deemed abandoned unless the property remains vacant for a period of six months or more.

(b) The sign face(s) of all signs associated with the structure or tenant space shall be removed and shall be replaced with a blank face.

3. Sign Removal

(a) An abandoned sign or sign structure is prohibited and shall be removed by the owner of the sign or owner of the premises within 45 days of a determination of abandonment.

(b) When an on-premises sign or sign structure becomes abandoned due to demolition or destruction of the structure in which the business was located, the sign and structure shall be removed at the same time as the demolition of the structure, or within 45 days of a determination of abandonment by the sign administrator.

(c) Where a successor to a business agrees in writing, prior to the demolition of the structure or as part of a determination of abandonment, to bring any sign into compliance with this article and to maintain the sign as provided in this article, the removal requirement shall not apply. The sign and sign structure shall be brought into full compliance prior to the issuance of a certificate of occupancy for use of any part of the associated structure or business.

SECTION 27-1411 VIOLATIONS AND SIGN REMOVAL

A. VIOLATIONS

1. Unlawful Signs

No person shall erect on any premises owned or controlled by such person any sign which does not comply with the provisions of this article.

2. Signs Declared Unlawful

(a) The sign administrator may declare any sign unlawful if it endangers public safety by reasons of inadequate maintenance, dilapidation or abandonment. Any such declaration shall state the reasons of the sign administrator for stating that the sign constitutes a safety hazard to the general public.

(b) Any sign owned, kept, displayed or maintained by any person with the City, the ownership keeping a display which is unlawful pursuant to the provisions of this article, is hereby declared to be in violation of this article. The sign administrator may declare any such sign to be unlawful, and such declaration shall state in writing the reason or reasons why such sign and the keeping, owning, maintenance, construction and display or operation thereof, is unlawful under the terms of this article.

ARTICLE 27-1500 NONCONFORMITIES

SECTION 27-1501 PURPOSE

A. PURPOSE

1. Changes to the zoning code can impact the status of legal, existing uses, lots, structures, and site characteristics. It is the general policy of the City to allow uses, structures, and lots that came into existence legally to continue to exist and be put to productive use. As these uses and structures change, they should be brought into compliance with applicable regulations as expediently as is reasonably possible.
2. This article continues the City's established regulations regarding nonconformities and also establishes an intermediate legal status category for applicability following partial compliance with this Zoning Code.

B. INTENT

These regulations are intended to:

1. Recognize the interests of property owners in continuing to use their property;
2. Promote the reuse and rehabilitation of existing buildings; and
3. Place reasonable limits on the expansion of nonconformities that have the potential to adversely affect surrounding properties, neighborhoods, or the City as a whole.

C. ILLEGAL STATUS AND CODE VIOLATIONS

Nothing in this article shall be interpreted as authorization for or approval of a continuance of the use of a structure or premises in violation of the zoning regulations in effect at the time of the effective date or any amendments of this Zoning Code.

SECTION 27-1502 APPLICABILITY

A. GENERAL APPLICABILITY

1. The provisions of this article shall apply to buildings, structures, lands, uses, and site characteristics that become nonconforming as a result of adoption, revision, or amendment to this Zoning Code.
2. The effective date for these regulations shall be established by the ordinance enacting the same. This Zoning Code applies to any property that was located within the limits of the City of Billings on or before that date.
3. Any permit application or development application approval that had been accepted by the City as a complete application as of the effective date of this Zoning Code shall be subject to the provisions of Section 27-107.E, Applications in Progress.

B. PRE-EXISTING NONCONFORMITY

1. Any legal nonconformity existing as of the effective date of this Zoning Code will also be a legal nonconformity under this Zoning Code, as long as the situation that resulted in the nonconforming status under the previous zoning code continues to exist.
2. If a nonconformity under the previous zoning code becomes conforming because of the adoption of this Zoning Code, then the situation will no longer be a nonconformity.

C. REPAIRS AND MAINTENANCE

Any building or other structure containing a nonconforming use, or any nonconforming structure or portion thereof, declared unsafe by the City may be strengthened or restored to a safe condition.

D. NONCONFORMING SIGNS

Nonconforming signs are addressed in Section 27-1400, Signs.

SECTION 27-1503 NONCONFORMING STRUCTURES

A. CONTINUATION OF NONCONFORMING STATUS

1. A nonconforming structure may continue to be used in conformance with the zone district where it is located so long as the structure remains lawfully occupied.
2. The structure may not be enlarged or altered in a way which increases its nonconformity unless an enlargement or structural alteration is required by law or allowed by subsection 27-1502.C. above. Structural alterations may be permitted when necessary to adapt a nonconforming building to new technologies or equipment pertaining to uses housed in such building. Any enlargement greater than 10% of the GFA that is necessary to adapt to new technologies shall be authorized only by a variance, as described in Section 27-1627.

B. ABANDONMENT AND TERMINATION

1. When a nonconforming structure is abandoned for 12 months or more, the nonconforming status shall be considered terminated and the structure shall be brought into compliance with the current Zoning Code prior to any use.
2. Should the structure be destroyed by any means to an extent of more than 50 percent of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Zoning Code.
3. If the structure is brought into conformance or compliance with the zone district in which it is located, the structural nonconformity may not be resumed.
4. Should the structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations of the zone district in which it is located after it is moved.

SECTION 27-1504 NONCONFORMING USES

A. CONTINUATION OF USE

1. Nonconforming uses may be continued so long as the use remains otherwise lawful.
2. Any nonconforming use may be extended throughout any parts of a building designed for such use that existed as of the effective date of the zoning regulation that made the use nonconforming, but no such use shall be extended to occupy any land outside such building.

B. CONTINUATION OF STRUCTURE SPECIFIC TO USE

No existing structure specific to a nonconforming use shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in conjunction with changing to a conforming use.

C. DISCONTINUANCE

1. Compliance with Code

   (a) When a nonconforming use is replaced with a conforming use, the nonconforming use is considered terminated and may not be resumed.

   (b) Any structure specific to the use, or structures and land in combination specific to the use, in or on which a nonconforming use is replaced by a permitted use shall be brought into compliance with the zone district in which the structure(s) is located and the nonconforming use may not be resumed.

2. Abandonment

   (a) When a nonconforming use is abandoned for six months or more it shall be considered terminated.

   (b) When a nonconforming use of a structure specific to a use, or structures and land in combination specific to a use, is abandoned for one year or more, the structure, or structures and premises in combination, shall be brought into conformance with the applicable zone district regulations and the nonconforming use may not be resumed.

3. Demolition, Destruction, or Obsolescence

   (a) Where nonconforming use status applies to a structure specific to a use or structure and land in combination specific to a use, removal or destruction of the structure shall eliminate the nonconforming status of the land. Destruction for the purpose of this subsection is defined as damage to an extent of more than 50 percent of the replacement cost of the entire structure at time of destruction. The operation of a noncompliant residential use located in an N1-4, NX1-3, or RMH district shall not be terminated regardless of the amount of damage or destruction suffered by the structure in which the use is operated.

   (b) Obsolete or Substandard Non-Residential Structure: The right to operate and maintain any nonconforming use shall terminate and shall cease to exist whenever the non-residential structure in which the use is operated and maintained becomes obsolete or substandard under any applicable city, state or federal code and the cost of placing such structure in lawful compliance with the applicable ordinance exceeds 50 percent of the replacement cost of such structure on the date that the building official determines such structure is obsolete or substandard; provided, however, that in determining the replacement cost of any structure, there shall not be included therein the cost of land or any factors other than the structure itself.

SECTION 27-1505 NONCONFORMING SITE CHARACTERISTICS

A. GENERAL

The following provisions apply to nonconforming site characteristics as identified in Section 27-1803:

1. The nonconforming site characteristic shall not be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption.

2. The nonconforming site characteristic shall not be moved in whole or in part to any other portion of the lot or parcel occupied by the use at the effective date of adoption.

B. MANUFACTURED HOME

Within a period of one year or less from its removal from a lot of record, a manufactured home used for residential purposes which is a legal nonconforming use of land may be replaced by another manufactured home for residential purposes, so long as the new home is not more than 50% larger in GFA than the manufactured home that it replaced and can be placed on the lot in compliance with the applicable zone district standards.

SECTION 27-1506 COMPLIANT SINGLE UNIT RESIDENTIAL LOTS

A. A single unit dwelling and customary accessory buildings may be erected on any vacant single lot of record as of the effective date of this Zoning Ordinance in an N1-4, NX1-3 or RMH district as follows:

1. The lot must be in separate ownership and not of contiguous frontage with other lots in the same ownership.

2. This provision shall apply even though such lot fails to meet the applicable requirements for lot width or area, as applicable, provided the setback dimensions, lot coverage, and other requirements not involving lot width or area of the lot shall conform to the regulations of the district in which such lot is located.

3. Either Section 1614, Administrative Relief, or Section 27-1627, Variance may be used to make requests for adjustments to area and yard requirements

B. If two or more vacant lots or combinations of lots and portions of lots with contiguous frontage in single ownership or record exist at the time of adoption, and if all or part of the lots do not meet the requirements for lot area as established by this ordinance, the land involved shall be considered to be an undivided parcel for the purpose of this ordinance, and no portion of the parcel shall be used or sold which does not meet lot area requirements established by this ordinance, nor shall any division of the parcel be made which leaves remaining any lot, with area below the requirements stated in this Zoning Code unless the lot is created for utility or dedication purposes and is at least 50% smaller than the minimum lot size permitted in the zone district.

SECTION 27-1601 OVERVIEW OF PROCEDURAL REQUIREMENTS

A. ORGANIZATION

The administration of zoning processes and permits is divided into two categories: commonly applicable procedures (Sections 27-1603 to 27-1613) and specific procedures (Sections 27-1614 to 27-1629). Both are described in this section.

1. Commonly Applicable Procedures

The following requirements are common to many of the procedures contained in this Zoning Code. Applications are typically processed in accordance with the steps shown in Figure 27-1600.A. Additional details may be included in each specific procedure.

(a) Sec. 27-1603, Pre-Application Meeting

(b) Sec. 27-1604, Neighborhood Meeting

(c) Sec. 27-1605, Application Submission Meeting

(d) Sec. 27-1606, Procedures for Complete Applications with Changed Status

(e) Sec. 27-1607, Staff Review, Referral, and Recommendation

(f) Sec. 27-1608, Public Notice Requirements

(g) Sec. 27-1609, Review and Decision-Making Bodies

(h) Sec. 27-1610, Action by Review and Decision-Making Bodies

(i) Sec. 27-1611, Post-Review Actions

(j) Sec. 27-1612, Lapsing and Extension of Approvals

(k) Sec. 27-1613, Other Permits and Approvals Still Necessary

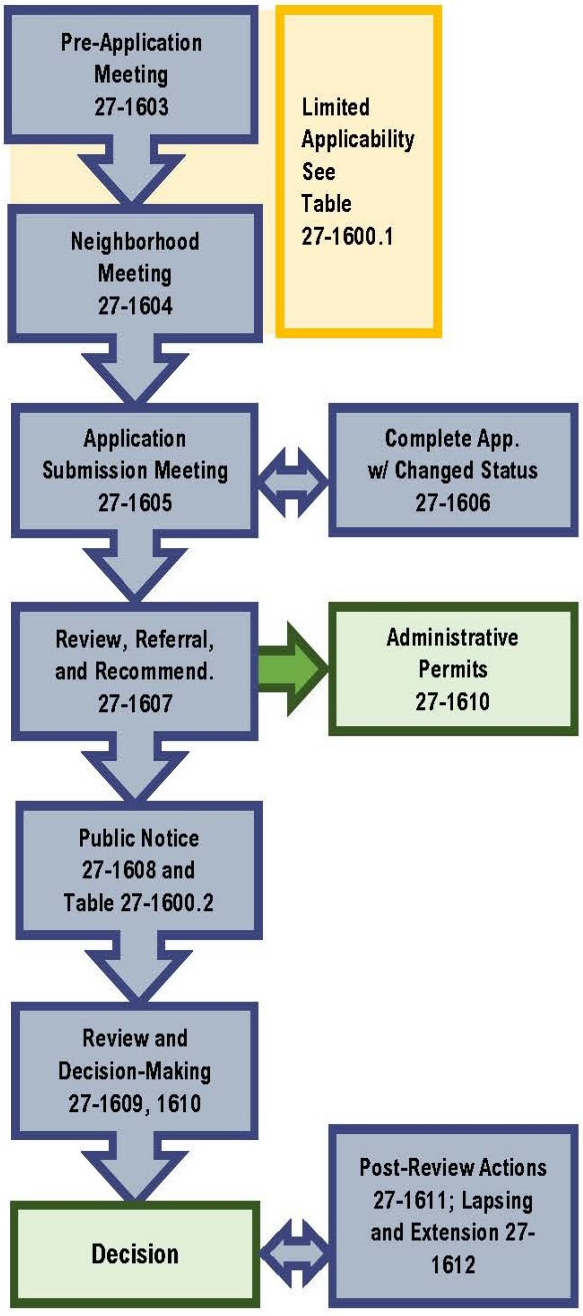


Fig. 27-1600.A: Commonly Applicable Procedures

2. Specific Procedures

Sections 27-1614 to 27-1629 provide the application-specific requirements for review and submission of each type of application or permit available:

(a) Sec. 27-1614, Administrative Relief

(b) Sec. 27-1615, Classification of Newly Annexed Area

(c) Sec. 27-1616, Appeal of Administrative Decision

(d) Sec. 27-1617, Code Interpretation

(e) Sec. 27-1618, Landscape Plan

(f) Sec. 27-1619, Master Site Plan

(g) Sec. 27-1620, Permits

(h) Sec. 27-1621, Short-Term Rentals

(i) Sec. 27-1622, Sign Permit

(j) Sec. 27-1623, Special Review Uses

(k) Sec. 27-1624, Temporary Use Permit

(l) Sec. 27-1625, Wind and Solar Facilities

(m) Sec. 27-1626, Wireless Communication Facilities

(n) Sec. 27-1627, Variance

(o) Sec. 27-1628, Zone Change

(p) Sec. 27-1629, Zoning Compliance Permit

B. USER'S GUIDE

The zoning coordinator may compile the requirements for application contents, forms, fees, submission materials, and review schedule in a User's Guide, which shall be made available to the public. The zoning coordinator may amend and update the User's Guide from time-to-time.

SECTION 27-1602 SUMMARY OF SPECIFIC APPLICATION STEPS

Table 27-1600.1 summarizes the application procedures in this Zoning Code and identifies whether pre-application and neighborhood meetings are required. Exceptions to these general rules apply and may be specified in the regulations for the individual procedure.

Table 27-1600.1: Summary of Application Steps

		Application Process							Review and Determination			
	Section	Pre-Application Meeting	Neighbor. Meeting	Application Submission Meeting	Referral Review	Staff Review	Public Notice Required	Public Hearing Required	Staff	Zoning Comm	City Council	District Court (DC) or Board of Appeals (BOA)
		Key: O Optional, R Required, -- Not Applicable							Key: R Review, RR Review and Recommend, D Decision, A Appeal, -- Not Applicable			
Project Application Type												
Administrative Relief	27-1614	--	--	R	--	R	--	--	D	--	--	BOA
Class. Newly Annexed Area	27-1615	O	O	R	R	R	R	R	RR	RR	D	DC
Planned Development (PD)	27-700	R	R	R	R	R	R	R	RR	RR	D	DC
Planned Neighborhood Development (PND)	27-800	R	R	R	R	R	R	R	RR	RR	D	RC
Special Review	27-1623	O	R	R	R	R	R	R	RR	RR	D	DC
Variance	27-1627	O	O	R	R	R	R	R	RR		BOA	DC
Zone Change	27-1628	O	R	R	R	R	R	R	RR	RR	D	DC
Permits												
Fence	27-1620	O	--	R	--	R	--	--	D	--	--	BOA
Landscape Plan	27-1618	O	--	R	--	R	--	--	D	--	--	BOA
Master Site Plan	27-1619	R	--	R	R	R	--	--	D	--	--	BOA
Proportionate Compliance	27-1620	O	--	R	--	R	--	--	D	--	--	BOA
Short-Term Rental	27-1621	O	--	R	--	R	--	--	D	--	--	BOA
Sign/Temporary Sign	27-1622	O	--	R	--	R	--	--	D	--	--	BOA
Temporary Use	27-1624	O	--	R	R	R	--	--	D	--	--	BOA
Wind and Solar Facilities	27-1625	O	--	R	--	R	--	--	D	--	--	BOA
Wireless Communication	27-1626	O	--	R	--	R	--	--	D	--	--	BOA
Zoning Compliance	27-1629	O	--	R	--	R	--	--	D	--	--	BOA
Code Administration												
Appeal of Admin. Decision	27-1616	R	--	R	--	R	R	R	RR	--	BOA	DC
Code Interpretation	27-1617	--	--	R	--	R	--	--	D	--	--	BOA
Zoning Text Amendment	27-1628	R	--	R	R	R	R	R	RR	R	D	DC

SECTION 27-1603 PRE-APPLICATION MEETING

A. PURPOSE

1. The purpose of the pre-application meeting is to provide an opportunity for the applicant and the City to discuss the development concept prior to the application submission for a project or permit in order to:
   (a) Determine the required application(s) and, if necessary, the timing of multiple application submittals (i.e., whether they may be processed concurrently or must be processed sequentially);
   (b) Provide the applicant with application materials and inform the applicant of submittal requirements;
   (c) Provide the applicant with an estimated time frame for the review process;
   (d) Discuss generally compliance with the code's zoning, use, density, development, and design standards, and attempt to identify potentially significant issues regarding compliance;
   (e) Discuss the need for any neighborhood meetings and public notice requirements; and
   (f) Engage the applicant in conversation with other departments or agencies to discuss potential significant issues prior to application submittal.
2. Pre-application meetings are informational for the applicant and are not open to the public.

B. APPLICABILITY

1. Pre-Application Meeting Recommended

Any applicant may request a pre-application meeting prior to submitting most development applications. The pre-application meeting is designed to help the applicant understand the development review and approval process.

2. Pre-Application Meeting Required

Pre-application meetings are required for some application types, as noted in the specific application section.

C. RECORD AND EFFECT

1. The City is not responsible for making or keeping a summary of the general topics discussed at the pre-application conference.
2. A pre-application meeting is advisory only and does not constitute or effect approval of any aspect or item of an application.

SECTION 27-1604 NEIGHBORHOOD MEETING

A. PURPOSES

The purposes of a neighborhood meeting are to: inform neighboring property owners of the details of a proposed development, identify how the developer intends to meet the standards contained in this Zoning Code, and to allow the applicant to receive preliminary public comment on the proposal.

B. APPLICABILITY

1. When a neighborhood meeting is required by this Zoning Code, the applicant or applicant's agent shall conduct a pre-application neighborhood meeting to explain the proposed development and receive comment from the surrounding property owners.
2. An applicant may voluntarily conduct a neighborhood meeting prior to submission of any application.

C. NOTICE

1. The applicant shall provide written notice of the date, time, and location of the pre-application neighborhood meeting to:
   (a) Persons on the surrounding property owner list provided by the City,
   (b) Additional persons, businesses, or property owners as identified by the City; and
   (c) The planning and community services department.
2. The written notification shall be mailed at least seven calendar days prior to the scheduled meeting. The written notification shall include the information required for public notice as listed in Section 27-1608.B.1, B.2, and B.3.
3. Courtesy electronic notice of the neighborhood meeting shall also be provided to any affected neighborhood organizations that request notification from the planning and community services department. Planning staff is not responsible for verifying or correcting email addresses provided by a neighborhood organization and failure of a neighborhood organization or individual member to receive notice does not affect the validity of the neighborhood meeting.

D. MEETING

1. The pre-application neighborhood meeting shall be conducted at a location that is within two radius miles of the subject parcel. The meeting may be scheduled after 5:00 p.m. on a weekday or on a weekend day between 8:00 a.m. and 7:00 p.m.
2. The pre-application neighborhood meeting shall be conducted at least seven calendar days but no more than 60 calendar days prior to the submittal of the proposed development application to the planning and community services department.
3. The applicant shall obtain a roster of the names of the persons who attend the pre-application neighborhood meeting and make a record of the minutes of the meeting.

E. WRITTEN SUMMARY AND EFFECT

1. The applicant shall provide the zoning coordinator with a written summary or minutes of the neighborhood meeting with the completed application.
2. The written summary or notes shall include a list of those in attendance, a summary of the issues discussed, comments by those in attendance and the applicant's response, and any other comments the applicant deems appropriate.
3. The written summary or notes of the meeting shall be made available to the meeting attendees and the public for inspection following the filing of a complete application.

SECTION 27-1605 APPLICATION SUBMISSION

A. AUTHORITY TO FILE

1. Property Owner Application

Unless otherwise specified in this Zoning Code, the person having legal authority to take action according to the approval sought shall file an application for a project review or approval under this Zoning Code. The person is presumed to be one of the following: (1) the record owner, (2) purchaser under a sale or option to purchase, or (3) the duly authorized agent of the record owner. Agents may only submit applications where the owner indicates consent in writing on the application.

2. City Application

A request for action pursuant to the Zoning Code that is submitted on behalf of the City shall be initiated by the appropriate managing agency (e.g., engineering or parks department). Requests made by elected or appointed bodies with the authority to request a change or other action pursuant to this Zoning Code shall be initiated by a vote of that body and then processed by the zoning coordinator.

B. APPLICATION SUBMISSION REQUIREMENTS

All applications for all permits and approvals, or modifications of permits or approvals, pursuant to this section and Article 27-1600 shall be submitted in accordance with the application submittal schedule, required forms, and required numbers of copies of each document (if any), established and revised from time to time by the zoning coordinator.

C. CONCURRENT APPLICATIONS

1. Where an applicant seeks approval of two different requests for the same parcel simultaneously, the applicant shall submit all necessary documents, plans, maps, and other required information in accordance with the provisions relating to both of the submitted applications and pay all appropriate fees for both applications.
2. Whenever two or more different application types are being processed simultaneously and this Zoning Code provides different time frames for review or decision-making, all related applications and approvals shall be completed within the longest time frame applicable to any of the relevant procedures.

D. FEES

1. Generally

Application fees for each type of application shall be established by resolution from time to time by the city council to defray estimated staff costs and expenses of processing applications pursuant to this Zoning Code.

2. Initial Application

The required application fee shall be paid by the applicant at the same time any application is filed. Application fees are generally non-refundable unless otherwise specified on the application form.

3. Changes to Complete Applications

In addition to fees set forth in the City fee schedule, the following fees shall apply to actions taken on a complete application:

(a) Withdrawn Application: All fees are forfeited in the event the City has incurred any expense related to the application. If the application is refiled within 180 calendar days a resubmittal fee must be paid. The submission fee shall be paid again in full if the application is resubmitted after six months.

(b) Continuance of Application: Payment of fees may be required to cover the cost of additional notice.

(c) Reapplication: Payment of fees shall be required for a reapplication where a previous application has been denied.

(d) Modification or Revision of Approved Site Plan

(1) Minor modifications: An application for administrative relief and payment of the associated fee is required.

(2) Major modifications: Any requested modifications that do not qualify for administrative relief shall be considered major modifications. A new application is required along with the associated application fee.

E. SUBMITTAL WAIVERS

1. At or following an application submission meeting, the zoning coordinator may agree to waive specific project submittal requirements, in order to reduce the burden on the applicant and tailor the requirements to the information required to review a specific application.

2. The zoning coordinator may waive such requirements where the applicant has made an itemized, written request identifying the specific submission items to be waived and why, and the zoning coordinator finds the following:

(a) The applicant shows good cause for the requested waiver;

(b) The project size, complexity, anticipated impacts, or other factors support a waiver;

(c) The waiver does not compromise a proper and complete review; and

(d) The information is not material to describing the proposal or demonstrating compliance with approval criteria.

F. DETERMINATION OF COMPLETENESS

1. Complete Application Required

All applications must be complete prior to any processing by the City. A complete application includes all of the submittal information identified on the application form and any items or exhibits requested by the zoning coordinator that are consistent with the standards and requirements of this Zoning Code. A complete application is also accompanied by the applicable fee.

2. Application Submission Meeting

Planning staff shall meet with applicants to review all applications and permit requests to determine if the application includes all material required by the applicable application submittal schedule (including required supporting material) in sufficient detail to evaluate the application and determine whether it complies with the requirements of this Zoning Code. A completeness determination will be made during the application submittal meeting.

G. SUBMISSION TIMING FOR PUBLIC HEARING SCHEDULE

All applications to be considered in a public hearing in a specific month must be received on or before the first Monday of the previous month. For example, an applicant desiring public hearings in June would have to submit a complete application by the first Monday of May.

SECTION 27-1606 PROCEDURES FOR COMPLETE APPLICATIONS WITH CHANGED STATUS

A. INACTIVE APPLICATION

1. An inactive application is any application for which the City has requested additional information or revisions and the applicant has not fully provided this information within 60 calendar days.
2. Inactive applications shall not receive further review and shall be considered withdrawn by the applicant and shall be terminated by the City without further notice. Time of delay shall commence on the date on which the City requests additional information.

B. WITHDRAWN APPLICATION

1. Prior to Public Notice

(a) An applicant may withdraw an application by providing written notice to the zoning coordinator of the applicant's intent to withdraw the application. After such withdrawal, no further City action on the application shall take place.

(b) A zone change application may be withdrawn at any time prior to the publication of the legal advertisement for the public hearing before the City zoning commission. A withdrawn zone change application may be refiled after a 120-day waiting period.

(c) To re-initiate review, the applicant shall re-submit the application with a new application fee payment, and the application shall in all respects be treated as a new application for purposes of review and scheduling.

2. Following Public Notice

(a) No application may be amended or modified after the legal advertising has been published.

(b) After legal notice for the city zoning commission or board of adjustment has been published, the request for withdrawal shall be submitted in writing to the planning and community services department office at least 24 hours prior to the first or only public hearing.

(c) The City zoning commission may allow withdrawal of an application, after advertisement of the zoning commission public hearing has been published, by a

majority vote of the members present. After the City zoning commission hearing, a request for withdrawal shall be submitted to the City clerk and shall be submitted by the property owner or authorized agent, as listed on the application. The city council shall have exclusive authority to act on any request for withdrawal after notice of the public hearing has been published.

C. POSTPONEMENT

The applicant may request an application be postponed to a future scheduled public hearing date.

1. Request submitted prior to public notice: the request must be in writing, either by mail or email, and the request must be received by the zoning coordinator prior to date of publication of the notice of public hearing.
2. Request submitted following public notice: If the request is received by the zoning coordinator on or after the date of publication of the notice of public hearing, the applicant must attend the public hearing to request the application be postponed to a future scheduled public hearing date.

D. APPLICATION TERMINATION

1. If the zoning coordinator determines the applicant is not taking affirmative steps to advance a postponed application for a final determination or the applicant requests that an application be postponed for a second time, the zoning coordinator may declare the application terminated.
2. No further processing of such application shall occur and the application fees shall be forfeited.
3. Any re-submittal of the application shall be treated as a new application for purposes of review, scheduling, and payment of application fees.

SECTION 27-1607 STAFF REVIEW, REFERRAL, AND RECOMMENDATION

A. STAFF REVIEW

1. Upon submission of an application, the zoning coordinator shall review the application and accompanying documentation to determine whether the information included in the application is sufficient for the review and decision-maker(s) to evaluate the application against the approval criteria of the procedure or permit requested,
2. The zoning coordinator, upon receiving a complete application, shall also do the following:
   (a) Consult with other departments of the City and relevant external agencies to fully evaluate the impact of the proposal upon public facilities and services including but not limited to schools, drainage, traffic and related facilities;
   (b) Study each application with reference to its appropriateness and effect on existing and proposed land use, and references to the growth policy;
   (c) In the case of a protest petition filed in the matter of any application for zone change, determine the validity of such petition; and
   (d) Prepare written findings and conclusions for submission to the City zoning commission, which report shall be a matter of public record.

B. STAFF REPORT

1. Staff shall use best efforts to reconcile and compile all referral comments, including comments collected from any neighborhood outreach, into a single written report.
2. The preliminary report shall incorporate the responses and comments from reviewing agencies, shall report whether the development application complies with all applicable standards, and shall specify any areas of possible noncompliance.
3. Where the application includes technical information that requires expert analysis outside of that provided by staff, the City may contract with a technical expert to review the application and charge the consultant's fees to the applicant. The City shall notify the applicant if expert analysis will be necessary and will discuss the estimated fee with the applicant prior to engaging the expert. Technical information subject to outside expert analysis shall be limited to those issues outside of the scope of typical planning and community services department review. Outside technical experts will not be hired for routine site, structural, use, or transportation issues.
4. The preliminary report shall also identify any need for any required plan modifications, additional information, or technical reports to supplement the mandatory submittal requirements.
5. Staff may recommend conditions for approvals for applicable application types (e.g., Special Reviews) to mitigate any adverse impacts from the development proposal or any changes necessary to bring the application into compliance with the provisions of this Zoning Code. Zone change applications may not be conditioned.

SECTION 27-1608 PUBLIC NOTICE REQUIREMENTS

A. GENERAL APPLICABILTY

1. Applications for development approval shall comply with the Montana Code Annotated and the provisions of this section with regard to public notification. The required notice for each application type is identified in Table 27-1600.2. Application-specific notification instructions are located in the section for the specific application types.

Table 27-1600.2: Required Public Notice

	Section	Mailed	Published	Posted	Electronic via email	Agenda/ Website
		Key: O Optional, R Required, -- Not Applicable				
Project Application Type						
Administrative Relief	27-1614	--	--	--	--	--
Classification of Newly Annexed Area	27-1615	R	R	R	R	R
Planned Development (PD)	27-700	R	R	R	R	R
Planned Neighborhood Development (PND)	27-800	R	R	R	R	R
Special Review	27-1623	R	R	R	R	R
Variance	27-1627	R	R	R	R	R
Zone Change	27-1628	R	R	R	R	R
Permits						
Fence	Public notice is not required for permit review.					
Landscape Plan						
Master Site Plan						
Proportionate Compliance						
Short-Term Rental						
Sign/Temporary Sign						
Temporary Use						
Wind and Solar						
Wireless Communication						
Zoning Compliance Permit						
Code Administration						
Appeal of Administrative Action	27-1616	R	R	R	R	R
Code Interpretation	27-1617	--	--	--	--	--
Zoning Text Amendment	27-1628	--	R	--	R	R

2. No public notice under this section shall be made for incomplete applications per Section 27-1605.F, or for applications requiring additional revisions and review per Section 27-1607.A. Applications that remain incomplete or requiring revision after the posting deadline in the sections identified in Table 27-1600.2 shall be removed from the applicable meeting agenda and placed on the next available meeting agenda.

B. CONTENT

Notices, when required by this section or a specific application type, shall, whether by publication or written, meet the general requirements of notice provided by the City and provide the following information:

1. Address or location of the property subject to the application and the name, address, email, and telephone number of the applicant or the applicant's agent;
2. Date, time, and place of the public hearing;
3. Description of the nature, scope, and purpose of the application or proposal including a description of the development plan and, where appropriate, the classification or change sought;
4. Notification about where the public may view the application; and
5. State that the public may appear at the public hearing.
6. All meetings are held in buildings and locations that comply with accessibility standards according to the Americans with Disabilities Act (ADA). A TTY number for the hearing impaired, 406-657-3079, is available upon request.
7. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three calendar days prior to the hearing. Please notify the Planning Clerk, at 406-247-8610.

C. TYPES OF NOTICE

1. Agenda Notice

Agenda notice shall be posted and published on the City's website a minimum of 48 hours prior to a meeting.

2. Published Notice

Where Table 27-1600.2 requires published notice, the notice containing the content listed in Section 27-1608.B above shall be provided in a newspaper of general circulation at least 15 calendar days in advance of the date of the city zoning commission, board of adjustment, or city council public hearing.

3. Mailed Notice

(a) Where Table 27-1600.2 requires mailed notice, the City shall:

(1) Notify the applicant and/or the applicant's agent of the City zoning commission public hearing of the date, time, and place of such hearing at least five calendar days prior to the date.

(2) Notify adjacent property owners and other interested parties as provided in the specific application type. Mailed notice shall be provided to the property owner whose name appears on the last tax record of the property subject to notice. Unless otherwise specified, mailed notice shall be provided not less than 15 calendar days in advance of the date of the hearing.

(b) Failure of any individual addressee of such letter of notification to receive the same shall not in any way invalidate or affect subsequent action on the application and such requirement shall not be construed as a legal precedent to the official approval.

(c) Written notice to property owners shall be required only for the initial presentation of the proposed development at a public hearing. Additional mailed notice shall not be required where the application is not decided at the initial public hearing.

(d) If the hearing is deferred or continued at the applicant's request, the applicant shall be responsible for paying any additional fees for the purposes of re-notifying adjacent property owners.

4. Posted Notice

(a) Where posted notice is required, the applicant planning staff shall place notice of the public hearing on the property subject to the application at least 15 calendar days in advance of the date of public hearing.

(b) Notice signs shall be clearly visible from the public right-of-way. On large parcels, interior parcels, or parcels that are difficult to see from the exterior boundary lines, additional posted signs, as may be necessary to reasonably ensure that notice is provided around the property, may be required by the zoning coordinator.

(c) At least one sign must be placed on the property's frontage so that it may be seen from the abutting street. If the property has two streets frontages and both frontages are more than 300 feet long, a sign shall be posted on both frontages.

(d) Reposting. If the decision-making body continues the meeting or public hearing at which the application is being considered to a later date, or if the decision-making body decides to consider the application at any time other than that specified on the notification signs, the zoning coordinator shall update the existing signs with the new date.

(e) Sign Removal

(1) Notice signs shall be removed by the applicant within five calendar days after the meeting or public hearing for which they were required.

(2) No person other than the applicant, applicant's agent, or City staff shall erect, remove, or alter such signs.

5. Courtesy Notice

(a) The City may, as a courtesy, provide notice to any persons or organization in the City or Yellowstone County, or to any governmental, public, or quasi-public organization regarding any matter related to this Zoning Code that may be of interest to of that person or organization, or on any matter on which any such person or organization has requested notice.

(b) Courtesy notice may be provided in any appropriate manner, including electronically, and may be directed to an organization through its leadership for distribution rather than to the entire membership.

(c) The failure of the City to send courtesy notice or the failure of any resident or property owner to receive such notice shall not affect the validity of any City action with respect to an application.

6. Constructive Notice

(a) Minor defects in any notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements. Minor defects in notice may include, but are not limited to errors in legal descriptions, typographical or grammatical errors, or errors of actual acreage that do not impede communication of the notice to the affected parties.

(b) Failure of one or more individual parties to receive written notice shall not invalidate subsequent action.

(c) If questions arise at a review hearing regarding the adequacy of notice, the decision-making authority shall direct the zoning coordinator to make a formal finding as to whether there was substantial compliance with the notice requirements of this Zoning Code, and such finding shall be made available to the decision-making authority prior to final action on the request.

(d) When City records document the publication, mailing, or posting of notices as required by this section, it shall be presumed that notice of a public hearing was given as required by this section.

SECTION 27-1609 REVIEW AND DECISION-MAKING BODIES

A. CITY COUNCIL

1. Powers and Duties

The city council shall have the following powers and duties:

(a) To review and decide on amendments to this Zoning Code or the future land use map, including any related PND plan.

(b) To review and decide on major amendments to approved PND preliminary plans.

(c) To review and decide on special review applications.

2. Membership and Procedures

The membership and procedures for the city council are established in Chapter 2 of the Billings Montana City Code.

B. CITY ZONING COMMISSION

1. Created

There is hereby created a City of Billings Zoning Commission to consist of five members residing on property, any part of which lies within the limits of the City of Billings. The members are to be appointed by the mayor, subject to confirmation by the city council, for a term of three or four years and the terms of the members shall be staggered, as determined in the discretion of the mayor, to coincide with the election cycle of city council wards so that a minimum number of terms shall expire in any one year.

2. Attendance

The members of the city zoning commission are required to attend all publicly-advertised city zoning commission meetings. Members shall notify the zoning commission chairperson and zoning coordinator of any absence in advance of the meeting that will be missed. The presence of three members shall constitute a quorum.

3. Duties

(a) The city zoning commission shall have the authority to exercise all powers granted to the commission by MCA 76-2-307 and as amended from time to time.

(b) In particular, the City zoning commission shall recommend the boundaries of the various zone districts and appropriate regulations to be enforced therein, and to hold public meetings and make recommendations to the city council on all requests to amend, supplement, change, modify or repeal the regulations, restrictions and boundaries in the zoning districts.

(c) The city council shall not hold its public hearing or take any action until it has received a final report from the zoning commission.

C. CITY BOARD OF ADJUSTMENT

1. Created

There is hereby created for the City of Billings, a board of adjustment as provided by statute, consisting of seven members appointed by the mayor, with the consent of the city council. The terms of each member shall run concurrent to that of the mayor's term. Vacancies shall be filled for the unexpired terms of any members whose terms are interrupted for any reason.

2. Proceedings

(a) The board of adjustment shall schedule regular meetings, along with special meetings which may also be called by the chairperson. The chairperson may cancel the regularly scheduled meeting if no matters are pending for the board's consideration. The chairperson, or in his/her absence, the acting chairperson may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

(b) The board of adjustment shall keep minutes of its proceedings, showing the vote of each member, or if absent or failure to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and shall be filed in the office of the Billings Planning & Community Services Department.

(1) The official minutes of the board's proceedings shall be signed by the chairperson or acting chairperson.

(2) The decision of the board shall become effective immediately, unless otherwise directed by the board.

3. Powers and Duties

The board of adjustment shall have the following powers:

(a) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement or interpretation of this chapter or of any ordinance adopted pursuant thereto; and

(b) To authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in

unnecessary hardship, and so that the spirit of this chapter shall be observed and substantial justice done.

(c) The Billings Board of Adjustment does not have the authority to hear or decide on special review requests to this Zoning Code.

(d) If the board of adjustment fails to act on a matter that is before it or scheduled to be before it for any reason other than on motion duly continuing the matter, the applicant may deem the matter be denied and may immediately proceed by appeal.

D. ZONING COORDINATOR

1. The zoning coordinator has the authority to administer the provisions of this chapter for the City of Billings and all responsibilities as assigned or delegated by the Planning and Community Services Director. The zoning coordinator may delegate this work to other personnel in the Planning and Community Services Department.
2. The zoning coordinator shall supervise and effectuate the processing of applications for amendments to the official zoning map, special review applications, requests for variances, and other applications under the terms of this chapter. Further it shall be the zoning coordinator's responsibility to present any applications or requests to the appropriate board or commission.
3. The zoning coordinator shall also aid the various boards, commissions, and departments in transmitting recommendations to the city council and to otherwise promote procedural regularity in the administration of this chapter.

E. ZONING ENFORCEMENT OFFICER

It shall be the duty of the zoning coordinator to be the enforcement officer for the zoning regulations. The zoning coordinator is hereby given the authority to enforce the provisions of this chapter for the City of Billings. The zoning coordinator may delegate this work to other personnel in the Planning and Community Services Department.

SECTION 27-1610 ACTION BY REVIEW AND DECISION-MAKING BODIES

A. ADMINISTRATIVE DECISIONS

For procedures where the zoning coordinator serves as the decision-making authority, the zoning coordinator shall make a decision according to the following steps:

1. Review

(a) The zoning coordinator shall review the application for conformance with all applicable provisions of this Zoning Code.

(b) Within the timeframe specified by the application type, or 15 calendar days of the filing date if no timeframe is specified, the zoning coordinator shall approve or deny the application and provide written notification of the decision to the applicant. If an application is denied, the written notification shall include the reasons for denial.

2. Review Criteria

When the zoning coordinator has the authority to decide an application, except in the case of an interpretation, the application shall be reviewed against the applicable provisions of this Zoning Code. To be approved, an application shall be fully consistent with the standards of this Zoning Code unless administrative relief is concurrently approved to allow

specified deviation from applicable standards. An administrative approval may include instructions and clarifications regarding compliance with this Zoning Code, but shall not be approved with conditions that require action beyond the specific requirements of this Zoning Code.

B. CITY ZONING COMMISSION

The zoning commission shall review and take action upon each application in accordance with the provisions of this article and after a public hearing at which the application has been legally advertised.

1. The zoning coordinator shall present each application, together with the staff report, to the zoning commission.
2. The zoning commission may, by a majority vote of the members present, delay action to the next available public meeting of the commission, and such delay shall be deemed to be without prejudice to the applicant.
3. A report of the commission's recommendation and the zoning coordinator's findings and conclusions shall be submitted to the city council.
4. The zoning commission shall make a written recommendation to the city council to:
   (a) Zone changes: Grant or deny the application;
   (b) Special review applications: Grant, condition, or deny the application.
   (c) Request to withdraw an application after the zoning commission’s hearing: allow or refuse withdrawal
5. The zoning commission shall submit its recommendations and, where appropriate, conditions in writing along with a statement indicating its reasons for the recommendation to grant, condition, deny, or allow withdrawal of the amendment within 15 calendar days following the public hearing.

C. CITY COUNCIL ACTION

Before taking any action on an application, the city council shall first consider the written findings and recommendations of the zoning commission. The city council shall:

1. Approve the application, either as submitted for zone change applications, or with conditions for special review applications;
2. Deny the application;
3. Allow withdrawal of the application; or
4. Delay the application to a future council meeting date certain.

SECTION 27-1611 POST-REVIEW ACTIONS

A. SUCCESSIVE APPLICATIONS

No application for zone change, special review, or variance on the same request nor one involving the same tract shall be permitted within one year of an application denial.

B. AMENDMENTS

1. All substantial changes, modifications, removal, or release of the provisions of an approved application that do not qualify for administrative relief under Section 27-1614.C.2 shall be

considered amendments of the application. Amendments shall include, but are not be limited to, changes in use, access, layout, any condition of approval, any change resulting in significant increased off-site impacts, and similar changes as determined by the zoning coordinator.

2. For purposes of review and scheduling, proposed amendments are treated as new applications subject to the applicable procedures and review criteria set forth in this article unless otherwise noted in the specific review procedures.

C. MODIFICATION OF APPROVALS

1. Application

If, at any time, the owner of land with an existing development approval desires to modify the terms of that approval or the conditions attached to that approval, the owner shall submit a written application requesting such revision.

2. Review and Determination of Major/Minor Modification Status

Applications for modification shall be reviewed by the zoning coordinator to determine whether the proposed modifications constitute a major or minor revision to the existing approval.

(a) Minor modifications are those that qualify for administrative relief pursuant to Sec. 27-1614 or modification to an application that was approved administratively.

(b) Major modifications are those that do not qualify for administrative relief pursuant to Sec. 27-1614, request for modification to a special review approval, or request for modification to a condition established by the city council.

3. Action by Decision-Making Body

(a) Applications for minor modifications shall be treated as applications for administrative relief.

(b) The zoning coordinator may require that an application for administrative relief be treated as an application for a major modification if the zoning coordinator determines that the application raises a significant public controversy in which numerous parties other than the owner of the property may want to offer testimony. Applications for major modifications shall be treated as new applications for an approval of the same type being modified, unless the zoning coordinator determines that an application for modification is an issue of public policy or is not consistent with an approved preliminary plan or plat for the property, as applicable. If so, the zoning coordinator shall inform the applicant that a new application will need to be submitted.

4. Effect of Modification

If approved, the modification shall then supersede the previous approval, and subsequent development on the property shall be in accord with the amended approval.

SECTION 27-1612 LAPSING AND EXTENSION OF APPROVALS

Approvals granted under this Zoning Code terminate if unused by the applicant after a reasonable period of time.

A. LAPSE

1. Administrative Approval and Permits

Except where a different timeframe is provided in a specific procedure or application approval, an administrative approval or permit granted under this Zoning Code shall lapse and shall become void one year following the date of final approval unless, prior to the expiration date, a building permit based upon such approval is issued and construction is commenced and pursued toward completion.

2. Approvals Subject to Public Hearing

(a) A zone change is not subject to lapsing.

(b) Any approval made through a public hearing process shall not lapse pursuant to this section unless the approval was not a zone change and the city council, or board of adjustment established a specific time limit for the approval.

B. EXTENSION

1. An approval that is subject to lapsing may be extended one time by the zoning coordinator for a period of time not to exceed six months. Applicants who require a second extension shall make the second extension request of the body that issued the original approval, which may also be a second request to the zoning coordinator if the zoning coordinator issued the original approval. The total time approved for extensions may not exceed one year.
2. All requests for extensions should be submitted to the zoning coordinator in writing at least 30 calendar days prior to the expiration of approval.
   (a) An extension request shall include payment of required fees and written description of the reasons for the applicant's inability to comply with the specified deadlines, listing any changes in the character of the neighborhood, any changes to the growth policy or this Zoning Code that have occurred since approval of the permit/plan as these changes affect the permit/plan, and the anticipated time schedule for completing the review project and/or the specific project.
   (b) Additional review of the permit/plan may result in additional conditions.
3. If an approval lapses at the end of an extension period, the applicant may re-submit a new application, subject to the fees and regulations in effect at the time of re-submittal, for the same project.

SECTION 27-1613 OTHER PERMITS AND APPROVALS STILL NECESSARY

A. CITY PERMITS AND APPROVALS

The approval of any application pursuant to this Zoning Code shall not relieve the applicant of the requirement to apply for and receive any other permits or approvals required from the City, prior to development (such as building permits, certificates of occupancy, subdivision approval, and any similar permits or approvals). Any such later permits and approvals shall be consistent with the terms and provisions of any approval granted pursuant to this Zoning Code.

B. OTHER PERMITS AND APPROVALS

The approval of any application pursuant to this Zoning Code shall not relieve the applicant of the requirement to apply for and receive any and all other permits or approvals from Yellowstone County, State of Montana, or federal government or from other local entities with jurisdiction over the property.

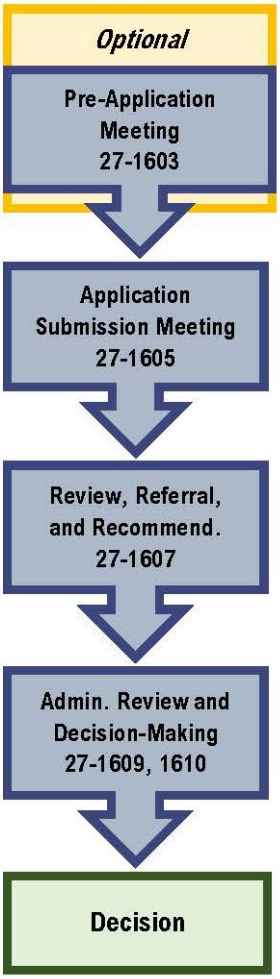
SECTION 27-1614 ADMINISTRATIVE RELIEF

A. APPLICABILITY

1. Administrative relief allows the modification of an existing numeric dimensional standard to accommodate site-specific or minor construction issues.
2. Administrative relief is applicable to new development, redevelopment, and major façade changes.
3. Administrative relief may be requested either as part of an original application or as a modification to an existing approval.

B. AUTHORITY

Administrative relief may be requested by an applicant qualified to request a primary development approval or amendment.



C. PROCEDURES

1. Common Procedures

Procedures for review and decision of an administrative relief application are established in Sections 27-1602 through 27-1613. They are summarized here for applicant convenience.

2. Specific Procedures

All applications for administrative relief shall identify the specific issue that the administrative relief is intended to address and how the administrative relief will resolve that issue:

(a) A request for administrative relief prior to construction shall be submitted with the project site plan application. Where the site plan is submitted in conjunction with a primary application, such as a special review request, that is decided by the city council, the request for administrative relief shall also be decided by that body. For example, if an administrative relief request is submitted with a rezoning application, the city council will also decide on the administrative relief.

(b) A request for administrative relief to address a minor construction issue shall be submitted with the approved project site plan, a written description of the minor construction issue, and an amended drawing of that part of the site for which the administrative relief is requested.

D. PERMITTED TYPES OF ADMINISTRATIVE RELIEF

1. N1-3, NX1-3, NO, NMU, CMU1, CMU2, DX, and EBURD Districts

An applicant may request the following adjustments through administrative relief:

(a) The location of the building may be adjusted within a five-foot area from any minimum yard requirement or build-to zone width/location.

(b) EBURD: Up to 10 percent increase in total impervious coverage, not to exceed the total amount of permitted impervious plus semi-pervious coverage. Compliance with stormwater regulations is required.

(c) Up to 10 percent decrease in primary frontage coverage.

(d) Additional height of any story up to 2 feet, as long as the overall building height does not exceed the allowable height of all floors at their maximum permitted height.

(e) Up to 10 percent decrease in transparency or a 10 percent increase in blank wall limitation for corner side facades.

2. CBD, CX, I1, I2, P1-3, PD Districts

(a) The zoning coordinator may grant administrative relief that conforms to the following requirements:

(1) Setbacks. In any zone, modifications of the front, side, or rear yard setback requirement; provided that the total modification shall not reduce the applicable setback(s) by more than ten percent of that otherwise required in the zone.

(2) Lot Coverage. In any zone, modifications of the lot coverage requirement; provided, that the total modification shall not increase the applicable coverage to more than ten percent of the otherwise maximum lot coverage in the zone.

(3) Structure Heights. In any zone, modifications of the building or structure height requirement; provided, that the total modification shall not increase the applicable building or structure height by more than ten percent of the otherwise maximum height in the zone, nor add another habitable story or mezzanine.

(4) Usable Open Space. In any zone, modifications of the usable open space requirement; provided, that the total modification shall not increase the applicable coverage to more than ten percent of the otherwise required usable open space in the zone.

(5) Fence Heights. In any zone, modifications of the maximum fence height requirement; provided, that the total modification shall not increase the applicable fence height by more than ten percent of the otherwise maximum height in the zone. Fences greater than or equal to eight feet in height will need a building permit.

(6) Parking. In any zone, a decrease in the number of required parking spaces of not more than ten percent when total required spaces are at least twenty spaces.

(7) Deviations from Final Planned Development Maps. In any planned development zone, deviations to final planned development maps which are consistent with the requirements of the preliminary planned development, final planned development conditions of approval, or development standards of the underlying zoning district.

(b) Administrative relief may not:

(1) Create, intensify, or expand any nonconformity with maximum or minimum requirements of the zoning district;

(2) Permit uses other than those permitted in the zone district;

(3) Reduce the effectiveness of approved transitional screening, buffering, landscaping, and/or open space; or

(4) Expand the area or type of signage approved.

E. DECISION CRITERIA

To approve a request for administrative relief, the zoning coordinator shall make and record findings that all of the following provisions are met:

1. The proposed use, structure, or activity is permitted in the underlying zone district.
2. There are special circumstances existing on the property for which the application is made related to size, shape, area, topography, surrounding conditions, and location that do not apply generally to other property in the same area and zone district;
3. The special circumstances have not been created by the applicant; and
4. The impact of the administrative relief is internal to the subject property.

F. REVIEW AND DECISION-MAKING

Requests for administrative relief are processed as an administrative decision pursuant to Section 27-1610.A.

SECTION 27-1615 CLASSIFICATION OF NEWLY ANNEXED AREA

A. ALL PROCEDURES EXCEPT ANNEXATION BY PETITION

Annexations of land into the City of Billings may be undertaken pursuant to several statutory procedures. When a parcel of land is annexed to the City under any procedure except annexation by petition, the appropriate zone(s) shall be determined by reference to Article 27-800, PND. Property that is exempt from the PND process shall be classified into a zone district as follows:

1. The zoning coordinator will determine the most appropriate zone district. The land owner shall have adequate opportunity to provide input, but the final zone district classification shall be made by the zoning coordinator.
2. Upon determination of the applicable zone district, the zoning coordinator shall follow the procedure in Section 27-1628, Zone Change, Staff Review, Referral, and Recommendation, except that the report, findings and conclusions shall be submitted to the city council prior to or concurrently with the services report that is required by the annexation statutes.
3. A public hearing on the applicable zone district shall be held concurrently with the public hearing on the annexation before the city council, provided that the hearing shall not be sooner than 15 calendar days after notice of the proposed zone has been given.
4. If the proposed zone district is not approved by the city council, the land shall retain the zone district it had in the County; provided, that if the County district is not identical to the City zone district, then a City zone district appropriate to the character of the surrounding area will be applied.

B. ANNEXATION BY PETITION

When the proposed annexation is by petition pursuant to MCA Title 7, Chapter 2, Part 46 (Section 7-2-4601, et seq.), the zoning coordinator shall determine whether the Section 27-800 PND process is applicable, in which case the petitioner shall also submit an application for PND approval. If not, the petitioners shall, concurrently with the petition for annexation, make an application for change of zoning through Section 27-1628, Zone Change .

1. All fees shall be paid by petitioner upon filing the application for zoning.
2. Upon filing the application, the zoning coordinator shall follow the procedure set forth in above Section A.2, above.
3. If no application is filed or the application is denied, the land shall retain the same zone district it had in the County provided, that if the County zone district is not identical to the City zone district, a City zone district appropriate to the character of the surrounding area will be applied. The provisions of this subsection shall not be construed to preclude the City from fixing the zone district as provided in Section 27-1615.A, above.

SECTION 27-1616 APPEAL OF ADMINISTRATIVE DECISION

A. APPLICABILITY

Any administrative decision made in the interpretation or application of this Zoning Code may be appealed to the board of adjustment.

B. AUTHORITY

Appeals to the BOA may be taken by any person aggrieved or by any officer, department, or board of the City affected by any decisions of the administrative office made under the terms of this Zoning Code.

C. PROCEDURES

1. Common Procedures

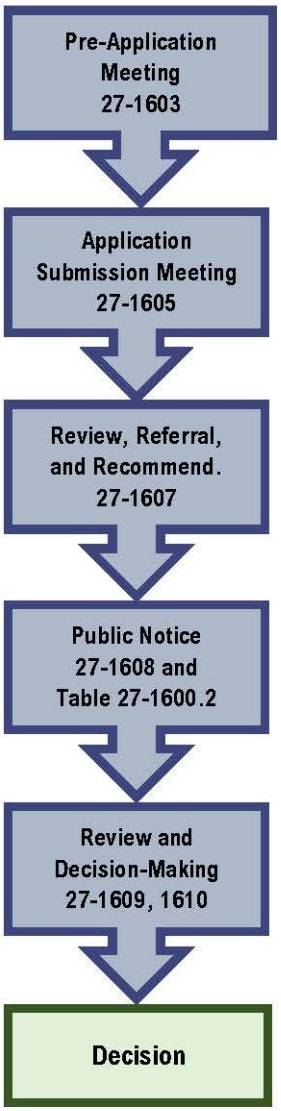
The procedures for appeal of an administrative decision are identified in Table 27-1600.1 and are summarized here for applicant convenience.

2. Specific Procedures

(a) Such appeal shall be taken within 60 calendar days of the issuance of a final administrative decision. An applicant who wishes to appeal a verbal administrative decision may request that the decision be provided to the applicant in writing and the appeal timeframe will start on the date after the written decision has been signed.

(b) The staff member from whom the appeal is taken shall transmit the decision record to the BOA. The decision record shall include all of the information relied upon in making the decision.

(c) The BOA shall:



(1) Fix a reasonable time for the hearing of appeal, not to exceed 60 calendar days; and

(2) Give public notice of the hearing, as well as mailed notice to the parties in interest.

(d) At the hearing, any party may appear in person or by agent or attorney.

D. STAY OF PROCEEDINGS

1. An appeal stays all proceedings in furtherance of the action appealed from except as provided in Section D.2. No further action will be taken by the planning division on the initial application or request while the administrative decision is being appealed.
2. The City may decide not to stay activities related to the application while the administrative decision is being appealed where a stay would cause imminent peril to life or property, determined as follows:

   (a) The appeal is filed; and

   (b) The staff member from whom the appeal is taken certifies to the BOA that by reason of facts stated in the appeal, a stay would, in that officer's opinion, cause imminent peril to life or property.

   (c) In such cases, proceedings shall not be stayed other than by a court of record upon application to same and notice to the officer from whom the appeal is taken and on due cause shown.

E. DECISION CRITERIA

In reviewing an administrative decision, the BOA shall have all the powers of the office from whom the appeal is taken. An appeal may be sustained only if the BOA finds that the administrative decision was made in error.

F. REVIEW AND DECISION-MAKING

1. The BOA may, in conformity with the provisions of this Zoning Code, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination as ought to be made.
2. The concurring vote of four members of the board shall be necessary to reverse any order, requirement, decision or determination of any administrative official, or to decide in favor of the applicant on any appeal.
3. The BOA shall render a decision within 35 calendar days of the completion of the hearing.

G. JUDICIAL APPEAL

Appeal of a BOA decision to a Montana court of record is governed by MCA 76-2-327.

1. The petition must set forth that the decision is illegal, in whole or in part, specifying the grounds of the illegality.
2. The petition shall be presented to the court within 30 calendar days after the filing of the decision of the BOA.

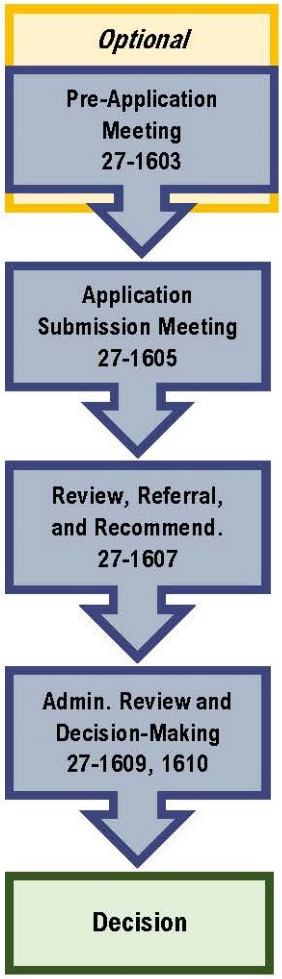
H. REAPPLICATION

If an application for an administrative review is denied by the BOA and not approved for reconsideration, another application appealing the original administrative decision shall not be filed within a period one year from the date of denial.

SECTION 27-1617 CODE INTERPRETATION

A. APPLICABILITY

1. The zoning coordinator is authorized to provide a written interpretation of the contents and requirements of this Zoning Code.
2. Interpretations may be requested for a provision of this Zoning Code subject to a proposed or current application, hearing, or appeal.
3. The zoning coordinator may also provide a property-specific code interpretation in the form of a zoning code clarification that identifies whether specific regulations in this Zoning Code are applicable to the subject property.



B. AUTHORITY

An interpretation may be requested by any:

1. Applicant,
2. Person affected by an action proposed pursuant to this Zoning Code, or
3. Any City departments or other governmental agencies that may be subject to the provisions of this Zoning Code.

C. PROCEDURES

Common procedures for a code intepretation are identified in Table 27-1600.1 and are summarized here for applicant convenience.

D. RENDERING OF INTERPRETATION

After the application for request for interpretation has been determined complete, the zoning coordinator shall render an interpretation pursuant to Section 27-1610.A, Administrative Determinations.

E. OFFICIAL RECORD

The zoning coordinator shall maintain an official record of all interpretations, which shall be available for public inspection during normal business hours.

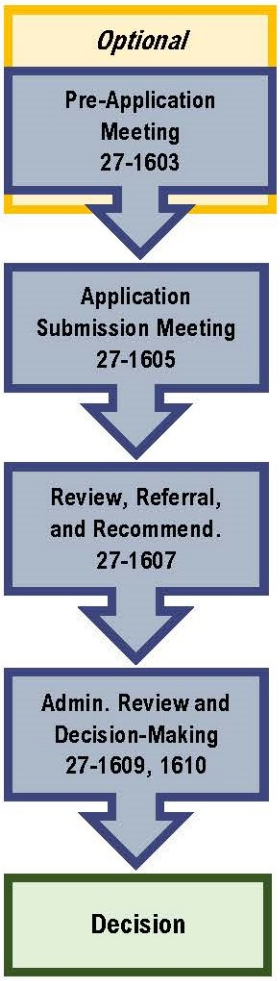
SECTION 27-1618 LANDSCAPE PLAN

A. APPLICABILITY

Landscaping in compliance with this Zoning Code shall be required for any new construction, and expansion of existing structures. All plans submitted in support of a building permit or zoning compliance permit shall include a landscape plan where required.

B. AUTHORITY

A landscape plan may be submitted for review by a property owner or the property owner's agent, including the landscape professionals described in Section 27-1618.C.



C. PROCEDURES

1. Common Procedures

Common procedures for landscape plan review are identified in Table 27-1600.1 and are summarized here for applicant convenience.

2. Specific Procedures

Landscape plans shall be prepared as follows:

(a) Lots of 1 acre or larger: the plan shall be prepared by a Montana licensed landscape architect.

(b) Lots smaller than 1 acre: the applicant is encouraged to work with a nurseryman or landscape design professional to meet the requirements of this article.

D. DECISION CRITERIA

The zoning coordinator may approve a landscape plan upon a finding that the application meets all of the following criteria, as applicable:

1. The landscape plan conforms to all requirements of this article and is consistent with the currently adopted growth policies and any other applicable plans.
2. The landscape design includes the installation of a diversity of species and sizes of vegetation with preference given to locally naturalized vegetation.
3. Preservation of existing, locally naturalized vegetation is incorporated into the landscape design.
4. No plant materials or landscape features are situated in such a manner so as to inhibit clear sight areas established in Section 27-1802.H or otherwise create a traffic hazard.
5. The facilities for watering and drainage are adequate to ensure the landscape area is maintained and that no soil, bark, mulch, gravel, stone, or similar materials are allowed to wash off the landscape area into parking areas, driveways, public streets, sidewalks, gutters, or storm drainage facilities.

E. POST APPROVAL

1. Site Specific and Binding

Approved landscape plans shall be binding upon the applicants and their successors, transferees, and assigns. No planning division approval of a certificate of occupancy shall be issued for any building or structure where landscaping has not been provided and continued in accordance with the required and approved landscape plan, or any approved modifications thereto, or the plan has not been guaranteed through a performance bond or approved security as provided below.

2. Landscaping Installed Within One Year of Issuance of Building Permit

(a) All landscaping and screening material, organic and inorganic, shall meet the standards of Section 27-1210 and be in place prior to the issuance of a certificate of occupancy. Irrigation systems shall be fully functional at the same time as the completion of the landscape planting. This requirement shall be verified by the submission of a final, as-installed landscaping plan by the party responsible for the creation of the landscape plan that is submitted with the certificate of occupancy application.

(b) If the timing of the project and seasonal limitations prevent planting prior to issuance of the certificate of occupancy, security as described in this section may be provided and the planting period may be extended accordingly.

3. Security Required

(a) When the timing of a project delays the installation of the landscaping, a performance bond or letter of credit in an amount of 150 percent of the landscaping materials and labor costs that does not expire for at least one year from the date of issuance shall be posted with the planning and community services department to ensure the placement of the required landscaping.

(b) The property shall be inspected by the zoning coordinator to make sure that the required landscaping has been planted before release of the security bond or letter of credit.

4. Administrative Relief

Administrative relief is provided to add flexibility in the application of a specific landscaping regulation when a standard is inapplicable or inappropriate to a specific use or design proposal. Administrative relief may be applied up to a total of 10 individual landscape standards for any site.

(a) Policies

(1) The planning division recognizes that the specific landscape requirements in Article 27-1200 cannot and do not anticipate all possible landscape situations. In addition, the planning division recognizes that there may be landscape proposals which conform to the purpose, intent and objectives of the landscape regulations, but were not anticipated in the specific regulations. Therefore, the planning division may grant administrative relief in the event of these situations and proposals.

(2) The reasonable development of a site may require the granting of administrative relief to some of the requirements. Although all of the categories of landscape requirements are considered important, the planning division generally assigns the following priorities for compliance with the landscape requirements:

i. First, adjacent residential uses should be buffered,

ii. Second, an attractive appearance of the project should be provided along adjacent streets by landscaped setbacks and trees,

iii. Third, the parking areas and building elevations which form major public views of the project should be visually softened and enhanced by trees and other plantings.

(3) Compliance with the requirements, such as the third priority above, should not be "forced" into a site design. For both visual effect and ease of maintenance, relatively few, but larger landscaped areas, which are integrated with the other elements of the site design, are generally encouraged. In addition, relatively numerous and smaller landscaped areas, which are not integrated with the other elements of the site design, are generally discouraged.

(4) However, the granting of administrative relief should not always mean that a requirement is reduced without compensation. For example, the granting of a reduced bufferyard depth should be compensated by the planting of additional trees, shrubs or other plants.

(b) Application

(1) A written request for administrative relief shall be submitted to the Zoning Coordinator either before or in conjunction with the building permit review process. The written request shall include a justification in terms of the findings necessary to grant administrative relief. The written request shall close with a section for the planning division's use which will include a block for the decision of approval/denial, the Zoning Coordinator signature, and decision date. The written request with decision shall be attached to the plan or retained in the applicable file, as appropriate.

(2) The Zoning Coordinator must make all of the following findings in order to grant administrative relief:

i. The strict application of the regulation in question is unreasonable given the development proposal or the measures proposed by the applicant or that the property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same general area and such conditions will not allow a reasonable use of the property in its current zone in absence of relief;

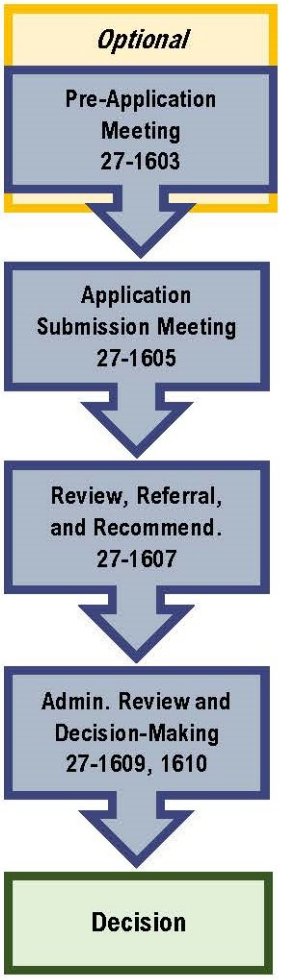
ii. The intent of the landscaping section and the specific regulation in question is preserved; and

iii. The granting of the administrative relief will not result in an adverse impact upon surrounding properties.

iv. Proportional compliance is not appropriate for the location and development planned.

(3) The Zoning Coordinator shall render a decision on the request within 30 calendar days of receipt of the request and all required information. An appeal of the Zoning Coordinator's decision may be made to the board of adjustment with jurisdiction over the property, within 30 calendar days after the decision. At this time, the appeal will be put on the agenda for the next board of adjustment meeting which allows for the required public notice.

SECTION 27-1619 MASTER SITE PLAN



A. APPLICABILITY

The purpose of this section is to set forth the procedures and criteria for review and approval of master site plans when two or more buildings share common facilities on an undivided lot. The purpose of master site plan review is to confirm that development is consistent with the requirements of this Zoning Code and with all previously approved plans applicable to the property.

B. AUTHORITY

A request for master site plan approval may be submitted by a property owner or owner's agent.

C. PROCEDURES

Common procedures for master site plan review are identified in Table 27-1600.1 and are summarized here for applicant convenience.

D. DECISION CRITERIA

The master site plan shall be reviewed against the following criteria:

1. The master site plan is consistent with any prior approvals, including any conditions that may have been placed on such approvals, and
2. The master site plan conforms with all applicable requirements of this Zoning Code, or with all applicable requirements as modified by a request for a minor code adjustment.

E. REVIEW AND DECISION-MAKING

A master site plan is subject to administrative approval and shall be reviewed as follows:

1. Within 30 calendar days following the submittal of a complete application, the zoning coordinator shall approve or deny the application, unless the applicant consents in writing to an extension of the review period.
2. In the event that review exceeds 30 calendar days, the applicant may seek immediate approval from the planning director.

F. EFFECT

1. Approved master site plans shall be binding upon the property owner(s) and their successors, transferees, and assigns.
2. No permit shall be issued for any building, structure, or use that does not conform to an approved master site plan.
3. No building, structure, use or other element of the approved master site plan shall be modified without amending the master site plan.
4. All buildings, structures and uses shall remain in conformance with the approved master site plan or be subject to enforcement action.

G. APPEAL PROCESS

An appeal to the BOA may be made by any applicant aggrieved by a denial of a Master Site Plan application.

H. POST-APPROVAL ACTIONS

1. Expiration

(a) Approved master site plans shall expire one year after approval if a building permit has not been issued or the approved use has not been established. Where a master site plan expires due to the passage of this time period, new site plan review documents must be submitted for approval in the same manner as an original application for development review.

(b) An extension not to exceed one year may be granted by the zoning coordinator.

2. Modifications to Master Site Plans

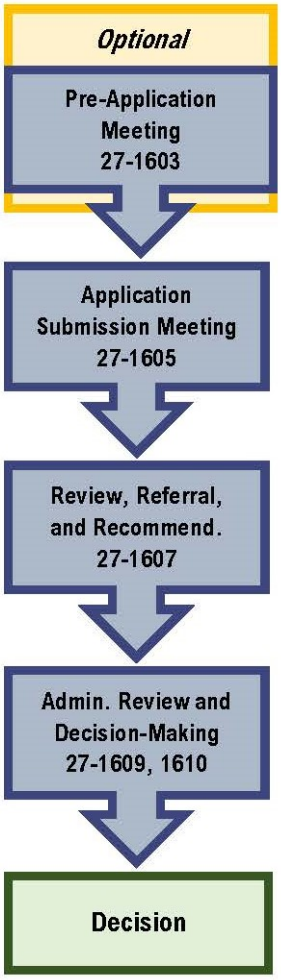
The holder of an approved site plan may request a minimal modification to the document, or the conditions of approval, by submitting amended documents to the zoning coordinator.

SECTION 27-1620 PERMITS

A. APPLICABILITY

The zoning coordinator may review and decide upon applications for the following administrative permits. Some of these permits have additional review and approval requirements included in this section; a cross-reference to those section is provided in the right column.

Permit Type	Additional Procedural Standards
Fences	None
Landscape Plan	Section 27-1618
Master Site Plan	Section 27-1619
Proportionate Compliance	None
Short-Term Rental	Section 27-1621
Sign/Temporary Sign	Section 27-1622
Temporary Use	Section 27-1624
Wind and Solar	Section 27-1625
Wireless Communication	Section 27-1626, Submitted with Zoning Compliance Permit
Zoning Compliance Permit	Section 27-1629



B. AUTHORITY

Permit applications may be submitted by a property owner or owner's agent.

C. PROCEDURES

Common procedures for permit review are identified in Table 27-1600.1 and are summarized here for applicant convenience.

D. REVIEW AND DECISION-MAKING

Permit applications shall be decided pursuant to the requirements of Section 27-1610.A. Permit-specific procedural requirements identified in this article shall be applicable.

SECTION 27-1621 SHORT-TERM RENTAL PERMITS

Short-Term Rental (STR) Permits are processed through Section 27-1620, Permits with the following additional requirements.

A. APPLICATION CONTENTS

In addition to any other information prescribed by the Zoning Coordinator, an application for a short-term rental permit shall include the following information:

1. Contact information for the owner (person, trust, or corporation) of the property.
2. Contact information for the owner's local contact person, who has authority to fix any problems or violations of this chapter, who is available 24 hours a day, seven days a week, at a phone number provided to both the City and any person staying at the property.
3. Attestation and agreement to comply with the requirements of this section.
4. Identification of all dwelling units that will be rented on a short-term basis.

5. The URL (i.e., the website address) for any and all advertisements of the short-term rental of the property.
6. Proof of building code compliance for single family attached and detached units. If seeking a short-term rental permit in a multifamily structure that is not a multi-unit attached single family structure that complies with building code standards for townhomes, proof of ownership of entire building must be provided with the application.

B. DURATION AND RENEWAL

1. Short-term rental permits shall be issued for one year and must be renewed annually.
2. An application to renew a short-term rental permit should be received by the Zoning Coordinator not less than thirty calendar days prior to the expiration of the short-term rental permit.

C. REVIEW CRITERIA

The Zoning Coordinator shall review a new or renewal application for a short-term rental permit for compliance against the criteria listed below. The Zoning Coordinator may deny a short-term rental application or renewal application if any of the following issues are found:

1. The property has any unresolved code enforcement violations, including issues unrelated to the short-term rental.
2. The property is not in compliance with all applicable Zoning Code requirements, any permit requirements, or where applicable, any fire, building and safety, or other relevant laws and ordinances.
3. The applicant has knowingly made any false, misleading, or fraudulent statements of material fact in the application, or in any report or statement required to be filed that is related to the application.
4. The property that is the subject of the application is not available for immediate rental on a short-term basis consistent with the requirements of these regulations.
5. The property owner's business license is not current.

D. EFFECT OF DENIAL

1. If an application for a new or renewal short-term rental permit is denied, the Zoning Coordinator may not approve a new application for that applicant and location for a 30-day period after the denial unless the Zoning Coordinator determines that the reason for the denial has been cured or no longer exists.
2. An applicant who has requested review based on cured circumstances but is again denied, may appeal the administrative denial to the Board of Adjustment. Please see Section 27-1616, Appeal of Administrative Decision.

E. REVOCATION

1. The Zoning Coordinator may revoke a short-term rental permit if any of the issues identified in the Section 27-1621.C review criteria are substantiated during the term of permit.
2. The Zoning Coordinator shall give written notice of the pending revocation to the permit holder and any named local manager or long-term tenant listed on the permit. The permit holder will have 30 calendar days to bring the property into compliance.

3. A permit holder who is in violation is prohibited from taking any further or future reservations.
4. If a short-term rental permit is revoked, the short-term rental of the property must cease immediately and the unit shall not be rented for a period of 30 calendar days from the date of revocation unless the Zoning Coordinator determines that the reason for the revocation has been cured or no longer exists.

SECTION 27-1622 SIGN PERMIT

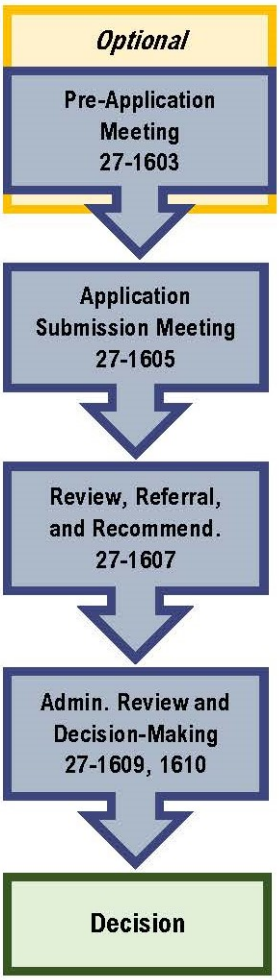
A. APPLICABILITY

1. Permanent Sign Permit

(a) Except as otherwise provided in this article, it shall be unlawful for any person to erect, construct, enlarge, move or convert any permanent sign in the city or cause the same to be done, without first obtaining a sign permit for each sign from the zoning coordinator as required by this article.

(b) A sign permit shall be required for each group of signs on a single supporting structure installed simultaneously. Thereafter, each additional sign erected on the structure must have a separate sign permit.

(c) These directives shall not be construed to require any permit for a change of copy on any sign, nor for the repainting, cleaning and other normal maintenance or repair of a sign or sign structure for which a permit has previously been issued, so long as the sign or sign structure is not modified in any way.



2. Temporary Sign Permit Required

Application for a temporary sign permit shall be made to the zoning coordinator by the owner or person entitled to possession of the property or business on which the temporary sign is to be located and shall be upon the form prescribed by the zoning coordinator.

3. Illegal Signs

No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain an unlawful sign nor shall any permit issued hereunder constitute a defense in an action to abate an unlawful sign.

B. AUTHORITY

1. A sign permit may be requested by a property owner, tenant, or an owner or tenant's agent.
2. No person shall erect, construct or maintain any sign upon any property or building without the consent of the owner or person entitled to possession of the property or building if any, or their authorized representatives.

C. PROCEDURES

Common procedures for sign permit review are identified in Table 27-1600.1 and are summarized here for applicant convenience.

D. DECISION CRITERIA

The sign permit shall be reviewed against the following criteria:

1. The sign permit is consistent with any prior approvals, including any conditions that may have been placed on such approvals; and
2. The sign permit conforms with all applicable requirements of this Zoning Code, specifically Section 27-1400, Signs, or with all applicable requirements as modified by a request for administrative relief or variance.

E. REVIEW AND DECISION-MAKING

1. The zoning coordinator shall issue a permit for the erection, construction, enlargement, or relocation of a sign within the City when an application has been properly made and the sign complied with all appropriate laws and regulations.
2. For temporary signs, the zoning coordinator shall establish area/height allowance and shall specify where the temporary sign is to be located, taking into consideration the required clear vision triangle in Section 27-1802.H and the applicable zone district setback requirements.

F. APPEAL

1. Appeal may be taken to the board of adjustment from the zoning coordinator's denial of a sign permit.
2. The zoning coordinator's failure to either formally grant or deny a sign application within 20 calendar days of the determination of a complete application shall be grounds for appeal to the board of adjustment.

G. POST-APPROVAL ACTION

1. Revocation

The zoning coordinator may, in writing, suspend or revoke a permit under provisions of this section whenever the permit was issued on the basis of a misstatement of fact or fraud.

2. Permit Expiration

Every sign permit issued by the zoning coordinator shall become null and void if installation is not commenced within 120 calendar days from the date of permit issuance.

SECTION 27-1623 SPECIAL REVIEW USES

A. APPLICABILITY

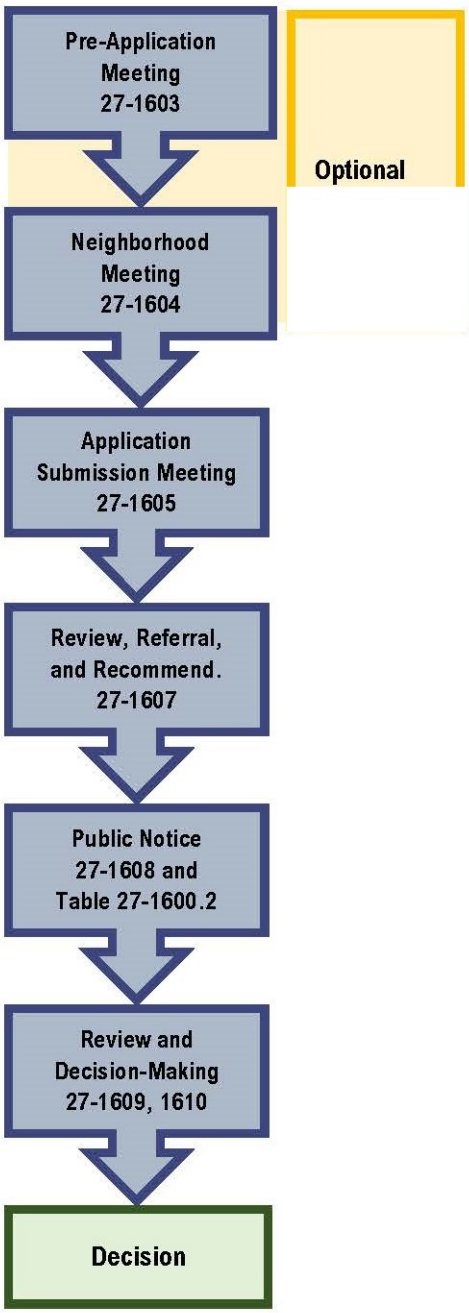
1. Each zoning district is primarily intended for a predominant type of use as identified in Table 27-1000.1.There are also a limited number of specific uses subject to special review that may or may not be appropriate in a particular district, depending upon all the circumstances of the individual use on the site and in context with surrounding development. Consideration of these uses includes examination of the location, nature of the proposed use, the character of the surrounding development, traffic capacities of adjacent streets, and potential environmental effects, and whether specific conditions can be applied to mitigate the potential negative impacts of the use. Special review uses are special exceptions to the general terms of this Zoning Code.

2. It is the intent of this section to provide a system of special review of such uses so that the community is assured that the uses are compatible with their locations and with surrounding land uses, and will further the purpose of this Zoning Code and the objectives of the City growth policies.

3. Only those uses identified as special review uses in Table 27-1000.1 may be approved pursuant to these procedures. If the zoning coordinator determines that a desired use is not included within the definition of a use listed as a special review use in Table 27-1000.1, and the use is not otherwise authorized by another provision of the Zoning Code, then the desired use may only be approved if:

   (a) This Zoning Code is amended to add the specific use to the district containing the subject property, or

   (b) The subject property is rezoned to a district where the use is listed as a permitted or special review use.



B. AUTHORITY

An application for a special review may be filed by the property owner, contract purchaser, or an owner or applicant's authorized agent.

C. PROCEDURES

1. Common Procedures

Common procedures for special review are identified in Table 27-1600.1 and are summarized here for applicant convenience.

2. Specific Procedures

(a) A neighborhood meeting is required per Section 27-1604.

(b) Notice shall be provided as follows:

(1) Publication: Notice of the application shall be advertised in a newspaper of general circulation at least 15 calendar days in advance of the date of the public hearing.

(2) Mail

a. The applicant and/or applicant's authorized agent shall be mailed notice of the public hearing date, time and place at least five calendar days prior to the date;

b. All the property owners within 300 feet of the exterior boundaries of the tract subject to the special review shall be mailed notice at least 15 calendar days in advance of the time, date, place and proposed use.

i. Where the subject property is within 300 feet of the city limits, the mailed notice area will be 600 feet.

ii. Where special review uses are subject to a separation requirement from other uses, the maximum separation distance will be the mail notice area.

iii. The zoning coordinator may notify property owners within a radius of more than 300 feet if the zoning coordinator determines that the proposed use would be such as to have a substantial environmental impact on the surrounding land uses;

(3) Posted: Place notice of the public hearing on the property subject to the special review at least 15 calendar days in advance of the public hearing. Additional posting may be required by the zoning coordinator for large parcels.

(c) The staff report for a special review use shall contain the following information:

(1) A summary of the comments received from the interdepartmental/agency review;

(2) Findings for each of the decision criteria listed in this section;

(3) A preliminary list of conditions if approval is recommended; and

(4) A recommendation to approve the application, approve it with conditions, or deny the application.

D. DECISION CRITERIA

The zoning commission shall only recommend approval or conditional approval and the city council shall only approve or conditionally approve a special review request if:

1. The special review use is consistent with the City's growth policy and applicable neighborhood plans, if any;
2. The establishment, maintenance, or operation of the special review use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
3. The site for the proposed use is adequate in size and topography to accommodate the use while meeting the other requirements of this Zoning Code, including zone district dimensions, landscaping requirements, and parking.
4. The special review use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
5. The special review use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
6. Conditions necessary to protect the public health, safety, and general welfare can be established, including but not limited to conditions on:
   (a) Regulation of the use;
   (b) Special setbacks, buffers, or screening;
   (c) Surfacing of parking areas;
   (d) Street, alley, or service road dedications, improvements, or bonds;
   (e) Regulation of points of vehicular ingress and egress;
   (f) Regulation of signs;
   (g) Regulation on the performance of the site, including noise, vibration, and odors;
   (h) Regulation of the hours of activities;
   (i) Timeframe for development
   (j) Duration of use; and
   (k) Other relevant conditions that will ensure the orderly development of the site.
7. Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided;
8. Adequate measures have been or will be taken to provide ingress and egress to minimize traffic congestion in public streets; and
9. The special review use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the city council.

E. REVIEW AND DECISION-MAKING

1. City Zoning Commission

(a) The zoning commission shall consider each application in accordance with the provisions of this section, and at a public hearing at which time the application has been legally advertised.

(b) The zoning commission shall make a recommendation to the city council to:

(1) Approve the application;

(2) Conditionally approve the application;

(3) Deny the application;

(c) Recommendations from the zoning commission shall be based on findings of fact for each criterion and shall be transmitted to the applicant or applicant's agent, and the city council within 15 calendar days of the date of the public hearing before the commission.

(d) The recommendation of the zoning commission shall be published in a newspaper of general circulation.

2. City Council Action

(a) At least 15 calendar days after the first publication of notice of the zoning commission recommendations, a public hearing shall be held by the city council.

(b) Before taking any action on an application for a special review use, the city council shall first consider the findings and recommendations of the zoning commission.

(c) The city council shall:

(1) Approve the application;

(2) Conditionally approve the application;

(3) Deny the application;

(4) Allow withdrawal of the application; or

(5) Delay the application for a period not to exceed 30 calendar days.

(d) If the application is approved, the applicant shall be notified in writing within 10 calendar days of the approval. The notification shall include:

(1) Identification of any conditions of approval;

(2) Automatic termination date; and

(3) Notification that permit issuance is contingent upon compliance with the conditions of approval.

(e) If the application is denied, it shall constitute a determination that the applicant has not shown that the decision criteria required for special review use approval have been satisfied. A decision to deny shall include the following:

(1) A statement that the application is denied;

(2) A description of the project, including acreage and proposed use characteristics;

(3) Findings for each of the decision criteria;

(4) A statement indicating that a denial does not limit the applicant's ability to resubmit a revised application for consideration;

(5) A statement that the decision may be appealed to a court of competent jurisdiction; and

(6) The date of the decision.

F. REQUIREMENTS OF APPROVAL

1. All of the conditions imposed by the special review use approval:
   (a) Constitute restrictions running with the land use;
   (b) Apply, are binding upon, and must be adhered to by the property owner and any successors, transferees, or assigns;
2. The right to building and occupancy permits are contingent upon the fulfilment of all conditions imposed by the special review use approval.

G. AMENDMENT TO APPROVED SPECIAL REVIEW USES

Uses that have been approved pursuant to a special review by the city council, may be allowed to expand or remodel without an additional special review, provided that the expansion or remodeling meets all of the following criteria:

1. The gross floor area of the remodeled or expanded establishment is not over 10 percent greater than the gross floor area originally occupied by the special review use;
2. The number of potential occupants is not increased by more than 10 percent over the number that is currently allowed;
3. The number of new parking stalls is not more than 10 percent greater than the original number of spaces; and
4. All other requirements of this Zoning Code and/or the BMCC are met.

H. EXPIRATION OF APPROVAL

1. Non-Establishment

A special review use shall expire one year after the date of issuance unless substantial work has commenced pursuant to the approval and continues in good faith to completion.

2. Non Use

If a special review use has been established but ceases to operate for more than six months, the special review approval shall expire.

SECTION 27-1624 TEMPORARY USE PERMIT

Temporary uses are processed through Section 27-1620, Permits.

SECTION 27-1625 WIND AND SOLAR FACILITIES

A. APPLICATION TYPES

Tier 2 wind and solar facilities are processed through Section 27-1629, Zoning Compliance Permit. Tier 3 wind and solar facilities are processed through Section 27-1623, Special Review Use.

B. ADDITIONAL INFORMATION

Both applications shall include the following information:

1. Approved net metering agreement(s) and copies of applications to or approved permit from applicable state and federal agencies.
2. A landscape plan showing that all areas occupied by the facility that are not utilized for access to operate and maintain the installation shall be planted and maintained with a native shade tolerant grass or other vegetation for the purpose of soil stabilization or other methods approved by the zoning coordinator.
3. A storm water management plan showing existing and proposed grading and drainage demonstrating no net increase in runoff.
4. A preliminary transportation plan describing ingress and egress to the proposed project site to deliver equipment and provide access during and after construction. Such plan shall describe any anticipated improvements to existing roads, bridges, or other infrastructure, as well as measures which will be taken to restore damaged or disturbed access routes following construction.
5. An environmental assessment that analyzes the impact of the proposed project regarding on-site and site-adjacent floodways, riparian corridors, open water, wildlife migration routes, protected habitat, protected plant species, and other environmentally sensitive areas as identified by the County, City, State, or federal government, along with proposed mitigation recommendations.
6. A decommissioning plan, compliant with MCA 75-26-301 where applicable, shall be prepared and submitted with zoning compliance permit or special review application. The plan shall address the following:
    (a) Defined conditions upon which decommissioning will be initiated (e.g., end of land lease, no power production for 12 months, etc.)
    (b) Removal of all non-utility owned equipment, conduit, structures, fencing, roads, and foundations and restoration of property to condition prior to development of the WECS. This shall include a revegetation plan. The applicant may propose retaining some site improvements, such as roads and infrastructure, subject to landowner consent and City approval.
    (c) Timeframe for completion of decommissioning activities, not to exceed one year.
    (d) Description and copy of any lease or any other agreement with landowner regarding decommissioning.
    (e) Name and address of person or party responsible for decommissioning.
    (f) Plans and schedule for updating this decommissioning plan.
    (g) A professional engineer's estimated cost of decommissioning, the financial resources to be used to accomplish decommissioning, and the escrow agent with which the resources shall be deposited. The decommissioning plan shall also include an agreement between the applicant and the City that:
        (1) The financial resources for decommissioning shall be in the form of a surety bond or letter of credit to be deposited in an escrow account with an escrow agent acceptable to the City.

(2) The City shall have access to the escrow account funds for the expressed purpose of completing decommissioning if decommissioning is not completed by the applicant within one year of the end of project life, inoperability of individual WECS turbine, or facility abandonment. Escrow funds may be used for administrative fees and costs associated with decommissioning.

(3) The City is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.

(4) The City is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the City's right to seek reimbursement from applicant, operator, or their successor(s) for decommissioning costs in excess of the amount deposited in escrow and to file a lien against any real estate owned by applicant, operator, or their successor(s), or in which they have an interest, for the amount of the excess, and to take all steps allowed by law to enforce the lien.

7. Before final electrical inspection, provide evidence that the decommissioning plan was recorded with the Billings City Clerk.

C. ANNUAL ACTIVITY STATEMENT

Following approval, all permit holders are required to submit an annual activity statement that confirms that the system is still active and compliant with the permit and that provides current owner and emergency contact information. This requirement shall not preclude the City from undertaking a separate compliance report where confirmation of data provided by the facility's operator is desired.

SECTION 27-1626 WIRELESS COMMUNICATION FACILITIES

A. APPLICATION TYPES

Wireless communication facilities are processed through Section 27-1629, Zoning Compliance Permit.

B. MINOR MODIFICATION PROCEDURES

1. Minor modifications to facilities permitted under these regulations shall be approved by the planning division so long as they comply with the original approved design.
2. Timeframe for Review. Subject to the tolling provisions of subparagraph 3. below, within 60 calendar days of the date on which an applicant submits an application seeking approval under this section, the City shall approve the application unless it determines that the application is not covered by this subsection, or otherwise in non-conformance with applicable codes.
3. Tolling of the Timeframe for Review. The 60-day review period begins to run when the application is filed, and may be tolled only by mutual agreement of the City and the applicant, or in cases where the zoning coordinator determines that the application is incomplete:

   (a) To toll the timeframe for incompleteness, the City must provide written notice to the applicant within 30 calendar days of receipt of the application, specifically delineating all missing documents or information required in the application;

(b) The timeframe for review begins running again when the applicant makes a supplemental written submission in response to the City's notice of incompleteness; and

(c) Following a supplemental submission, the City will notify the applicant within 10 calendar days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in Subsection 14.(c)(1). In the case of a second or subsequent notice of incompleteness, the City may not specify missing information or documents that were not delineated in the original notice of incompleteness.

(d) Failure to Act. In the event the City fails to act on a request for minor modification, within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The request becomes effective when the applicant notifies the City in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.

(e) Interaction with Telecommunications Act Section 332(c)(7). If the City determines that the applicant's request is not a request for minor modification, the presumptively reasonable timeframe under Section 332(c)(7), as prescribed by the FCC's Shot Clock order, will begin to run from the issuance of the City's decision that the application is not a request for minor modification. To the extent such information is necessary, the City may request additional information from the applicant to evaluate the application under Section 332(c)(7) reviews.

(f) In the event that after submittal of the application, or as a result of any subsequent submittals, applicant modifies the proposed facilities modification described in the initial application, the application as modified will be considered a new application subject to commencement of a new application review period; provided that, applicant and the approval authority may, in the alternative, enter into a mutually agreeable tolling agreement allowing the City to request additional submittals and additional time that may be reasonably necessary for review of the modified application.

4. Decision

The approval authority shall review a minor modification application to determine if the proposed facilities modification is subject to this section, and if so, if the proposed facilities modification will result in a substantial change to the physical dimensions of an eligible support structure.

(a) Within 60 calendar days of the date on which the City receives a minor modification application, less any time period that may be excluded under the tolling provisions of this section or a tolling agreement between the applicant and the approval authority, the approval authority shall approve the application and contemporaneously issue a minor modification permit unless the approval authority determines that the application is not subject to this section, or the proposed facilities modification will substantially change the physical dimension of an eligible support structure.

(b) Denial. A minor modification application shall be denied upon determination by the approval authority that the proposed facilities modification is not subject to this section or will substantially change the physical dimensions of an eligible support structure. A proposed facilities modification will substantially change the physical dimensions of an eligible support structure if it meets any of the substantial change criteria. A denial of a minor modification application shall set forth in writing the reasons for the denial and shall be provided to the applicant.

(c) Deemed Approved Application. An application that has been deemed approved shall be and constitute the equivalent of a minor modification permit, except as may be otherwise determined by a court of competent jurisdiction, and shall be subject to generally applicable enforcement and compliance requirements in the same manner as a minor modification permit issued pursuant to this section.

5. Term of Minor Modification Permit. A minor modification permit issued pursuant to this section, and any deemed approve application, shall be valid for a term of 180 calendar days from the date of issuance, or the date the application is deemed approved.

C. NEW SUPPORT STRUCTURE AND MAJOR MODIFICATION PROCEDURES

Applications for new support structures and major modifications to existing antenna support structures permitted under these regulations shall be approved through a special review. Major modifications are any modifications that exceed the definition of minor modifications and constitute a substantial change per Section 27-1007.C.3.

SECTION 27-1627 VARIANCES

A. APPLICABILITY

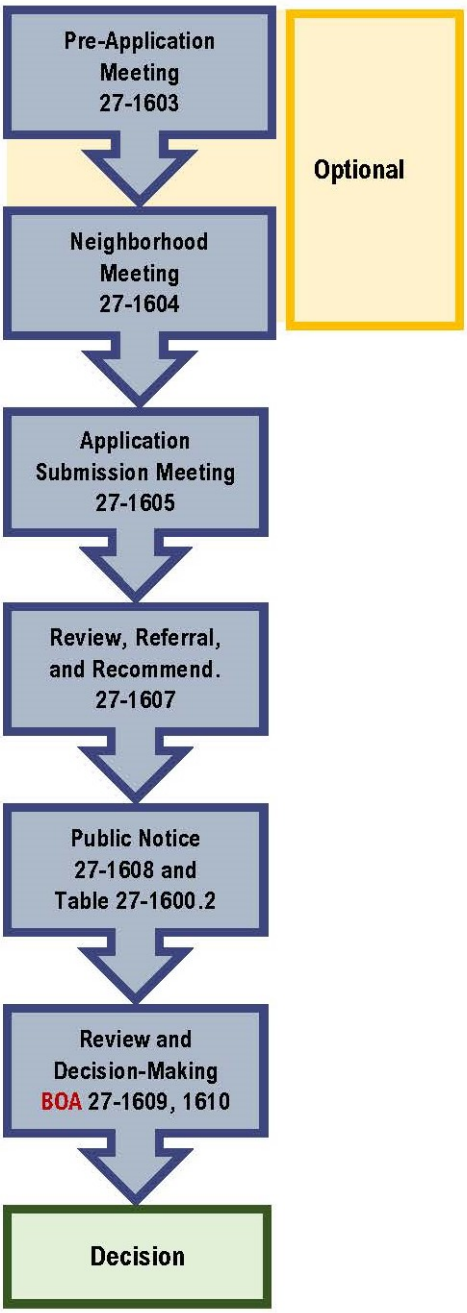
1. The board of adjustment (BOA) shall have the authority to grant a variance from the terms of this Zoning Code in specific cases where it is found that the granting of the variance will not be contrary to the public interest and where, because of special conditions with respect to the lot shape or topography, a literal enforcement of the provisions of the Code would result in unnecessary hardship.

2. The variance process may not be used to:

(a) Waive, modify or amend any definition or use classification;

(b) Waive, modify or otherwise vary any of the review and approval procedures of this Zoning Code; or;

(c) Waive, vary, modify or otherwise override a condition of approval or requirement imposed by another authorized board or commission.



B. AUTHORITY

A request for variance may be filed by a property owner or the owner's agent.

C. PROCEDURES

1. Common Procedures

Common procedures for variances are identified in Table 27-1600.1 and are summarized here for applicant convenience.

2. Specific Procedures

(a) Notice shall be provided as follows:

(1) Published: Place notice in a newspaper of general circulation at least 15 calendar days in advance of the date set for the public hearing;

(2) Mailed:

a. Notify the owner of the property and/or owner's agent at least five calendar days in advance of the hearing date;

b. Notify the property owners within 150 feet of the exterior boundaries of the subject property;

(3) Posted: Place a notice on the property at least 15 calendar days prior to the hearing date.

D. DECISION CRITERIA

Before the BOA grants a variance, it shall determine:

1. That special conditions and circumstances exist which are peculiar to the land, the lot or something inherent in the land which causes the hardship, and which are not applicable to other lands in the same district;
2. That a literal interpretation of the provisions of this Zoning Code would deprive the applicant of rights commonly enjoyed by other tracts in the same district;
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Code to other land in the same district;

4. That the granting of the variance will be in harmony with the general purpose and intent of this Zoning Code and with the growth policies;

E. REVIEW AND DECISION-MAKING

1. Whenever the city board of adjustment grants an application for a variance, the minutes shall specifically state the criteria upon which the variance is granted.
2. In granting any variance, the BOA may prescribe appropriate conditions and safeguards in conformity with this Zoning Code. Violation of such conditions and safeguards, when made a part of the terms upon which the variance is granted, shall be deemed a violation of this Zoning Code.
3. The BOA shall prescribe a time limit within which the action for which the variance is required shall be begun or completed, or both. Failure to begin or complete such action within the time limit set shall void the variance.
4. Under no circumstances shall the BOA grant a variance to allow a use not permissible under the terms of this chapter in the district involved. A variance shall not be a grant of special privilege inconsistent with limitations placed upon other property in the district.

F. POST-APPROVAL ACTION

A request for changes in conditions of approval of a zoning variance must be processed as a new variance application, including the requirements for fees, notices and hearings.

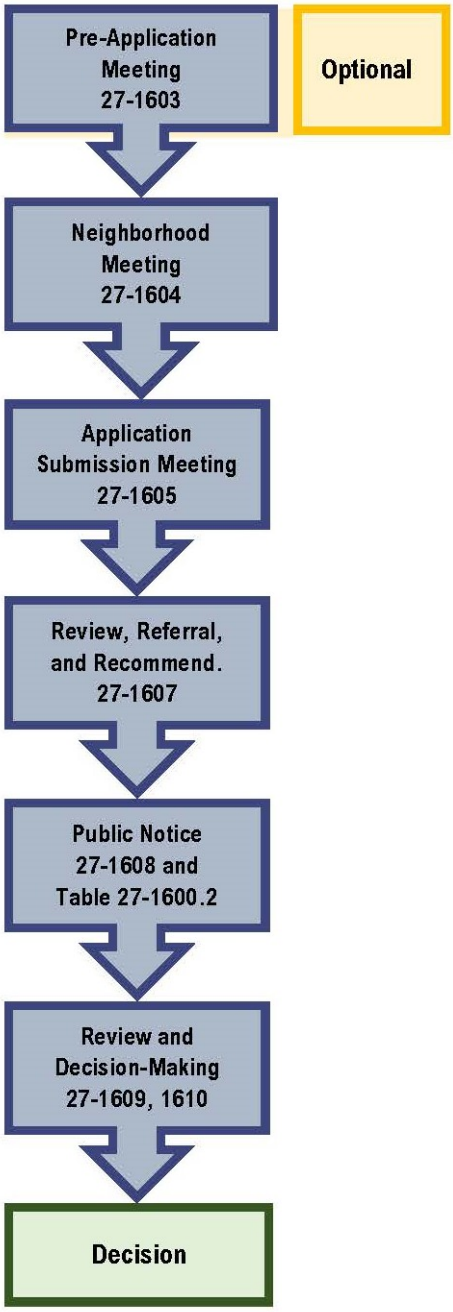
G. TRANSFERABILITY

Zoning variance approval runs with the land and is not affected by changes of tenancy, ownership, or management.

H. REAPPLICATION

If an application for a variance is denied by the BOA and not approved for reconsideration, another application shall not be filed within a period one year from the date of denial.

SECTION 27-1628 ZONE CHANGE



A. PURPOSE

This Zoning Code, including the official zoning map, may be amended by the city council.

B. INITIATION OF ZONE CHANGE

1. Text Amendment

Proposals to amend the text of this Zoning Code (text amendment), may be initiated by the city council, the zoning commission, or the Yellowstone County Board of Planning.

2. Zone Change (Map Amendment)

Unless initiated by the city council, all applications for zone change must be submitted by the owner of the subject property, the contract purchaser, or the authorized agent of the owner.

C. PROCEDURES

1. Common Procedures

Common procedures for review and decision of a zone change application are identified in Table 27-1600.1 and are summarized here for applicant convenience.

2. Specific Procedures

(a) A pre-application neighborhood meeting is required per Section 27-1604.

(1) The applicant shall provide a signed statement affirming the pre-application neighborhood meeting was conducted in conformance with the requirements of subsection 27-1604(b)(3), and the zone change application is based on material presented at the meeting. The signed statement shall include a copy of the meeting notice, any written materials provided to the surrounding property owners, a brief synopsis of the meeting results, a roster of the persons attending the meeting and audio or written minutes of the meeting .

(b) Notice of a zone change application shall be provided as follows:

(1) Publication: Notice of the application shall be advertised in a newspaper of general circulation at least 15 calendar days in advance of the date of the public hearing.

(2) Mailed notice shall be provided to the applicant and/or applicant's authorized agent and;

a. Where the subject property is equal to or more than 600 feet to exterior coterminous city limits: All property owners within a 300-foot radius. Where the subject property is less than 600 feet to exterior coterminous city limits: All property owners within 1,320 feet. Coterminous city limits do not include unincorporated islands within the city limits.

b. PD zone change: All property owners within 1,320 feet.

c. PND zone change: All property owners within 1,320 feet.

d. In addition to the notice above and before enacting on its own motion an amendment to the official zoning map, the city council shall provide written notification by mail of such amendment to each property owner whose name appears on the last tax record of the property subject to the amendment. The notification shall include what the proposed map amendment is, the time, date and place of the public hearing on the proposed amendment. Such notification shall be made at least 15 calendar days in advance of the date of public hearing.

(3) Posted: Place notice of the public hearing on the property subject to the special review 15 calendar days in advance of the public hearing.

(4) Notice of a text amendment shall be published in the same manner as the publication requirement of a zone change application.

(c) Public hearings shall be held for both the City zoning commission review and city council review of the request for zone change or text amendment.

D. DECISION CRITERIA

The review and decision-making bodies shall consider the following statutory criteria in making a recommendation or decision regarding a zone change application:

1. Whether the new zoning is designed in accordance with the growth policy;
2. Whether the new zoning is designed to secure from fire and other dangers;
3. Whether the new zoning will promote public health, public safety and general welfare;
4. Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;
5. Whether the new zoning will provide adequate light and air;
6. Whether the new zoning will affect motorized and nonmotorized transportation;
7. Whether the new zoning will promote compatible urban growth;
8. Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses;
9. Whether the new zoning will conserve the value of buildings; and
10. Whether the new zoning will encourage the most appropriate use of land throughout the City.

E. REVIEW AND DECISION-MAKING

1. City Zoning Commission Recommendation

(a) The City zoning commission shall make a recommendation to the city council to:

(1) Deny the application;

(2) Approve the application; or

(3) Allow the application to be withdrawn.

(b) Recommendations from the zoning commission shall be based on findings of fact and shall be transmitted to the applicant or applicant's agent, and the city council within 15 calendar days of the date of the public hearing before the zoning commission.

(c) The recommendation of the zoning commission shall be published in a newspaper of general circulation.

(d) The zoning commission may, by a majority vote of the members present, delay action for a period not to exceed 30 calendar days, without prejudice to the applicant. A report of the commission's recommendation and the zoning coordinator's findings and conclusions shall be submitted to the city council.

2. City Council Action

(a) The city council shall hold a public hearing within 20 calendar days after the publication of the zoning commission recommendation.

(b) Before taking action on a Zone Change application, and after presentation of the zoning commission report, the city council shall hold a public hearing on the application.

(c) An additional public hearing shall be held at second reading of the ordinance as required by BMCC Section 2-223.

(d) The city council shall:

(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 30 calendar days.

3. Protest Petition Triggers Supermajority Vote Requirement

As provided in MCA 76-2-305(2), in the event of a protest petition against such zone change signed by the owners of 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, 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.

(a) For purposes of this protest provision, each unit owner is entitled to have the percentage of the unit owner's undivided interest in the common elements of the

condominium, as expressed in the declaration, included in the calculation of the protest.

(b) If the property, as defined in MCA 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.

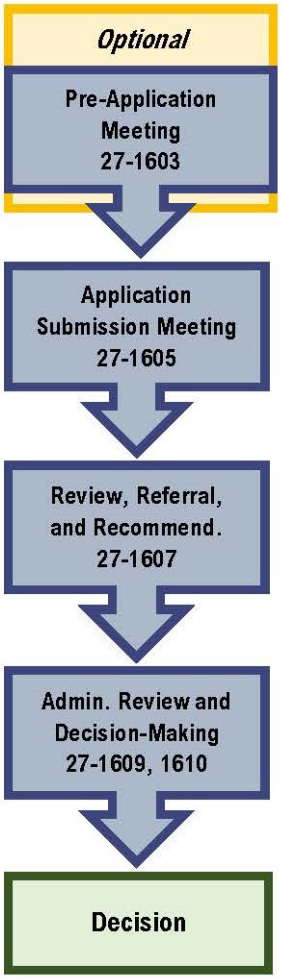
(c) The percentage of the unit owner's undivided interest must be certified as correct by the unit owner seeking to protest a change or by the presiding officer of the association of unit owners.

(d) The protest petition must be received in the planning and community services department office by 5:00 p.m. on the Friday preceding the first reading of the amendment by the city council.

SECTION 27-1629 ZONING COMPLIANCE PERMIT

A. APPLICABILITY

A zoning compliance permit is required prior to the start of construction for properties that are located within the unincorporated jurisdictional area. No land use may be established or changed in whole or in part; or no building or other structure shall be erected, moved, enlarged, rebuilt, added to, or structurally altered without first having received a zoning compliance permit.



B. AUTHORITY

A request for zoning compliance permit may be filed by a property owner or the owner's agent.

C. PROCEDURES

1. Common Procedures

Common procedures for review and decision of a zoning compliance permit are identified in Table 27-1600.1 and are summarized here for applicant convenience.

2. Specific Procedures

(a) Each application for a zoning compliance permit shall be accompanied by a site development plan, building elevations and any other information requested by the zoning coordinator to adequately review the proposed project.

(b) Commercial projects also require submittal of a landscaping plan and a site plan showing off-street parking, loading, etc.

(c) The zoning coordinator may waive the submittal requirements for some of the above-mentioned plans.

D. DECISION CRITERIA

1. The zoning coordinator shall determine that the permit is issued in compliance with the regulations set forth in this Zoning Code.
2. The review of a zoning compliance permit application shall be limited only to a review of the applicable zoning regulations and shall not constitute a review of compliance with any applicable building codes or other City, County, State, or Federal regulations.

E. REVIEW AND DECISION-MAKING

Zoning compliance permits are processed as an administrative decision pursuant to Section 27-1610.A.

F. LAPSE AND EXTENSION

Zoning compliance permits are valid for a period of six months from the date of approval and may be extended for an additional six months with written approval from the zoning coordinator.

ARTICLE 27-1700 VIOLATIONS, ENFORCEMENT, AND REMEDIES

SECTION 27-1701 ZONING OFFICIAL

It is the duty of the zoning coordinator to be the enforcement officer for all provisions of the Zoning Code unless otherwise expressly stated. The zoning coordinator may delegate tasks to members of the planning and community services department as appropriate.

SECTION 27-1702 DEFINITION OF VIOLATIONS

It shall be a violation of this Zoning Code to undertake any of the following activities. Each day that a violation is permitted to exist shall constitute a separate offense.

A. ACTIVITIES INCONSISTENT WITH CODE

Erect, construct, reconstruct, remodel, alter, maintain, expand, move, or use any building, structure, land/lot, or sign, or to engage in development of any land in contravention of any zoning or other regulation of this Zoning Code, including all required approvals.

B. NONCONFORMITIES INCONSISTENT WITH ZONING CODE

Create, expand, replace, or change a nonconforming use, structure, lot, or sign except in compliance with this Zoning Code.

C. MAKING LOTS OR SETBACKS NONCONFORMING

Reduce or diminish the required lot area, setbacks, or open space below the minimum required by this Zoning Code.

D. CHANGE OF USE

Change the use of any land, or any portion of a building, structure, or premises, except in accordance with the procedural and substantive standards of this Zoning Code.

E. ACTIVITIES INCONSISTENT WITH APPROVAL OR PERMIT

Engage in any development, use, construction, remodeling, or other activity of any nature in any way inconsistent with the terms and conditions of any permit, approval, or other form of authorization required to engage in such activity.

F. ACTIVITIES INCONSISTENT WITH CONDITIONS OF APPROVAL

Failure to comply with any terms, conditions, or limitations placed by the decision-making body upon any permit or approval.

G. FAILURE TO REMOVE SIGNS

Failure to remove, when notified to do so by the zoning coordinator, any sign installed, created, erected or maintained in violation of this Zoning Code.

H. OBTAINING PERMITS OR APPROVALS THROUGH MISREPRESENTATION

Obtaining any permit or approval listed in Article 27-1600, Administrative Procedures, or this section through misrepresentation, the use of misleading documents or testimony, or the withholding of information known to the applicant.

SECTION 27-1703 RESPONSIBILITY FOR VIOLATIONS

The following persons may be jointly and severally responsible for violations of this Zoning Code and subject to enforcement:

A. Any owner of property on which a violation of this Zoning Code occurs;

B. Any architect, engineer, builder, contractor, agent, or any other person who knowingly participates in, assists, directs, creates, or maintains a situation that constitutes a violation of this zoning ordinance; and

C. Any tenant or occupant who has control over, or responsibility for, use or development of the subject property.

SECTION 27-1704 PENALTIES FOR VIOLATION

The effective enforcement of adopted standards is necessary to accomplish their intended purpose. The City has a variety of options for the enforcement of this Zoning Code. The zoning coordinator may select the option which in their opinion is most suitable to the circumstance and violation. More than one enforcement option may be used to attain compliance with the standards of this Zoning Code when deemed appropriate. The remedies and enforcement powers established in this Zoning Code are cumulative, and the City may exercise them in any order and combination.

A. DENY/WITHHOLD PERMITS

Planning and Community Services and other agencies and departments of the City of Billings may deny and withhold all permits, certificates, or other forms of authorization to use or develop any land, structure, or improvements until the violation related to such property, use, or development is corrected. This provision shall apply whether or not the current owner or applicant for the permit is responsible for the violation.

B. PERMITS APPROVED WITH CONDITIONS

Instead of withholding or denying a permit or other authorization, the City may grant such authorization subject to the condition that the violation be corrected. The zoning coordinator will ensure that all conditions are being met by verifying the progress schedule or by conducting the final inspection.

C. REVOKE APPROVALS OR PERMITS

1. The City may revoke any development approval, permit, or other authorization when it is determined that either:

   (a) There is a material and substantive departure from the approved plans, specifications, or conditions of approval;

   (b) There is a violation of any provision of this Code;

   (c) The development approval or permit was obtained by false representation; or

   (d) The development approval or permit was issued in error.

2. If the recipient responds to a revocation letter with a written request for additional time supported by a plan-of-action letter that includes a site plan, progress schedule (if applicable) indicating the recipient is going to resolve all identified violations, and a proposed compliance date that is approved by the zoning coordinator, the zoning coordinator may, in their discretion, grant additional time extensions as reasonably required

to complete the remedy but such additional time extensions shall not exceed six months per extension.

3. Written notice of revocation shall be delivered by certified mail upon the property owner of record, the owner's agent, the applicant, or other person to whom the permit was issued or such notice may be posted in a prominent location at the place of the violation. No work or construction shall proceed after service of the revocation notice.

D. STOP WORK ORDER

1. With or without revoking permits, the zoning coordinator may issue an order to stop work on any property on which there is an uncorrected violation of either a provision of this Zoning Code or a provision of a permit or other form of authorization issued pursuant to this Zoning Code. The stop work order shall specify the Zoning Code section or other provisions being violated.
2. After any such order has been served, no work shall proceed on any building, other structure, or tract of land covered by such order, except to correct such violation or comply with the order.
3. The stop work order may be issued at the same time as a notice of the initial violation or subsequent to such notice.

E. STOP USE

Whenever a structure or part thereof is being used in violation of this Zoning Code, the zoning coordinator may order the use to be immediately stopped.

F. FORFEITURE AND CONFISCATION OF SIGNS

1. Any sign installed or placed on public property, except in compliance with the regulations of Article 27-1400, Signs, will be subject to forfeiture to the public and confiscation. In addition to other remedies and penalties of this section, the City has the right to dispose of signs illegally placed on public property and to recover from the sign owner, or person who placed the sign, the full costs of sign removal and disposal.
2. Violation of Article 27-1400 is a strict liability offense, meaning violation may occur without regard for whether the violator knew or should have known their actions violated the zoning code.

G. CRIMINAL PENALTIES (CURRENT)

1. Violation of the provisions of this Zoning Code or failure to comply with any of its requirements, including violations of conditions and safeguards established in connection with the grant of variances or special review uses or any of the required conditions imposed by the review authority, is a misdemeanor.
2. Each day such violation continues shall be considered to be a separate offense.

H. MUNICIPAL INFRACTION

1. Violation of this Zoning Code is a municipal infraction and may be punishable by a civil penalty as provided in BMCC Section 18-1300, in addition to other remedies of this section.
2. Each day such violation continues is considered a separate offense and punishable as such.

3. The determining factor for calculating the commencement of a violation with respect to the civil penalty is the receipt of service of the citation and not the judgment.

I. CIVIL ACTION

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this Zoning Code, or in violation of any ordinance made under authority conferred hereby, the proper authorities of the City may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, which action may be intended to restrain, correct, or abate such violation and, as necessary to prevent the occupancy of such building, structure, or land to prevent any illegal act, conduct, business, or use in or about such premises. Civil action may be taken in addition to any other remedies.

J. OTHER

The City may take any other action permitted by Montana law.

SECTION 27-1801 TERMS, CONSTRUCTION, AND INTERPRETATION

A. TERM INCLUSIONS

1. The term “person” includes a firm, association, organization, partnership, trust, company or corporation, as well as, an individual.
2. The term “used” or “occupied” includes the words “intended, designated, or arranged to be used or occupied.”
3. The term “lot” includes the words “plot,” “tract,” or “parcel.”
4. The term “building” includes the term “structure.”
5. The term zone means zone or zoning district.
6. The term County means Yellowstone County, Montana.
7. The term City means the City of Billings, Montana.

B. RULES OF CONSTRUCTION

The following words, terms and phrases, when used in this Zoning Code, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning.

1. Meanings and Intent

All provisions, terms, phrases, and expressions contained in this Zoning Code shall be construed according to this Zoning Code's stated purpose and intent. All provisions, terms, phrases, and expressions contained in this Zoning Code shall be construed according to the general and specific purpose statements set forth throughout this Zoning Code. When, in a specific section of this Zoning Code, a different meaning is given for a term defined for general purposes in this chapter, the specific section’s meaning and application of the term shall control.

2. Headings, Illustrations, and Text

In the event of a conflict or inconsistency between the text of this Zoning Code and any heading, caption, figure, illustration, table, or map, the text shall control.

3. Lists and Examples

Unless otherwise specifically indicated, lists of items or examples that use terms such as "for example," "including," and "such as," or similar language are intended to provide examples and shall not be interpreted as exhaustive lists of all possibilities.

4. Computation of Time

The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the City, the deadline or required date of action shall be the next day that is not a Saturday, Sunday, or holiday observed by the City. References to days are calendar days unless otherwise stated.

5. References to Other Regulations/Publications

Whenever reference is made to a resolution, ordinance, statute, regulation, or document, it shall be construed as a reference to the most recent edition of such regulation, resolution, ordinance, statute, regulation, or document, unless otherwise specifically stated.

6. **Delegation of Authority**
Any act authorized by this Zoning Code to be carried out by a specific city official or staff member may be carried out by a designee of such official. For example, the planning director may delegate the preparation of a staff report to a member of the planning division staff.

7. **Technical and Nontechnical Terms**
Words and phrases not otherwise defined in this Zoning Code shall be construed according to the common and approved usage of the language, but technical words and phrases not otherwise defined in this Zoning Code that may have acquired a particular and appropriate meaning in law shall be construed and understood according to such meaning.

C. RULES OF INTERPRETATION

1. **Mandatory and Discretionary Terms**
The words "shall," "must," or "will" are always mandatory, and the words "may" or "should" are always discretionary.

2. **Conjunctions**
Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

(a) "And" indicates that all connected items, conditions, provisions, or events shall apply; and

(b) "Or" indicates that one or more of the connected items, conditions, provisions, or events shall apply.

3. **Tenses and Plurals**
Words used in one tense (past, present, or future) include all other tenses, unless the context clearly indicates the contrary. The singular shall include the plural, and the plural shall include the singular.

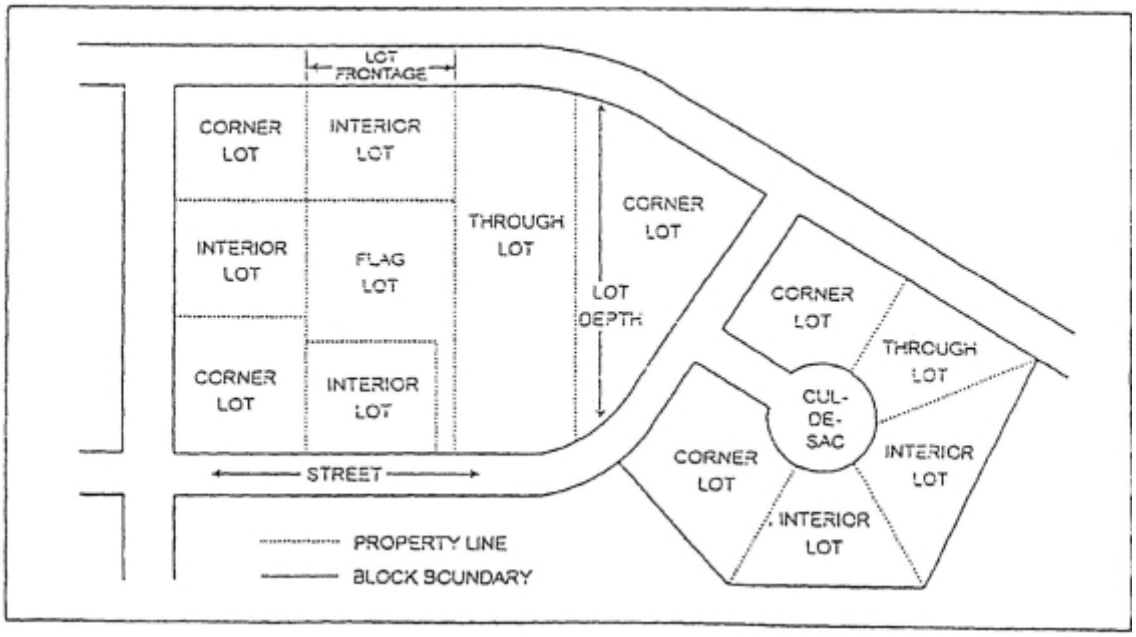
4. **Interpretation**
The zoning coordinator has authority to determine the interpretation or usage of terms used in this Zoning Code. Appeal of an interpretation made by the zoning coordinator shall be to the Board of Adjustment.

5. **Undefined Terms**
The zoning coordinator has the authority to provide the definition for a term where it is not defined in this Zoning Code. Appeal of a definition provided by the zoning coordinator shall be to the Board of Adjustment.

SECTION 27-1802 MEASUREMENTS AND ASSOCIATED TERMS

A. LOT AND STREET MEASUREMENTS AND TERMS

1. Lot: A tract of land, no matter how legally described whether by metes and bounds, Certificate of Survey and/or by lots and block designation as in a recorded plat.
2. Lot area: The total area circumscribed by the boundaries of a lot, except that when the legal description creating a lot extends into a street right-of-way and/or easement, then the lot boundary for purposes of computing the lot area shall be the interior boundary of the street right-of-way or easement.
3. Lot line: A line of record bounding a lot that divides one lot from another lot or from a public or private street, alley or other public space.
   (a) Front Lot Line: The lot line abutting a public or private front street.
   (b) Rear Lot Line: The lot line not intersecting a front lot line that is most distant from and most clearly parallel to the front lot line.
   (c) Side Lot Line: Any lot line that is not a front, street-side, or a rear lot line abutting an interior lot.
   (d) Street-Side Lot Line: The lot line abutting a public or private side or non-front street.
4. Lot types:
   (a) Corner Lot: A lot located at the intersection of two or more streets.
   (b) Interior Lot: A lot, other than a corner lot, with only one frontage on a street other than an alley.
   (c) Through Lot or Double Frontage Lot: A lot other than a corner lot with frontage on more than one street other than an alley.



5. Lot Width: Lot widths are measured along the minimum setback or minimum build-to line.

6. *Street.* A dedicated public or a private right-of-way (or portion thereof) intended for general public use to provide access through the area and to buildings and sites within the area. For the purposes of this zoning code, an alley is not a street.

   (a) Street, Front. On interior lots, the street abutting the lot; on corner lots, the street with more front doors and/or buildings fronting the street. Front streets are typically the streets along the longer faces of a block with multiple front entrances. Front streets receive priority over other streets in terms of setting front lot lines and locating building entrances.

   (b) Street, Side or Non-Front. The street abutting a lot that is not considered a front street.

7. *Yard:* An open space about a building, other than a courtyard, unoccupied and unobstructed from the ground to the sky, except as otherwise specifically provided in this zoning code.

   (a) Front Yard: A yard extending along the full length of the front lot line or lines and which is situated between a principal building and the front lot line or lines.

   (b) Rear Yard: A yard extending from the rear-building facade to the rear lot line between the side yards or, on a corner lot, the street-side and side yards.

   (c) Side Yard: A yard extending from the side-building facade along a side lot line between the front lot line and rear lot line. Also called an interior side yard.

   (d) Yard, Street-Side: A yard extending from the building facade along a side street lot line between the front yard and rear lot line.

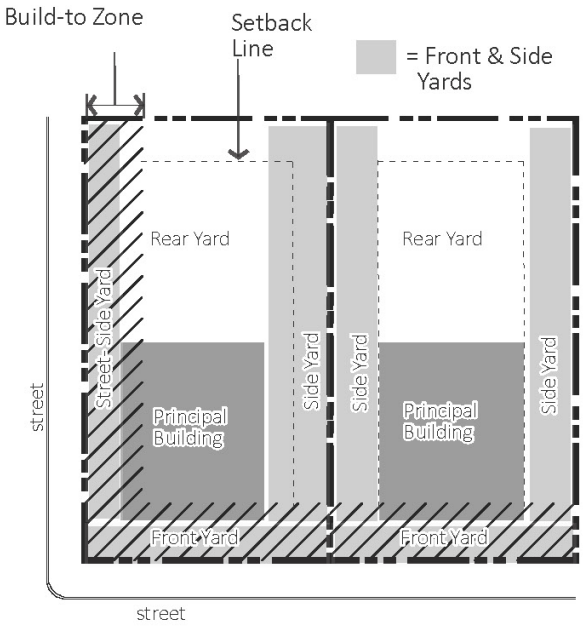


Figure 27-1800-2: Illustration of Yards

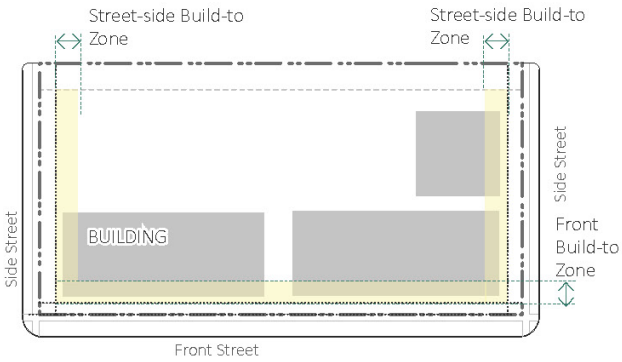


Figure 27-1800-3: Illustration of Build-to Zones

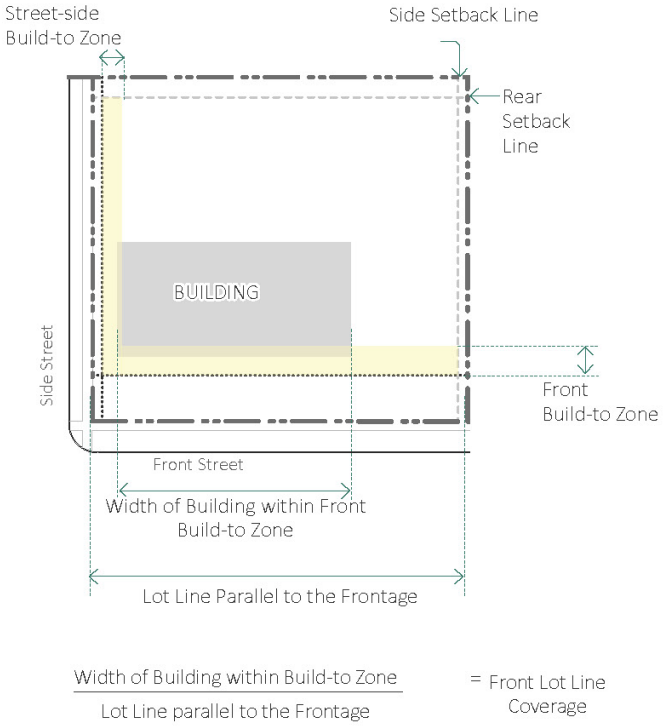


Figure 27-1800-4: Measuring Front Lot Line

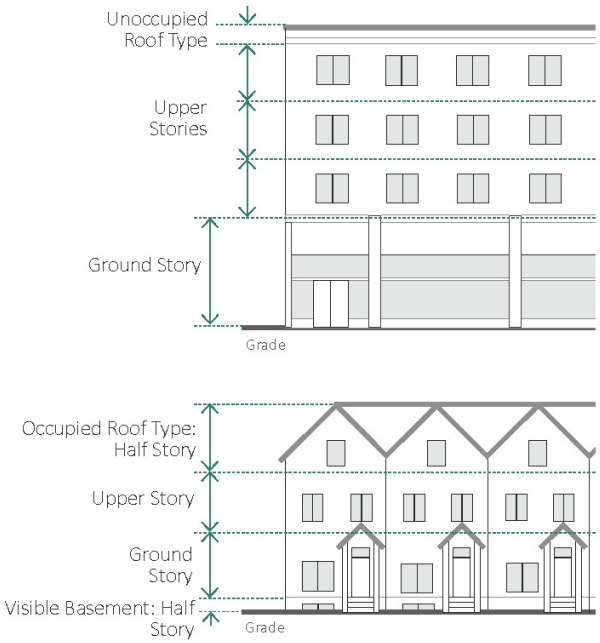


Figure 27-1800-5: Measuring Building Height

B. BUILDING AND PARKING SITING MEASUREMENTS AND TERMS

1. Building Coverage, Maximum

The maximum percentage of a yard or lot permitted to be covered by building and any other structures with a roof.

2. Build to Corner

Buildings are required to be located within the intersection of the front and street-side build-to zones at street corners.

3. Build-to Zones

The build-to zone, when required, is designated separately for each street frontage, front and street-side, in the site and structure regulations table for each district.

(a) Definition: An area in which the front or street side facade of a building shall be placed; it may or may not be located directly adjacent to a lot line. The zone dictates the minimum and maximum distance a structure may be placed from a lot line. Refer to Figure 27-1800-3.

(b) Measurement. The build-to zone for all frontages is measured from the lot line parallel to the frontage, unless otherwise stated in the building and site regulations. When additional streetscape area is required per the building and site regulations, the build-to zone is measured from the edge of the required streetscape onto the site.

(c) Height. The building located in the build-to zone must meet the minimum building heights. For example, if the minimum height of the building is two stories, then, at a minimum, the first two stories of the building from the ground up must be located within the build-to zone on the same vertical plane.

(d) Build-to Zone (BTZ) Averaging. The front setback average shall be calculated as follows:

(1) Measurement. The average of the front setbacks of the next two lots on each side of the lot on the same side of the street. If any applicable lots are vacant, the minimum front setback or build-to zone from the site and structure regulations of the district shall be used in the calculation.

(2) Corner Lots. For corner lots, the average of the front setbacks of the next two lots adjacent to the lot with the same street frontage as the lot in question. If any applicable lots are vacant, the minimum front build-to zone shall be used in the calculation.

4. Front Lot Line Coverage, Minimum.

(a) Definition. The minimum percentage of building facade along the front of a lot as designated in the site and structure regulations table for each district.

(b) Measurement. The width of the principal building, as measured within the build-to zone along the front lot line, is divided by the length of the frontage parallel to the front lot. Side yard and street-side yards are not included in the build-to zone area. Refer to Figure 27-1800-4. Minimum Front Lot Line Coverage.

(c) Courtyards. Where noted in the site and structure regulations for each district, courtyards, maximum of 30% of facade width or 30 feet wide, whichever is less, may count towards the

minimum front lot line coverage. The courtyard must be treated with landscape, patio, or sidewalk; no vehicular access or motor vehicle parking area is permitted in any courtyard.

(d) Parking and Driveways. Parking and driveways do not count towards the minimum front lot line coverage, unless otherwise stated.

5. Setback

(a) Definition. That distance measured from the lot or property line to the closest supporting point(s) or wall(s) of a structure or building.

(b) Encroachment or Projection. The distance any part of a structure extends beyond a building setback or a build-to zone. See Section 27-303 for a list of permitted encroachments in neighborhood districts.

6. Occupied Building Space

Interior building space regularly occupied by the building users; does not include storage areas, utility space, or parking.

7. Separation Between Buildings

Building separation is measured as the horizontal distance between buildings, measured along the shortest line that can be drawn between the exterior walls.

8. Surface or Accessory Parking Yard Locations

Surface parking lots and accessory parking structures or buildings are allowed in different yards per the site and structure regulations for each district. Limited parking for different yards is defined as follows:

(a) Limited Side Yard Parking. Where allowed, limited side yard parking is one double-loaded drive aisle of surface parking, perpendicular to the front lot line, with a maximum paving width of 65 feet, located in the side yard of the lot.

(b) Limited Front Yard Parking. Where allowed, limited front yard parking is one single-loaded drive aisle of surface parking, parallel to the front lot line, with a maximum paving depth of 40 feet, located in the front yard of the lot. The parking must be located on the building side of the drive aisle and curbed sidewalk is required between the parking and the building.

(c) Internal Parking Yard. Where multiple principal structures are located on a lot, the area between the buildings in the front portion of the lot and the buildings in the rear portion of the lot is referred to as the "internal yard" for the purposes of locating surface parking.

C. BUILDING HEIGHT MEASUREMENTS AND TERMS

1. General Terms

(a) Grade (adjacent ground elevation): The lowest point of elevation of the finished surface of the ground, or the lowest point of elevation of the finished surface of the ground between the exterior wall of the building and the property line, if the property line is less than five feet distance from the wall. In cases where walls are parallel to and within 20 feet of a public sidewalk, alley or other public way, the grade shall be the elevation of the sidewalk, alley, or public way.

(b) Story: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

(1) Story, ground: Also referred to as ground floor. The first floor of a building that is a full story typically level to or elevated above the finished grade on the front and corner facades and excluding basements and half stories.

(2) Story, half: An occupied story either in a visible basement of the building or an occupied story fully within the roof structure.

(3) Story, upper: Also referred to as upper floor. The floors located above the ground story of a building.

(c) Basement: If the finished floor level directly above a basement, cellar or unused under-floor space is more than six (6) feet above grade as defined herein for more than 50% of the total perimeter or is more than 12 feet above grade as defined herein at any point, such basement, cellar or unused under-floor space shall be considered a story. Refer to Figure 27-1800-6.

(d) Visible Basement. A basement that is between 3.5 feet and 6 feet exposed above adjacent finished grade along any street facade. Windows are required for visible basements on street facades. With more than 6 feet exposed, the space shall be considered a story per subsection (c), above.

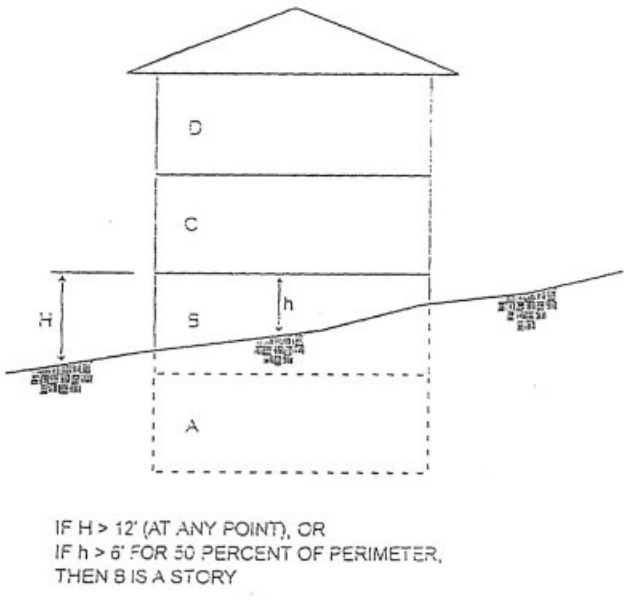


Figure 27-1800-6: Illustration of Basement

2. Overall Building Height

Refer to Figure 27-1800-5 Measuring Building Height in Stories and Stories with Floor-to-Floor Height.

(a) Minimum Overall Height. Minimum heights require a minimum number of stories on the front facades of the building. The building must meet the minimum required height for the first 20 feet of occupied building space measured from the front facade into the building.

(b) Maximum Overall Height. Maximum heights are specified in number of stories and/or a maximum dimension.

(1) This requirement applies to the entire building.

(2) Maximum overall height in feet is measured from grade vertically to the highest point of the structure, excluding any permissible height exceptions per this zoning code.

(3) Towers. Section 27-1802.E specified both where towers are allowed, and the permitted height by which towers may exceed the overall maximum height.

(c) Roof Types. Roof heights are measured per 27-1803.E and are additional to the allowable stories and floor-to-floor heights.

(d) Two Half Stories. A building incorporating both a half story within the roof and a visible basement shall count the height of the two half stories as one full story.

3. Story Heights

Where defined in the site and structure regulations tables per zone district, stories are measured with a range of permitted floor-to-floor heights. Refer to Figure 27-1800-5. Measuring Stories with Floor-to-Floor Height.

(a) Measurement. Story height is measured in feet between the subfloor of a story to the subfloor of the story above it. Minimum and maximum floor-to-floor heights are required to be met on floors along all front facades. See 27-1802.C.3(d), below, allowance for taller heights for such spaces as stairwells, mezzanines, and lobbies.

(b) Top Floor Measurement. For the uppermost story of a multiple story building, floor-to-floor height shall be one foot less than noted per site and structure regulations of the district and measured from the floor of the story to the ceiling, e.g. if the permitted floor-to-floor heights of an upper story range between 9 feet and 14 feet, the range for the topmost story of the building is 8 feet to 13 feet.

(c) Mezzanines. Mezzanines may be included within the floor-to-floor height of any story, included in the calculation of stories. Mezzanines occupying more than 30 percent of the floor area below and extending above the story's allowable floor-to-floor height shall count as an additional story.

(d) Taller Spaces. With the exception of stair and elevator spaces, spaces exceeding the allowable floor-to-floor heights of the building are not permitted on front facades. These spaces are unlimited on interior facades and non-front facades, but shall be counted as the number of stories that would fit within their height.

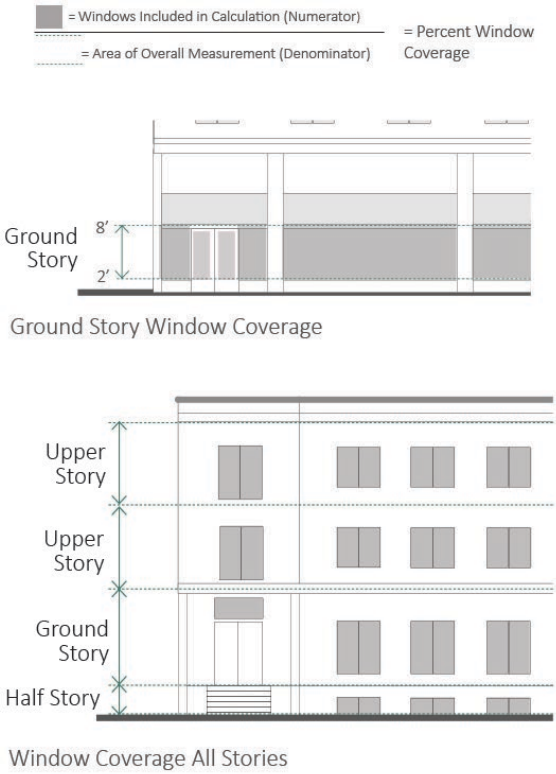


Figure 27-1800-7: Measuring Window Coverage

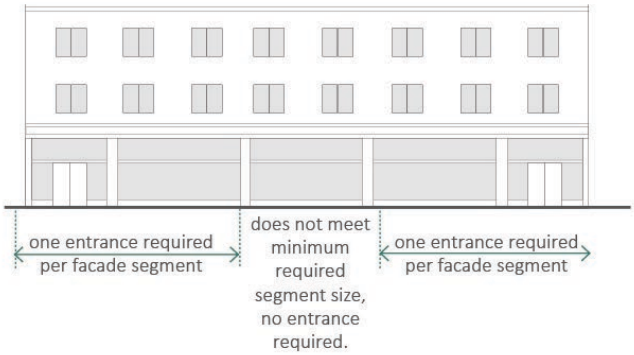


Figure 27-1800-8: Measuring Entrances

D. WINDOWS AND DOOR MEASUREMENTS & TERMS

1. Window & Door Coverage

The site and structure regulations for each zone district may define a minimum amount of window and door coverage required for designated facades and stories.

(a) Measurement. Minimum window and door coverage is measured from floor-to-floor of each story separately. Refer to Figure 27-1800-7. Measuring Window Coverage. Window and door coverage includes the area of any gross opening in the façade for a window or doors, but shall not include trim.

(b) Blank Wall Segments. The building regulations designate facades where blank wall limitations apply. Blank wall limitations means no facade section more than 15-foot in width, measured horizontally, and more than 30 percent of any story shall be without windows.

(1) Exception. When a facade of any story is located within three feet of a parallel building facade, no minimum transparency is required for that story.

(c) Minimum Ground Story Window and Door Coverage. When required separately by the site and structure regulations per zone district, ground story window and door coverage shall be measured between 2 feet and 8 feet from the average grade at the base of the facade. Minimum ground story window and door coverage supersedes the overall minimum window coverage required in the zone district site and structure regulations.

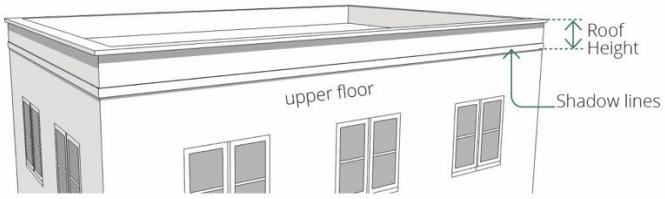
(d) Half Stories. For all mixed-use districts in 27-400, all half stories located within a roof structure or visible basements are required to meet the minimum window and door coverage.

2. Doors

Per the site and structure regulations of the districts, where a minimum number of required entrances must be spaced along a façade, the measurement shall be consistent with Figure 27-1800-8 Number of Required Entrances.

(a) Principal Entrance. A principal entrance is a public entrance, where the general public, residents, visitors, or the like may enter the space, as opposed to a delivery or service entrance where the public is not permitted.

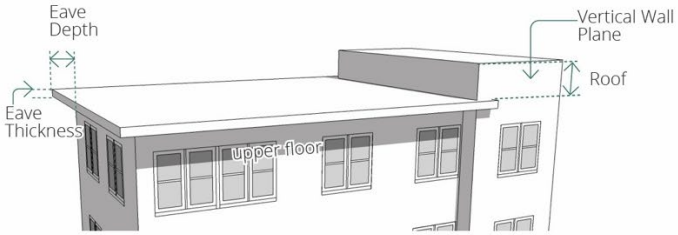
(b) Entrances-per-Façade-Segment Measurement. When an entrance is required per an increment of façade segment, that façade segment increment must be met before an entrance is required. For example, one principal entrance per every 60 feet of façade means that a façade that is 230 feet in length requires only three entrances (one per each of three 60-foot façade segments, and none required for the remaining 50 feet of façade).



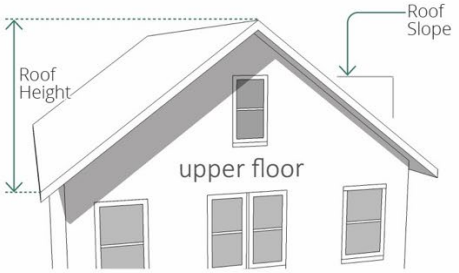
Example of a Parapet e



Parallel PItched

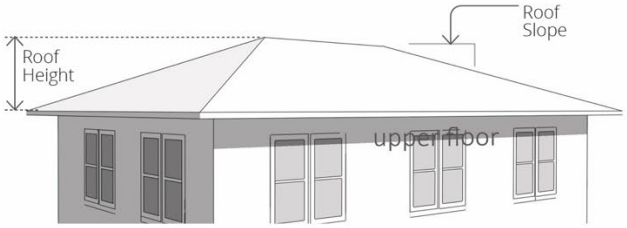


Example of a Flat Roof

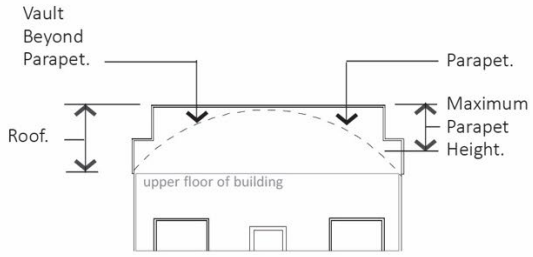


Pitched Gable Roof

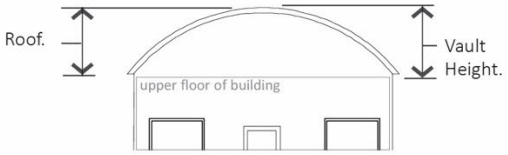
Examples of Pitched Roof



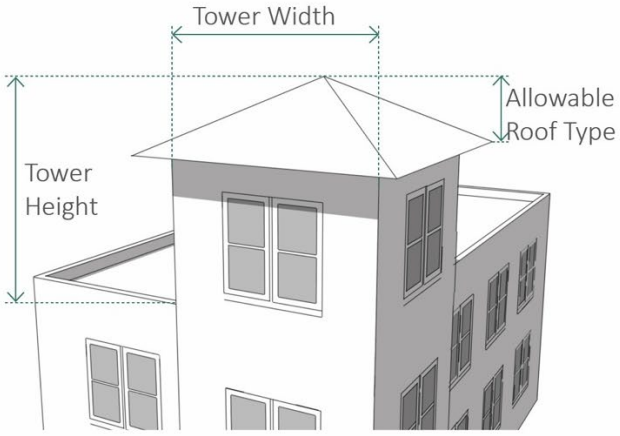
Low Pitched Roof (Hip Roof)



Barrel Roof with parapet.



Barrel Roof without parapet.



Example of a Tower

Figure 27-1800-9: Examples of Roof Types

E. ROOF MEASUREMENTS AND TERMS

As required by the site and structure regulations for each district, the major components of any roof shall meet one of the allowed roof types defined below. The roof type is required where the roof is visible from any street. Roofs for bay or bow windows, entrance canopies, and dormers are not required to meet a roof type.

1. Parapet Roof

A parapet is a low wall projecting above a building's roof along the perimeter of the building. Refer to Figure 27-1800-9 Example of a Parapet.

(a) Parapet Height. Height is measured from the top of the upper story to the top of the parapet. Minimum height is 2 feet with a maximum height of 6 feet.

(b) Occupied Building Space. Space within a parapet roof shall not be enclosed, occupied building space, but any open-air or canopied rooftop spaces are allowed.

(c) Rooftop Appurtenances. With the exception of solar panels, any rooftop appurtenances shall be located towards the rear or interior of the parapet roof. The parapet shall screen the mechanicals from the elevation of the sidewalk across the street.

2. Flat Roof

A flat roof is a visibly flat (may be sloped for drainage) roof with overhanging eaves on all street frontages. Refer to Figure 27-1800-9 Example of a Flat Roof.

(a) Eaves. Eave depth is measured from the building facade to the outside edge of the eave and shall have a depth of at least 14 inches. Eave thickness is measured at the outside edge of the eave, from the bottom of the eave to the top of the eave and shall be a minimum of 6 inches.

(b) Occupied Building Space. Space within or on a Flat Roof shall not be enclosed or occupied building space, but any open-air or canopied rooftop spaces are allowed.

(c) Rooftop Appurtenances. With the exception of solar panels, any rooftop appurtenances shall be located a minimum of 20 feet from any street façade and screened per Article 27-1200, Landscaping.

3. Pitched Roof

A sloped or pitched roof, where slope is measured with the vertical rise divided by the horizontal span or run. Refer to Figure 27-1800-9, Example of a Pitched Roof.

(a) Pitch Measure. The roof may not be sloped less than a 3:12 (rise: run) or more than 14:12.

(b) Configurations.

(1) Hipped, gabled, and combination of hips and gables with or without dormers are permitted.

(2) Butterfly (inverted gable roof) and shed roofs are permitted with a maximum height of 8 feet, inclusive of overhang.

(3) Gambrel and mansard roofs are permitted in the N districts. Minimum slopes apply to the topmost pitch of these roof types. Lower portions of these roof types must be sloped and not vertical. Space below these roofs counts as a full story.

(c) Parallel Ridge Line. A gabled end or perpendicular ridgeline shall occur at least every 100 feet of roof when the ridgeline runs parallel to the primary frontage.

(d) Roof Height. Roofs without occupied building space and/or dormers shall have a maximum height on primary and non-primary frontage facades equal to no more than 1.5 times the upper story floor-to-floor height utilized on the building.

(e) Occupied Building Space. Space may be incorporated within this roof. See definition of half story.

(f) Rooftop Appurtenances. With the exception of solar panels, any rooftop appurtenances shall be recessed within the pitched roof with no visibility on any street.

4. **Barrel Roof**

A barrel vaulted roof; may have a parapet on one or more facades. Refer to Figure 27-1800-8 Example of a Barrel Roof.

(a) Configuration. The barrel vault of the roof shall run perpendicular to the front facade. Eaves may or may not be utilized.

(b) Vault Height. The vault height shall not exceed half the vault width.

(c) Parapet. When a parapet wall screens the vault from the street, the parapet shall not extend more than six feet above the barrel vault.

(d) Occupied Space. Space may be incorporated behind this roof. See definition of half story.

5. **Other Roof Types**

Special roof designs otherwise not defined in this section may be approved through the Administrative Relief process per 27-1600 with the following requirements:

(a) The roof shall not create additional occupied space beyond that permitted by the site and structure regulations.

(b) The scale and type of the roof shall be consistent with the character of city and the area within which it is located.

(c) The shape of the roof shall be different from those defined in this section 27-1803.E, such as a dome, spire, or vault, and not a gabled roof, hipped roof, butterfly roof, gambrel roof, mansard roof, roof with parapet, or flat roof.

6. **Towers**

A tower is a rectilinear or cylindrical, vertical element, that must be used with other roof types.

(a) Quantity. One tower is permitted per building in any N district. In all other districts, unless otherwise stated, a maximum of one tower is allowed within the first 30 feet of the front façade. Additional towers may be allowed with Administrative Relief per 27-1600.

(b) Tower Height. Maximum height, measured from the top of the parapet or eave to the top of the tower, is the equivalent of the height of one upper floor of the building to which the tower is applied.

(c) Tower Width. Maximum width along all facades is one-third the width of the front facade or thirty feet, whichever is less.

(d) Horizontal Expression Lines. An expression line shall define the tower from the upper stories, except on single family or attached house residential Frontage Types (refer to BMCC Sec.27-904 for Frontage Types).

(e) Occupied Space. Towers may be occupied by the same uses allowed in upper stories of the Frontage Type to which it is applied.

(f) Application. May be combined with all other Roof Types.

(g) Tower Cap. The tower may be capped by the parapet, pitched, low pitched, or flat roof Roof Types, or a spire may cap the tower.

7. Spire

A spire is a long, tapering design element that can be attached to a tower or other Roof Type.

(a) Permitted Location. Spires are permitted only on civic and institutional buildings.

(b) Spire Height. Spire height is not limited.

(c) Spire Width. Maximum width, measured at the spire base is one-sixth (1/6) the width of the front facade or fifteen (15) feet, whichever is less. A wider spire base, proportionate in height, is subject to the approval the Zoning Coordinator.

(d) Occupied Space. Occupied space is not permitted within the spire.

(e) Application. May be combined with any other roof type.

F. OTHER GENERAL STRUCTURE MEASUREMENTS & TERMS

Antenna support structure height: The vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure including any attached antennae. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

Basement: Any story of a building having more than one-half (½) of its height below grade and which serves as substructure or foundation for the remainder of the building.

Gross floor area: The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Occupiable building space: Interior building space capable of occupancy by the building users. It does not include storage areas, utility space, or parking.

G. USE AND PROPERTY SEPARATIONS MEASUREMENTS

1. Separation Between Uses

(a) Use separation is measured from the nearest point of a structure or part of a multiple use structure occupied by the use requiring separation to the nearest property line occupied by a use from which the separation is to be effected or established.

(b) Only when a significant part of the use is operated outside of a completely enclosed structure shall a separation be measured from the nearest point of the lot occupied by the use requiring separation to the nearest property line occupied by a use from which the separation is to be effected or established.

2. Separation Between Properties

(a) Property separation is measured as the horizontal distance between property lines, measured along the shortest line that can be drawn between the subject property lines.

(b) Property separation along the street is measured as the horizontal distance between property lines, measured along the shortest route that follows the centerline of the street right-of-way between the nearest property lines of the subject properties.

H. VISIBILITY AT INTERSECTIONS

1. Definition of Clear Vision Area

(a) Design. Where a clear vision area is required by this section, no fence, hedge, wall, shrub, structure, or vision impediment over 30 inches in height shall be located within the required clear vision triangle except:

(1) Approved advertising signs, and public use controls and systems may be permitted in clear vision areas.

(2) Trees with a maximum trunk diameter of one foot measured four feet above the ground line, provided they are trimmed of all branches between the ground line and eight feet in height.

(b) Measurements and Exceptions. The following measurements shall apply unless provided otherwise in this section:

(1) The clear vision triangle shall be formed by the intersecting lines measured along the property lines.

(2) Height shall be measured above an established top-of-curb grade.

(3) Where the there is a curve coming into the intersection or the street alignment near the intersection deviates by more than five degrees from tangent, the site may be subject to increased (additional) restrictions based on technical review by the city traffic engineer.

2. Clear Vision Areas at Intersections Outside of CBD

(a) Controlled Intersections. On corner lots at intersections where one or more approaches are controlled by a stop sign, yield sign, or a traffic signal, a triangular clear vision area shall be provided as defined in Table 27-1802.1.

Table 27-1802.1: Clear Vision Areas at Controlled Intersections

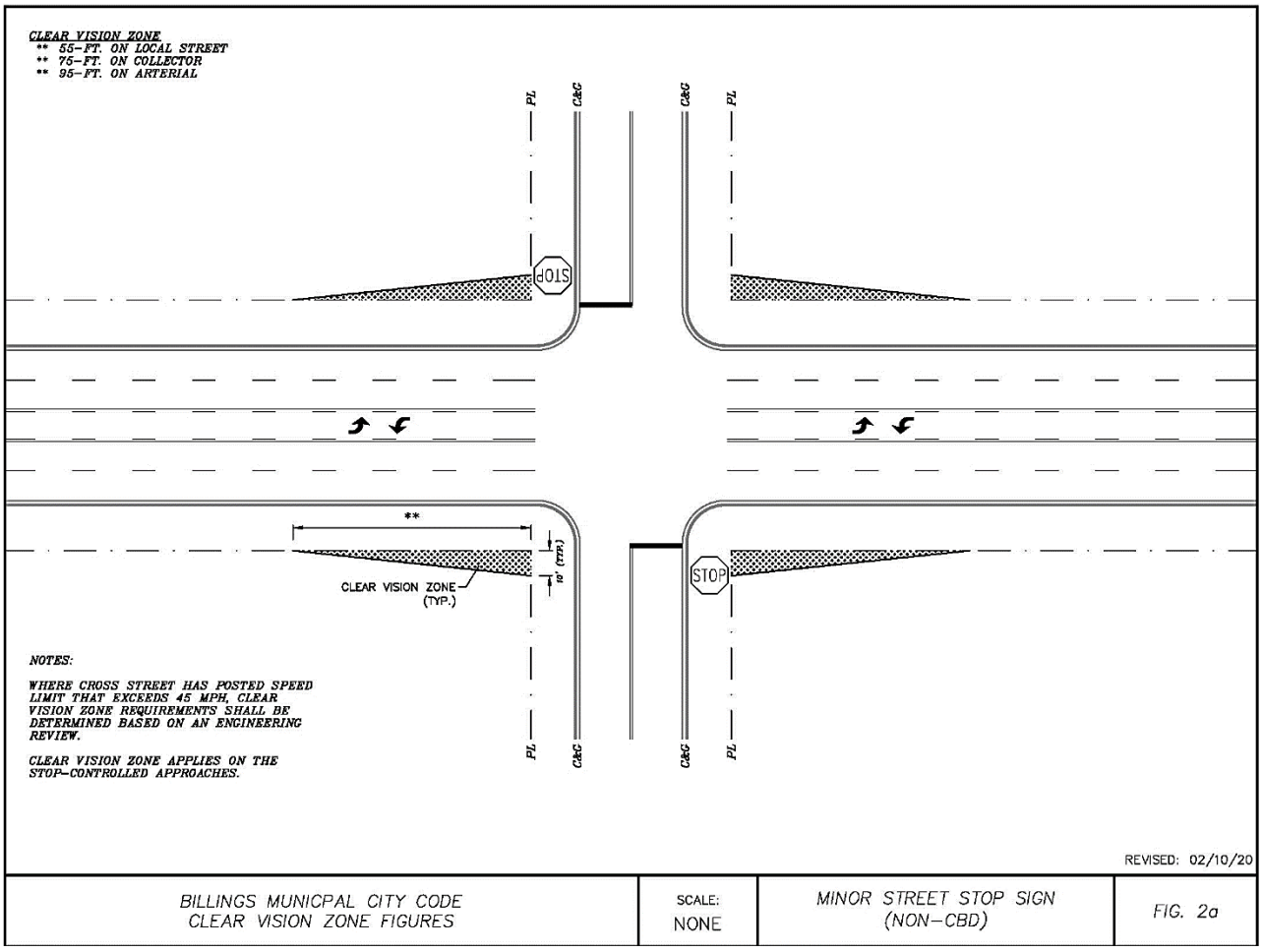
Intersection Type	Clear Vision Area Required	Illustrated in Figure(s)
Controlled [1]		
Minor Street Stop [2,3]	Entering a Local Street—10′ × 55′ (along property lines)	2a
	Entering Collector Street—10′ × 75′ (along property lines)	
	Entering Arterial Street—10′ × 95′ (along property lines)	
All-Way Stop	20′ × 20′ along property lines	2b
Yield	25′ × 60′ along property lines	2c

Table 27-1802.1: Clear Vision Areas at Controlled Intersections

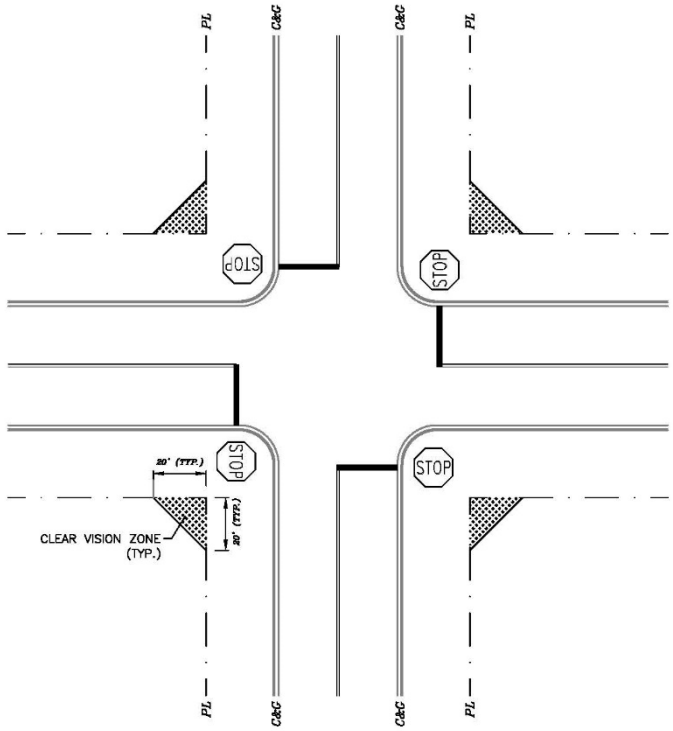
Intersection Type	Clear Vision Area Required	Illustrated in Figure(s)
Traffic Signal	Same as minor street stop looking toward approaching traffic in nearest travel lanes Same as all-way stop looking opposite direction	2d
Notes		
[1] Along private streets where there is no property line, controlled intersection areas shall be measured as though there is a property line 12 feet behind the curbline of the private street. [2] For minor street stop (case 2a) entering a street with a posted speed limit greater than 45 mph, the required clear vision area will be based on an engineering review subject to approval by the city traffic engineer. [3] Along arterial and collector streets where the "major" street curbline is more than 20 feet from the property line, the clear vision area may be reduced to that provided for a stop controlled local street intersection.		

(b) Controlled intersection types and figures:

(1) Minor Street Stop Control. Any intersection where one or more approaches is controlled by a stop sign. See Figure 2a



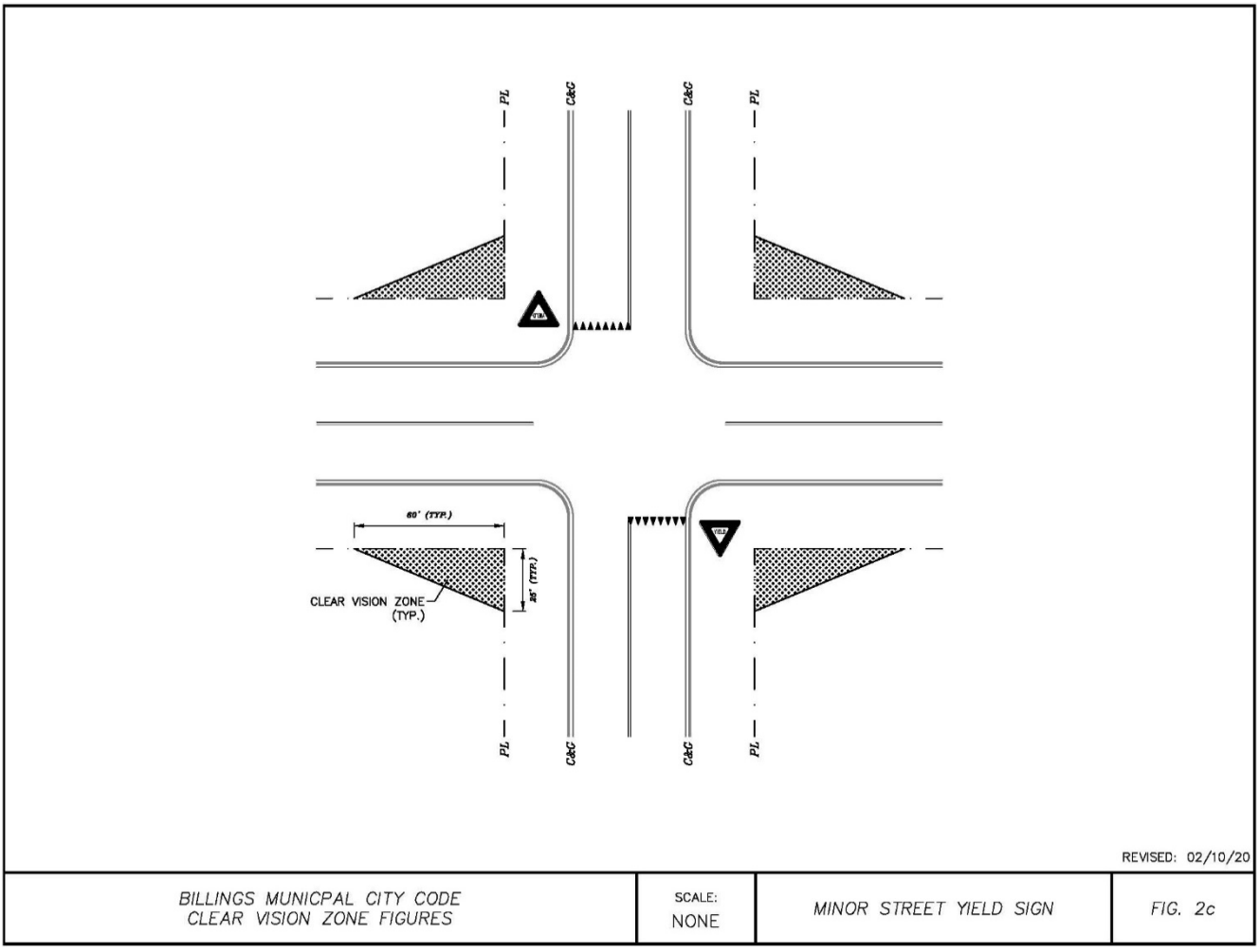
(2) All Way Stop Control. Any intersection where all approaches are controlled by stop signs. See Figure 2b.



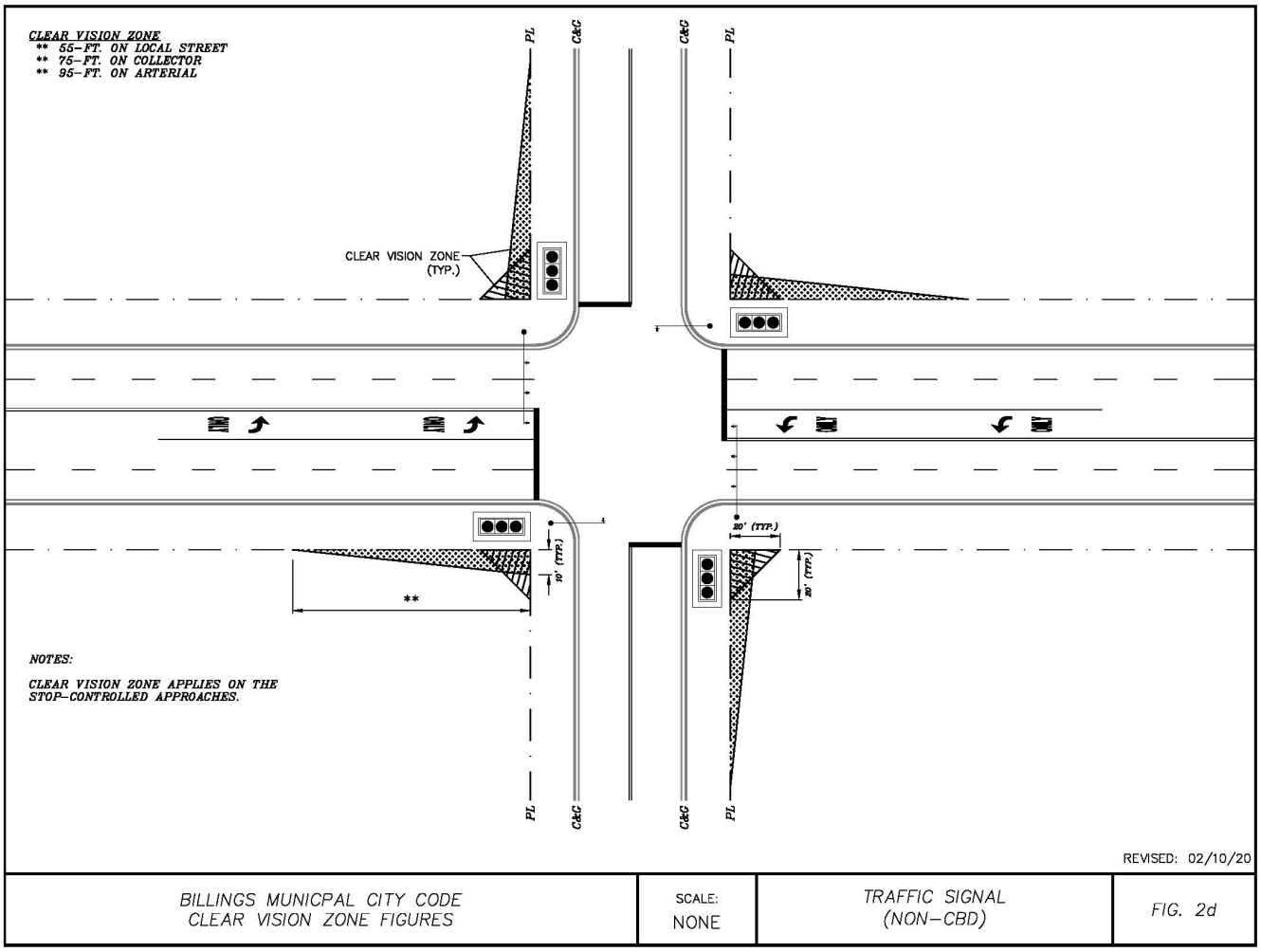
REVISED: 02/10/20

BILLINGS MUNICPAL CITY CODE CLEAR VISION ZONE FIGURES	SCALE: NONE	ALL–WAY STOP SIGN	FIG. 2b

(3) Yield Control. Any intersection where one or more approaches is controlled by a yield sign. See Figure 2c.



(4) Traffic Signal Control. Any intersection where traffic is controlled by traffic signals. See Figure 2d.



3. **Uncontrolled Intersections**
On corner lots at the intersection of all streets in the CBD, a triangular clear vision area shall be provided as defined in Table 27-1802.2.

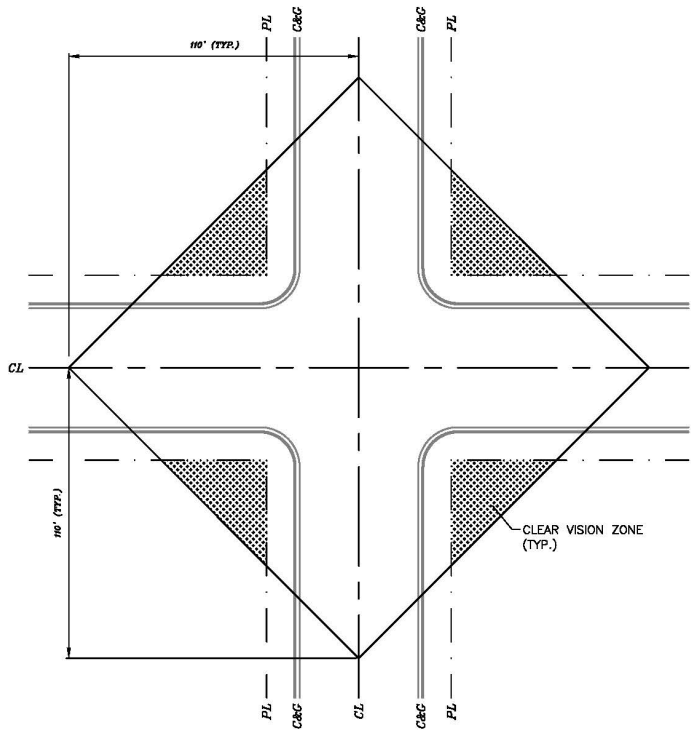
Table 27-1802.2: Clear Vision Areas at Uncontrolled Intersections

Intersection Type	Clear Vision Area Required	Illustrated in Figure(s)
Uncontrolled (Open)		
4-Legged	110′ × 110′ along street centerline	3a
2-legged	80′ × 80′ along street centerlines (extended)	3b
"T" intersection	25′ along stem × 60′ along top of "T" measured along property lines	3c
Notes		

(a) The clear vision triangle shall be formed by the intersecting street centerlines and a straight line joining such intersecting lines at points measured back from the point where the centerlines or the extension of the centerlines intersect a distance as established in Table 27-1802.2.

(b) Uncontrolled intersection types and figures:

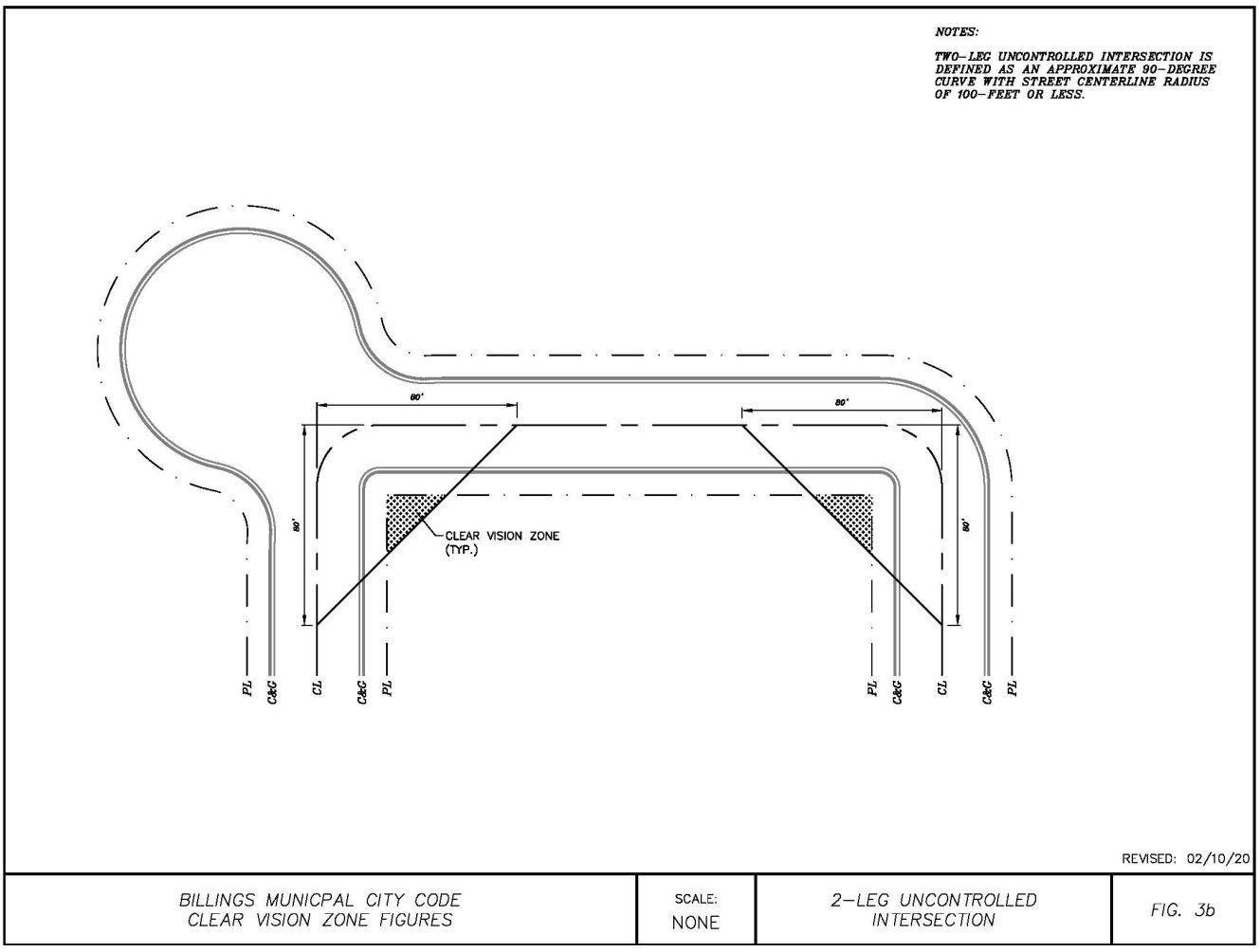
(1) Uncontrolled 4-Legged Intersection. Any intersection where none of the approaches are controlled by a stop sign, yield sign or traffic signal. See Figure 3a.



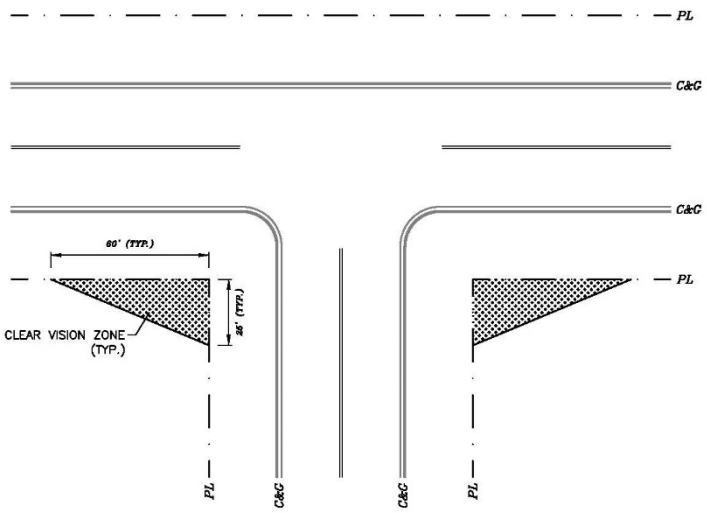
REVISED: 02/10/20

BILLINGS MUNICPAL CITY CODE CLEAR VISION ZONE FIGURES	SCALE: NONE	UNCONTROLLED INTERSECTION	FIG. 3a

(2) Uncontrolled 2-Legged Intersection. Any intersection with a right angle curve with street centerline radius of 100 feet or less. See Figure 3b.



(3) Uncontrolled “T” Intersection. See Figure 3c. Only applies to "permanent" T-intersections where there is no chance of the street extending through. Intersections where the property along the top of the "T" is not subdivided or is split into lots significantly larger than the majority of lots in the subdivision, or where there is a private street extending into the adjacent property opposite the stem of the "T" will be treated as a four-legged intersection.



REVISED: 02/10/20

BILLINGS MUNICPAL CITY CODE CLEAR VISION ZONE FIGURES	SCALE: NONE	PERMANENT "T"–INTERSECTION	FIG. 3c

4. **Clear Vision Area at Driveways and Alley Approaches Outside of CDB**

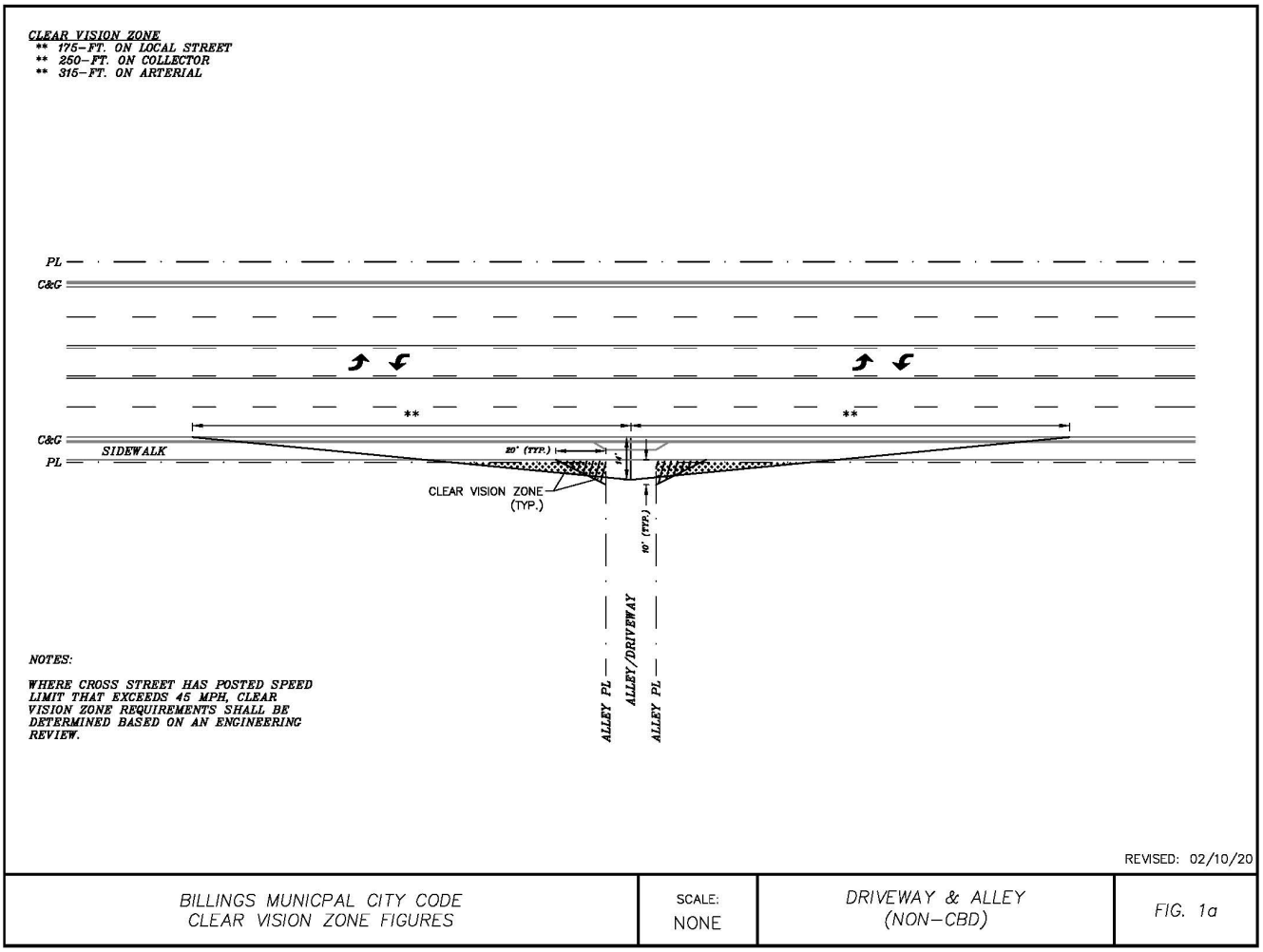
(a) At the intersection of any alley or any driveway and a public street outside of the central business district, the illustrated clear vision area shall be maintained as defined in Table 27-1802.3.

(b) If no sidewalk exists, all measurements shall be made from and along the property line.

Table 27-1802.3: Clear Vision Areas at Driveways and Alleys Outside of CBD

Clear Vision Area for:	Clear Vision Area Required	Illustrated in Figure(s)
Vehicular Traffic	Entering local street —Triangle measured along centerline of the driveway or alley 14 feet from back of curb by 175 feet along the curb line or the extension of the curb line on the cross street.	1a
	Entering collector street —Triangle measured along centerline of the driveway or alley 14 feet from back of curb by 250 feet along the curb line or the extension of the curb line on the cross street.	
	Entering arterial street —Triangle measured along centerline of the driveway or alley 14 feet from back of curb by 315 feet along the curb line or the extension of the curb line on the cross street. [1]	
	For driveways entering a street with a posted speed limit greater than 45 mph, the required clear vision area will be based on an engineering review subject to approval by the city traffic engineer.	
Pedestrian Traffic	Triangle 10 feet from back of walk into property measured along the edge of the drive, and 20 feet along the back of sidewalk measured from the edge of the driveway.	1a
Notes		
[1] For commercial driveways the point of reference for "centerline" shall be the actual marked centerline separating inbound and outbound traffic when there are two or more exit lanes.		

(1) Clear vision area figure(s):



5. Central Business District Intersections

(a) On corner lots at intersections within the central business district a triangular clear vision area as defined in Table 27-1802.4.

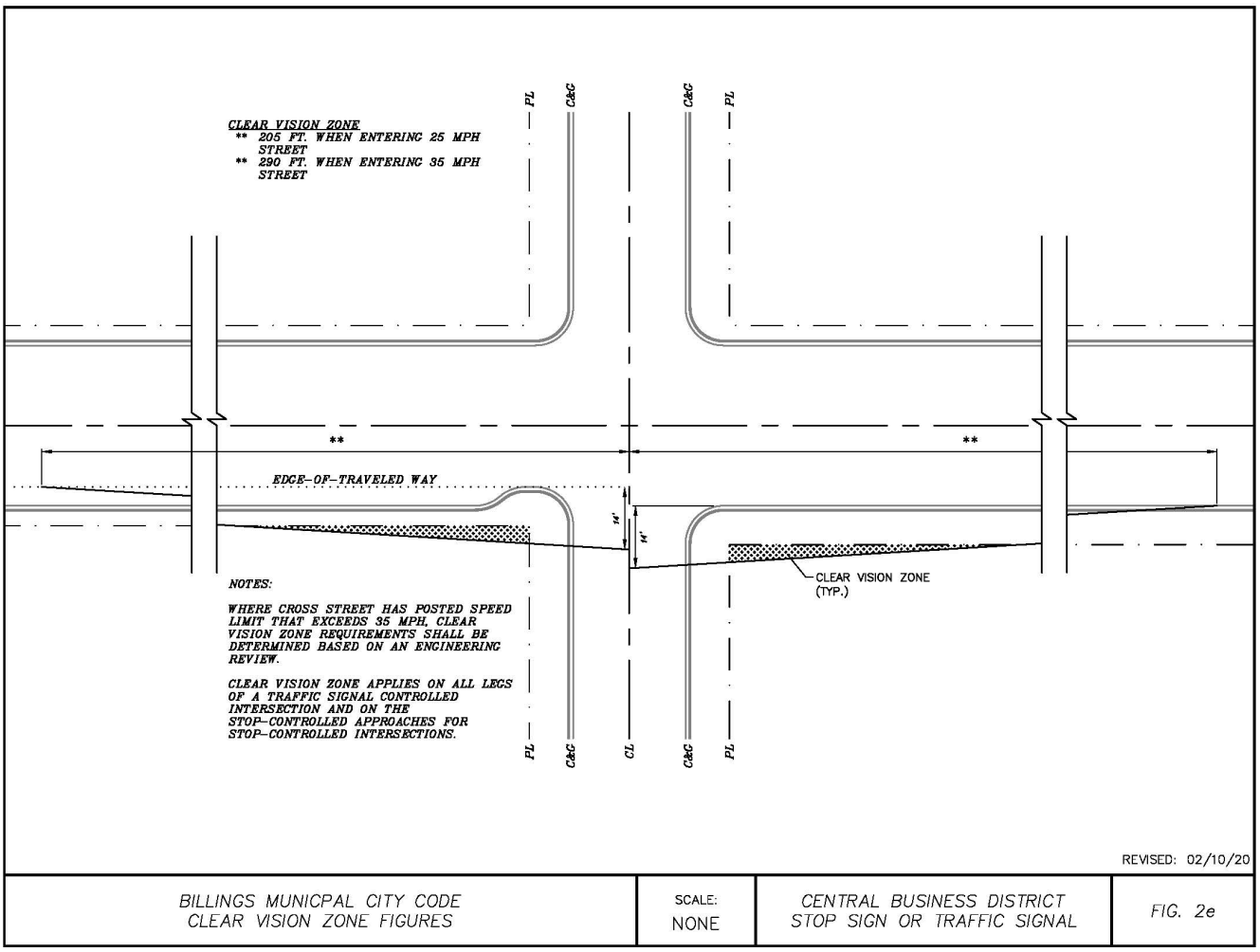
Table 27-1802.4: CBD Clear Vision Areas at Intersections

Intersection Type	Clear Vision Area Required	Illustrated in Figure(s)
Stop Sign or Traffic Signal	Entering 25 mph Street—Triangle 14 feet along centerline on the stop controlled approach measured from back of curb on the intersecting street by 205 feet along the curbline or the extension of the curb on the cross street	2e
	Entering 35 mph Street—Triangle 14 feet along centerline on the stop controlled approach measured from back of curb on the intersecting street by 290 feet along the curbline or the extension of the curb on the cross street	
	Entering street with speed limit above 35 mph—the required clear vision area will be based on an engineering review subject to approval by the city traffic engineer	
Yield	The required clear vision area will be based on a site specific engineering review subject to approval by the city traffic engineer	None
Uncontrolled/Open	The required clear vision area will be based on a site specific engineering review subject to approval by the city traffic engineer	none
Notes		

(b) In cases where the clear vision area at intersections extends two feet or less on to private property, the city engineer is authorized to review and may waive the clear vision area.

(c) Intersection Types

(1) Stop Sign or Traffic Signal. Any intersection within the central business district where traffic is controlled by stop signs or traffic signals See Figure 2e.



(2) Yield Controlled. Any intersection where one or more approaches is controlled by a yield sign.

(3) Uncontrolled. Any intersection where none of the approaches are controlled by a stop sign, yield sign or traffic signal.

6. Driveway or Alley in CBD

(a) On the street side of all lots within the central business district where an alley or driveway enters the street right-of-way, a vehicular and pedestrian clear vision area shall be maintained as defined in Table 27-1802.5.

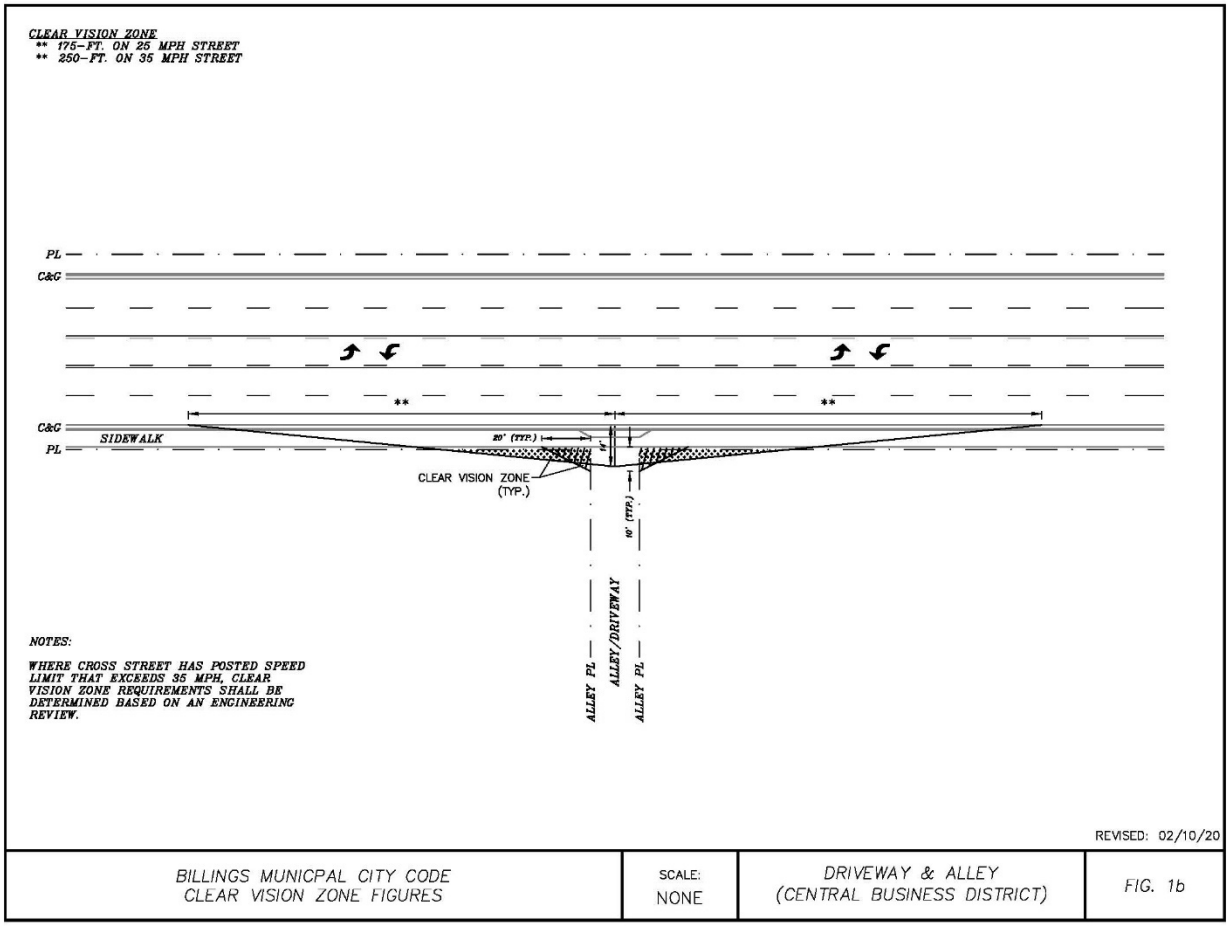
(b) The clear vision area for alleys and driveways shall not apply to buildings or pertinent parts thereof within the central business district.

(c)

Table 27-1802.5: CBD Clear Vision Areas at Driveways and Alleys

Clear Vision Area for:	Clear Vision Area Required	Illustrated in Figure(s)
Vehicular Traffic	Entering 25 mph Street—Triangle measured along centerline of the driveway or alley 14 feet from back of curb by 175 feet along the curbline or the extension of the curbline on the cross street	1b
	Entering 35 mph Street—Triangle measured along centerline of the driveway or alley 14 feet from back of curb by 250 feet along the curbline or the extension of the curbline on the cross street	
	Entering street with speed limit above 35 mph—the required clear vision area will be based on an engineering review subject to approval by the city traffic engineer	
Pedestrian Traffic	The clear vision area is defined by a triangle 10 feet along edge of alley or driveway and 20 feet along back of sidewalk	1b
Notes		

(d) Clear vision area figure:



SECTION 27-1803 DEFINITIONS

A. A TERMS

AM: Amplitude-modulated broadcasting in the frequency band 535-1, 705 Kilohertz.

Abandon/Abandoned: The cessation of a use or structure for a specified period of time as evidenced through discontinuance, non-operation, vacation of the structure or property, or lapse of business license. Casual, intermittent, temporary, or illegal use of land or buildings shall not be construed to establish or continue a nonconformity subject to abandonment. Neither the existence of fixtures or equipment, nor the continued payment of rent, mortgage, or utilities shall evidence a continuing use.

Abandoned antenna support structures: Any antennae or antenna support structures that are not used for the provision of wireless communications services for a continuous period of six months shall be considered abandoned.

Abandoned Sign: A sign that meets the criteria for abandonment in Section 27-1410.

Abut (or Abutting): To touch or share a contiguous boundary or border.

Adjacent: Lying near or in the immediate vicinity, e.g. across a street or alley, or diagonally across from.

Access Point Sign: A sign located at a motor vehicle access point to a property.

Accessory: A use, building or structure, part of a building or other structure, which is subordinate to, and the use of which is incidental to that of the main building, structure or use on the same lot, including a private garage.

> *Attached accessory structure*: Any structure or building which has any roof or wall in common with the principal structure. For purposes of zoning, an attached accessory structure is considered part of the principal structure.
>
> *Detached accessory structure*: Any structure or building which does not have any roof or wall in common with any principal structure or building. For purposes of zoning, a detached accessory structure must maintain a minimum distance of six feet from any other building or structure.

Accessory dwelling unit: A residential unit that is located on the same lot as a primary residential dwelling unit, either internal to or attached to the primary residential dwelling unit or in a detached structure.

Accessory Equipment (Wireless Communication Facilities): Any equipment serving or being used in conjunction with a WCF, including, but not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or other structures.

Adult day care center: An adult day care center is a facility that provides the staff assistance to clients that each requires for activities of daily living, including but not limited to eating, walking, and grooming in accordance with the requirements of the Montana Department of Public Health and Human Services.

Adult foster family care home: See Community residential facilities.

Adult Entertainment Terms:

> Adult arcade means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one (1) time, and where the images so displayed are distinguished or characterized

by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas."

Adult bookstore or adult video store means a commercial establishment that, as one (1) of its principal business purposes, offers for sale or rental for any form of consideration any one (1) or more of the following:

Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, video reproductions, slides, or other visual representations which are characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas"; or

Instruments, devices, or paraphernalia that are designed for use in connection with "specified sexual activities."

Adult cabaret means a commercial establishment that regularly features:

Persons who appear nude or in a state of nudity or semi-nudity; or

Live performances that are characterized by the exposure of specified anatomical areas or by the exhibition of specified sexual activities;

Adult motel means a hotel, motel, or similar commercial establishment which:

Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by an emphasis on the depiction or description or "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions;

Offers a sleeping room for rent for a period of time that is less than 10 hours; or

Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than 10 hours.

Adult motion picture theater means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown which are characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas."

Religious assembly means a building which is used primarily for religious worship and related religious activities, including but not limited to churches, convents, monasteries, shrines, and temples.

City means the City of Billings, Montana.

Establishment means and includes any of the following:

The opening or commencement of any sexually oriented business as a new business;

The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business;

The additions of any sexually oriented business to any other existing sexually oriented business; or

The relocation of any sexually oriented business.

Nudity or a state of nudity means:

The appearance of a human bare buttock, anus, genitals, areola or nipple of the female breast, or

A state of dress that fails to opaquely and fully cover human buttocks, anus, genitals, pubic region, or areola or nipple of the female breast.

Sexually oriented business means an adult arcade, adult bookstore, adult cabaret, adult video store, adult motel, or adult motion picture theater.

Specified anatomical area means the male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals.

Specified sexual activities means and includes any of the following:

The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;

Sex acts, whether actual or simulated, including: intercourse, oral copulation, or sodomy;

Masturbation, actual or simulated; or

Excretory functions as part of or in connection with any of the activities set forth in this list of specified sexual activities.

Transfer of ownership or control of sexually oriented business means and includes any of the following:

The sale, lease, or sublease of the business;

The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange or similar means; or

The establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

Agricultural use: The use of a tract of land for the production of plants, animals or horticultural products for commercial purposes, including but not limited to: forages; grains and feed crops; dairy animals and dairy products; poultry and poultry products; beef cattle, sheep and swine; bees and apiary products; trees and forest products; fruits, nuts and berries; vegetables; or nursery, floral, ornamental and greenhouse products. Agricultural use shall not include commercial greenhouses and those lands that are used for recreational purposes, suburban residential acreages, rural home sites and yard plots whose primary function is for residential or recreational purposes even though such properties may produce or maintain some of those plants or animals listed in the foregoing definition. This definition shall include equipment and/or facilities necessary to prepare agricultural products for transport to market but shall not include equipment and/or facilities for the processing of a raw agricultural product into a value-added agricultural product.

Air transportation courier and freight services: facilities for handling freight, with or without storage and maintenance facilities.

Alterations: A change or rearrangement of the structural parts of existing facilities, or an enlargement by extending the sides or increasing the height or depth or the moving from one location to another. In buildings for business, commercial, industrial or similar uses, the installation or rearrangement of partitions affecting more than one third of a single floor area shall be considered an alteration.

Alternative financial services: The use of a site for the provision of alternative financial services such as vehicle title loans, check cashing, payday advance/payday loan, or money transfer as defined below. An alternative

financial services establishment does not include state or federally chartered banks, savings and loans, and credit unions. An alternative financial establishment does not include an establishment that provides financial services that are accessory to another main use.

Check cashing business. An establishment that provides one or more of the following:

a. An amount of money that is equal to the face of the check or the amount specified in the written authorization for an electronic transfer of money, less any fee charged for the transaction;

b. An agreement not to cash a check or execute an electronic transfer of money for a specified period of time; or

c. The cashing of checks, warrants, drafts, money orders, or other commercial paper for compensation by any person or entity for a fee.

Payday advance/loan business. An establishment that makes small consumer loans, usually backed by a postdated check or authorization to make an electronic debit against an existing financial account, where the check or debit is held for an agreed-upon term, or until a customer's next payday, and then cashed unless the customer repays the loan to reclaim such person's check. Such establishments may charge a flat fee or other service charge and/or a fee or interest rate based on the size of the loan amount.

Money transfer business. An establishment that transfers funds for a fee.

Vehicle title loan business. An establishment that makes small consumer loans that leverage the equity value of a car or other vehicle as collateral where the title to such vehicle is owned free and clear by the loan applicant and any existing liens on the car or vehicle cancel the application. Failure to repay the loan or make interest payments to extend the loan allows the lender to take possession of the car or vehicle.

Amateur radio antenna: A ground-, building- or tower-mounted antenna operated by a federally licensed amateur radio operator as part of the Amateur Radio Service, 49 CFR § 97 and as designated by the Federal Communications Commission (FCC).

Amateur radio antenna support structure: Any structure or device specifically designed, constructed and/or erected for the purpose of attaching, mounting or otherwise affixing amateur radio antennae. The term includes the structure and any support thereto.

Ambient light monitor: A device that is attached to an electronic message display that measures on a continuous basis the brightness of light surrounding the sign. The monitor is connected to the system that controls the brightness of the electronic message display. The brightness is then automatically adjusted based on the measured ambient light.

Amusement, indoor: Uses that provide commercial recreation or amusement indoors (except adult entertainment), including but not limited to: bowling alleys and poolrooms; indoor sports arenas, movie theaters and live theaters; indoor skating rinks (ice or roller); video arcades; and shooting arcades

Amusement, outdoor: Uses that provide commercial recreation or amusement outdoors (except adult entertainment), including but not limited to: drive-in movie theater; amusement park or theme park; fairgrounds; miniature golf establishments; golf driving ranges; water slides; and batting cages.

Antenna (Wireless Communication Facilities): Any structure or device used for the purpose of collecting or transmitting electromagnetic waves, including but not limited to directional antennae, such as, but not limited to, panels antennas, reflecting discs, microwaves dishes, and satellite dishes, and omni-directional antennae, such as whip antennae, or other similar devices and configurations, and exterior apparatus designed for telephone, radio, or television communications through the sending and/or receiving of wireless communications signals, but not including satellite earth stations.

Animated display sign: A sign that employs the illusion of motion or light and/or color changes achieved through electronic means. Video display is not included in the activities that create animation.

Apartment house: See Dwelling, multiple-family.

Applicant: A person who formally requests action pursuant to this Zoning Code. Where the term applicant is used, the applicant's legal agent is also included. For the purposes of wireless communication facilities, applicant means any person that submits an application to the City to site, install, construct, collocate, modify, and/or operate a wireless communications facility.

Arboretum/botanic gardens/zoo: a group of uses that provide educational and cultural services to the public as part of their scientific collection and study of the subject that is the purpose of the establishment.

Area of sign: The total dimensions of a sign surface used to display information, copy, and/or symbols. See Section 27-1404 for sign measurement regulations.

Assembly: A room or place such as a ballroom, auditorium, party room, gaming room, or convention hall that is intended or used to accommodate people in a group and is further divided into the following types:

> *Civic*: A building or structure, or group of buildings or structures, that by design and construction are primarily intended for the conducting of organized meetings, or other activities and accessory uses associated therewith, for non-commercial purposes.
>
> *Entertainment and Trade*: A building or portion thereof used for groups of people to gather for an event, or regularly scheduled program. General assembly uses include arenas, auditoriums, banquet facilities, conference and reception centers, concert halls and theaters.
>
> *Religious:* A facility or area for people to gather together for public worship, religious training, or other religious activities including a church, temple, mosque, synagogue, convent, monastery, or other structure, together with its accessory structures, including a parsonage or rectory. This use does not include home meetings or other religious activities conducted in a privately occupied residence. Accessory uses may include meeting rooms and childcare provided for persons while they are attending assembly functions. Schools and other childcare services are not accessory uses and shall require approval as separate principal uses.

Attached sign: A sign that is attached or affixed to a building, including awning signs, canopy signs, marquee signs, projecting signs, roof signs, wall signs, and window signs.

Auction house: An establishment where the real or personal property of others is sold by a broker or auctioneer to persons who attend scheduled sales or events.

Automobile or vehicle salvage or wrecking yard: The dismantling or wrecking of motor vehicles or trailers, or the storage, sale or dumping of dismantled, or partially dismantled, obsolete, or wrecked vehicles or their parts or any establishment or place of business which is maintained or used for the storage, keeping, buying

or selling of wrecked, scrapped or dismantled motor vehicles or motor parts. The presence on any lot or parcel of land of two or more motor vehicles, which, for a period exceeding thirty days, have not been capable of operating under their own power and from which parts have been removed for reuse or sale, shall constitute a salvage or wrecking yard.

Awning: A roof-like cover that projects from the wall of a building for the purpose of shielding a doorway or window from the elements. An awning is either permanently attached to a building or can be raised or retracted to a position against the building when not in use.

Awning sign: Any sign that is a part of or attached to any awning.

B. B TERMS

Banner sign: Any sign made of cloth, paper, or fabric of any kind that is attached any structure, staff, pole, rope, wire, or framing that is anchored on two or more edges or at all four corners. Banners are temporary signs that are used to attract attention, whether or not imprinted with words or characters. Banners do not include flags.

Bars, taverns: An establishment where alcoholic beverages are served on the premises and where the total sales of alcohol exceeds the total sales of food.

Base Station (Wireless Communication Facilities): A structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The definition of base station does not include or encompass a tower as defined herein or any equipment associated with a tower. Base station does include, without limitation:

1. Equipment associated with wireless communications services such as private broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul that, at the time the relevant application is filed with the City and has been reviewed and approved under the applicable zoning or siting process or under another state or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support; and

2. Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplied, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems ("DAS") and small-cell networks) that, at the time the relevant application is filed with the City, has been reviewed and approved under the applicable zoning or siting process or under another state or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.

The definition of base station does not include any structure that, at the time the relevant application is filed with the City does not support or house equipment described in paragraphs 1 and 2 above.

Beacon: Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

Bed and breakfast inn: means a private, owner- or manager-occupied residence that is used as a private residence but in which: (a) breakfast is served and is included in the charge for a guest room; and (b) the number of daily guests served does not exceed 18.

Billboard sign: A freestanding pole sign with a sign area of 70 square feet or larger that typically advertises products or services not sold or distributed on the premises on which the sign is located.

Board: The Board of Adjustment of the City of Billings.

Boarding, animal: The feeding, housing, and exercising of animals not owned by the owner of the property and for which the property owner may receive compensation.

Boarding or lodging house: Buildings in which separate sleeping rooms are rented that provide sleeping accommodations for three or more persons on a weekly, semimonthly, monthly, or permanent basis, whether or not meals or central kitchens are provided but without separated cooking facilities or kitchens within each room, and whose occupants do not need professional nursing or personal-care services provided by the facility. Boarding houses shall not be construed to mean rest homes or convalescent homes. This definition shall also exclude "Bed and Breakfast Inns".

Boat sales area: See Vehicle sales area.

Broadcast antenna: A ground-, building- or tower-mounted antenna operated as a land mobile radio service or as a broadcast radio and/or television service as defined by the Federal Communications Commission (FCC) under Code of Federal Regulations and subsequent title amendments:

(a) Title 47, PART 90 (47 CFR § 90)—Private Land Mobile Radio Services;

(b) Title 47, PART 73 (47 CFR § 73) Radio Broadcast Services, which includes AM, FM, and Television Services; and

(c) Title 47, PART 74 (47 CFR § 74) Experimental Radio, Auxiliary, and Special Broadcast and Other Program Distributional Services.

Broadcast antenna support structure: Any structure or device specifically designed, constructed and/or erected for the purpose of attaching, mounting or otherwise affixing antennae. Antenna support structures may include, but are not limited to, self-supporting lattice towers, guyed towers, or monopole towers. In this section, the term applies to land mobile radio service and broadcast radio and television transmission antenna support structures. The term includes the structure and any support thereto.

Broadcast antenna or tower farm: A tract of land that contains three (3) or more broadcast or land mobile radio service antenna support structures, any two (2) are spaced no more than seven hundred fifty (750) linear feet of each other. Legal tracts must be adjacent to each other to be included in this definition. The term is inclusive of all antenna support structures, equipment enclosures, buildings and any additions thereto.

Broadcast facilities: An unstaffed facility for the transmission and/or reception of radio signals for communications purposes, typically consisting of an equipment building or enclosure, an antenna support structure and one (1) or more antennae. This definition applies exclusively to land mobile radio fixed systems, and radio and television broadcast transmission facilities.

Broadcasting stations or studios: A building or portion of a building used as a place to create radio, television, or other electronic media programming. A broadcasting studio may contain studios, stages, editing facilities, post-production facilities, and equipment for program distribution via satellite, wire, or fiber optic cable. A broadcasting station or studio does not include a tower.

Building: Any structure having a roof, but excluding all forms of vehicles or shipping containers even though immobilized. When a use is required to be within a building, or where special authority granted pursuant to this chapter requires that a use shall be within an entirely enclosed building then the term "building" means one so designed and constructed from the ground to the roof line, and shall contain no openings except for windows and doors which are designed so that they may be closed.

Building, principal: The primary building(s) on a lot that accommodates the principal use(s) to which the premises are devoted.

Bufferyard: A combination of physical space and vertical elements, such as plants, berms, fences, or walls, the purpose of which is to separate and screen uses from one another.

Bulletin board sign: A sign composed of a cork, letter board, white board, or comparable surface that is within a secured, weather-resistant enclosure and is used for the display of temporary messages.

Bus or taxi maintenance and parking shed: a facility where buses, taxis, and similar modes of transportation are stored and maintained.

Business service: Services such as building repair and maintenance, the installation of plumbing, electrical, air conditioning and heating equipment, janitorial services, and exterminating services. The retail sale of supplies is permitted as an accessory use.

C. C TERMS

Cabinet sign: Sign composed of a frame or external structure with a box-like design that encloses a sign face and other functional elements of the sign, including electrical components.

Caliper: A standard for trunk measurement of plant nursery stock.

Campground, public and private: Any area or tract of land used or designed to accommodate two or more camping parties, including cabins, tents, travel trailers, recreational vehicles, and other camping outfits.

Camouflage, Concealment, or Camouflage Design Techniques (Wireless Communication Facilities): The designing of a WCF to alter its appearance in such a manner as to substantially integrate it into surrounding building designs and/or natural settings to minimize the visual impacts of the facility on the surrounding uses and ensure the facility is compatible with the environment in which it is located. A wireless communication facility utilizes camouflage design techniques when it: (i) is integrated as an architectural feature of an existing structure such as a cupola, or (ii) is integrated in an outdoor fixture such as a utility tower, or (iii) uses a design which mimics and is consistent with the nearby natural or architectural features (such as a clock tower) or is incorporated into (including without limitation, being attached to the exterior of such facilities and painted to match it) or replaces existing permitted facilities (including without limitation, stop signs or other traffic signs or freestanding light standards) so that the presence of the WCF is not readily apparent.

Canopy: An attached or detached structure, open on at least one side, which is designed to provide overhead shelter from the sun or weather. Canopies include, but are not limited to, service station canopies, carports, porte-cochères, arcades, and pergolas. A canopy is different from an awning in that a canopy is not covered with fabric or flexible material. Permanent, freestanding canopies such as service station canopies are referred to as structural canopies for the purposes of sign regulation.

Canopy sign: Any sign that is a part of or attached to a canopy.

Canopy tree: A species of tree that normally bears crown foliage no lower than six feet above ground level upon maturity.

Carport: A structure to house or to protect motor vehicles owned or operated by the occupants of the main building and is open on at least one side.

Car wash: A building or area that provides facilities for washing and cleaning motor vehicles, excluding semi-tractors and/or semi-trailers, which may use production line methods with a conveyor, blower, other mechanical devices, or hand labor in the cleaning of the vehicle.

Card game table: A live card game table as defined in MCA Section 23-5-112.

Casino: An establishment where legal gambling is authorized pursuant to MCA Title 23, Chapter 5, Part 1 et seq., either in the form of gambling machines (video poker, keno, etc.), card games or other licensed gambling activity. A primary/large casino may have beverage and restaurant facilities as accessory uses. Casinos are classified as follows:

Accessory Limited: 1 to 3 gaming machines and one table game located in the structure or on the site.

Accessory Small: 4 to 9 gaming machines and one table game located in the structure or on the site.

Primary/Large: 10 or more gaming machines and/or more than one table game located in the structure or on the site.

Cemetery/Crematorium: A facility or area used or intended to be used for the burial of the dead, including crematories, mausoleums, and mortuaries when operated in conjunction with, and within the boundaries of such cemetery.

Changeable copy sign: A sign whose informational content can be manually changed or altered.

Channel letter: a three-dimensional letter than may include a light source.

Chemical dependency facility: A facility whose function is the treatment, rehabilitation, and prevention of the use of any chemical substance, including alcohol, that creates behavioral or health problems and endangers the health, interpersonal relationships, or economic function of an individual or the public health, welfare, or safety in accordance with the requirements of the Montana Department of Public Health and Human Services.

Cidery: A place where alcoholic cider is manufactured, stored, and sold.

Clearance: the distance from the bottom of an elevated sign face and the grade below.

Co-location (Wireless Communication Facilities): The mounting or installation of transmission equipment on an existing tower or base station; provided that for eligible facilities requests, "co-location" means the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and /or receiving radio frequency signals for communications purposes.

Commercial speech: Expression by a speaker for the purposes of commerce, where the intended audience is actual or potential consumers, and where the content of the message is commercial in character. Commercial speech typically advertises a business or business activity or proposes a commercial transaction.

Commercial wireless communications services (Wireless Communication Facilities): Licensed commercial wireless telecommunication services including cellular, personal communications services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging, and similar services that are marketed to the general public.

Community garden: An area managed and maintained by a group of individuals to grow and harvest food crops, or non-food crops, for personal or group consumption, for donation, or for sale that is incidental in nature.

Community group home: See Community residential facilities.

Community residential facilities: Residential occupancy by persons other than a household in any of the following organizations:

Adult foster family care home: A private home licensed by the Montana Department of Public Health and Human Services owned by one or more persons 18 years of age or older which offers light personal care or custodial care to disabled adults who are not related to the owner by blood or marriage or which offers light personal care or custodial care to aged persons. The number of aged persons or disabled adults in an adult foster family care home may total no more than four.

Community group home: A family-oriented residence or home licensed by the appropriate state agency designed to provide residential services and facilities for developmentally, severely disabled or mentally disabled persons, but does not provide skilled or intermediate nursing care.

Halfway house: A place operated in accordance with the regulations of the Montana Department of Public Health and Human Services for the rehabilitation of alcohol or drug dependent persons.

Youth foster home: A youth care facility licensed by the Montana Department of Public Health and Human Services in which substitute care is provided to one to six foster children or youths, other than the foster parents' own children, stepchildren or wards.

Youth group home: A youth care facility licensed by the Montana Department of Public Health and Human Services in which substitute care is provided to seven to 12 children or youth.

Assisted living facility: An assisted living facility licensed by the Montana Department of Public Health and Human Services in a congregate residential setting that provides or coordinates personal care, 24-hour supervision and assistance, both scheduled and unscheduled, and activities and health-related services for persons 18 years old or older.

Condominium: Property that is owned as single units with common elements located on property submitted to the provisions of MCA Title 70 Chapter 23. This term does not include a townhome or townhouse.

Conforming: A structure, use, or site feature that, when originally constructed, was in full compliance with all applicable zoning regulations.

Coniferous: A plant with foliage that persists and remains green year-round.

Consumer maintenance and repair: A use category that includes uses that provide the repair and maintenance of a wide variety of consumer products.

Convenience store: A retail store that is designed and stocked to sell primarily food, beverages and other household supplies to customers who purchase only a relatively few items (in contrast to a "supermarket"). It is designed to attract, and depends upon, a large volume of stop-and-go traffic. Illustrative examples of convenience stores are those operated by the "7-11" and "Kwik-Way" chains. These stores may also include pumps and/or storage tanks from which fuels are dispensed at retail. No servicing, maintenance or repair work shall be conducted on the business premises. This definition shall exclude truck stops.

Copy: The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.

Copy Change: The replacement or alteration of any portion of a sign that includes copy. This includes any change that alters the script, size, color, or arrangement of copy on a sign face or replacement of a sign face. This does not include any change to manual changeable copy or changes on EMD signs.

Correctional Facility: A facility for the judicially required detention or incarceration of people, where inmates and detainees are under 24-hour supervision by professionals, except when on approved leave.

Courtyard: An outdoor area enclosed by a building or buildings on at least three sides for at least 75 percent of the length of each side, and open to the sky.

Craft Alcohol: The production of small batches of wine, hard cider, beer, or distilled alcoholic beverage as licensed by Montana law.

Cutoff: The point at which all light rays emitted by a lamp, light source, or luminaire are completely eliminated at a specific angle above the ground.

Cutoff angle: The angle formed by a line drawn from the direction of light rays at the light source and a line perpendicular to the ground from the light source, above which no light is emitted.

Cutoff-type luminaire: A luminaire with elements such as shields reflectors, or refractor panels which direct and cut off the light at a cutoff angle that is less than 90 degrees.

D. D TERMS

Dangerous sign: A sign constituting a hazard to public safety because it no longer complies with some or all requirements of the building code or electrical code.

Day care: (or "child care") means care for children provided by an adult, other than a parent of the children or other person living with the children as a parent, on a regular or irregular basis, as applicable, for daily periods of less than 24 hours, whether that care is for daytime or nighttime hours. The term does not include a place where day care is provided if a parent of a child for whom day care is provided remains on the premises.

Day care facility: A person, association, or place, incorporated or unincorporated, that provides day care on a regular basis or a place licensed or registered to provide day care on an irregular basis or for children suffering from illness. The term includes a family day-care home, a day-care center, a group day-care home, or a facility providing care in a child's home for the purpose of meeting registration requirements for the receipt of payments. The term does not include: (a) a person who limits care to children who are related to the person by blood or marriage or under the person's legal guardianship, unless registration or licensure as a day-care facility is required to receive payments; or (b) any group facility established chiefly for educational purposes that limits its services to children who are 3 years of age or older.

> *Day-care center*: An out-of-home place in which day care is provided to 13 or more children on a regular or irregular basis and which is licensed by the Montana Department of Public Health and Human Services.
>
> *Family day-care home*: A private residence in which day care is provided to three to six children on a regular basis. Such day care home shall be licensed by the Montana Department of Public Health and Human Services.
>
> *Group day-care home*: A private residence or other structure in which day care is provided to 7 to 12 children on a regular basis and which is licensed by the Montana Department of Public Health and Human Services.
>
> *School-age care:* An adult-supervised program that is provided for school-age children during non-school hours.

Deciduous: A plant with foliage that is shed annually.

Director: The Director of Planning & Community Services and his or her designee.

Distributed Antenna System (Wireless Communication Facilities): A network consisting of transceiver equipment at a central hub site to support multiple antenna locations throughout the desired coverage area.

Double-loaded parking: A parking area design with parking spaces located on both sides of a drive aisle.

Drive-in service: A use whose character is dependent on a driveway approach, a drive-through and/or parking space for motor vehicles to either serve customers while in the vehicle or permit consumption of food or beverages in a vehicle obtained on the premises.

Dripline: A vertical line extending from the outermost edge of the tree canopy or shrub branch to the ground.

Drive aisle: The vehicular driving surface directly adjacent to parking spaces used to access those parking spaces

Drive-through (thru): The use of land, buildings, or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant, window or automated machine, to persons remaining in motorized vehicles that are in a designated stacking lane. This definition does not include a vehicle washing facility, a vacuum cleaning station accessory to a vehicle washing facility, or a service station.

Drought avoidance: The ability of a plant, once established, to withstand drought without showing signs of stress.

Drought tolerance: The ability of a plant, once established, to withstand drought without dying.

Duplex: See Dwelling, two-unit.

Dwelling: A building designed exclusively for residential purposes, including single-unit, two-unit, and multiple-unit dwellings, but not including hotels or motel units, bed and breakfast guest rooms, boarding or lodging houses, tourist homes, or travel trailers and/or vehicles.

Dwelling, attached: A structure where the dwelling units share a common separation such as a ceiling, wall, etc. (including, without limitation, the wall of an attached garage or porch) and where access cannot be gained between the units through an internal doorway.

Dwelling, detached: A dwelling that is free of any shared walls and stands alone

Dwelling, single-unit: A building constructed and designed for one dwelling unit that is detached from any other dwelling unit.

Dwelling, two-unit (duplex): A building constructed and designed for two attached dwelling units, where the dwelling units share a common separation such as a ceiling, wall, etc. (including, without limitation, the wall of an attached garage or porch) and where access cannot be gained between the units through an internal doorway.

Dwelling, multiple-unit: A building constructed and designed for three or more dwelling units, where the dwelling units share a common separation such as a ceiling, wall, etc. (including, without limitation, the wall of an attached garage or porch) and where access cannot be gained between the units through an internal doorway, excluding common hallways.

Dwelling, townhouse: A series of two or more attached dwelling units held in individual ownership

Dwelling unit: One or more rooms designed for or occupied exclusively by one household.

E. E TERMS

Eave. The edge of a pitched or flat roof; it typically overhangs beyond the side of a building.

Educational Facility: A use category for public, private, and parochial institutions at the primary, elementary, middle, high school, or post-secondary level, or trade or business schools that provide educational instruction to students.

Electric vehicle charging station: An electric vehicle charging station is a public or private parking space(s) that is (are) served by battery charging equipment with the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle, and is classified based on the following levels:

Level 1 is considered slow charging, and operates on a fifteen to twenty amp breaker on a one hundred twenty volt AC circuit.

Level 2 is considered medium charging, and operated on a forty to one hundred amp breaker on a two hundred forty volt AC circuit.

Level 3 is considered fast or rapid charging, and operated on a sixty amp or higher breaker on a four hundred eighty volt or higher three phase circuit with special grounding equipment. Level three stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

Electronic message display (EMD): A sign with a display surface composed of light-emitting diodes (LEDs) or similar light sources that is capable of displaying varying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means.

Eligible Support Structure (*Wireless Communication Facilities*): Any tower or base station as defined in this section, provided that it is existing at the time the relevant application is filed with the City.

Enclosed structure: A building that protects the contents thereof from the elements, including sight-obscuring walls on all sides and a roof.

Equipment enclosure (Wireless Communication Facilities): A structure, shelter, cabinet, or vault used to house and protect the electronic equipment necessary for processing wireless communication signals. Associated equipment may include air conditioning, backup power supplies, and emergency generators.

Existing (Wireless Communication Facilities): For purpose of wireless communication facilities and as applied to a tower or base station, existing means and refers to a constructed tower or base station that has been reviewed and approved under the applicable zoning or siting process of the City, or under another State, county or local regulatory review process.

Expression line. Specific to the EBURD, an architectural feature consisting of a decorative, three-dimensional, linear element, horizontal or vertical, protruding or indented at least two (2) inches from the exterior facade of a building typically utilized to delineate the top or bottom of floors or stories of a building.

F. F TERMS

FAA: Federal Aviation Administration

FCC: Federal Communications Commission

Facade. The exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and design elements. The front facade is any building face adjacent to the front lot line.

Family day care home: See Child care facilities.

Farm stand: A temporary structure not permanently affixed to the ground and readily removable in its entirety, that is used solely for the display or sale of agricultural products.

Fence: A barrier composed of posts connected by boards, rails, panels or wire for the purpose of enclosing space to separate parcels of land. This term also includes a masonry wall.

Financial institution: Establishments that provide retail banking services, mortgage lending, and similar financial services to individuals and businesses. Accessory uses may include automatic teller machines, offices, and parking. The use may or may not be allowed to have a drive-through facility, depending on the zone district.

Flag: A flexible piece of fabric that is attached along one edge to a straight, rigid flagpole (directly or with rope), and which is designed to move when the wind blows. Flags are typically (but not necessarily) rectangular in shape, and often (but not always) include printed or embroidered insignia that symbolizes a nation, state, or organization, or that display a graphic or message.

Flashing sign: An electronic message display, portion thereof, or non-EMD lighting that changes light intensity in a brief, brilliant, or sudden and transient outburst of light causing a steady on and off, glittering, sparkling, or scintillating pattern. Neon and incandescent lamps may flash in the following ways.

1. Alternating: One section comes on as another goes off.
2. Scintillating: Random sections go on and off with part of the lighting on at all times.
3. Chasing: One section comes on at a time and is followed by one section going off at a time. Part of the sign is on at all times.
4. Sweeping (filling): The lighting sections individually go on until all of the sections are on, then the entire group goes off and then the process is repeated.
5. On-off action: Lighting that goes all on and then all off.

Flutter flags: A piece of cloth or other similar material, varying in size, color, and design, that is attached to a flexible pole or staff, and may be in the shape of a vertically-oriented rectangle, teardrop, or similar, where typically the cloth or material is supported by wire to maintain the shape of the flag. Also called wind blade, blade, feather, or teardrop flags.

Fraternity/sorority house: A dwelling or dwelling unit occupied by and maintained exclusively for fraternity or sorority members, their guests or visitors and affiliated with and acknowledged as a fraternity/sorority house by an academic or professional college or university or other recognized institution of higher learning.

Freestanding sign: Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure, including monument and pole signs.

Fuel sales: A facility engaged in the storage, distribution, and retail sales of vehicle fuels for personal vehicles, fleet vehicles, and/or trucks.

Funeral home: A building or part thereof used for human funeral services. Such building may contain space and facilities for: (a) embalming and the performance of other services used in the preparation of the

deceased for burial; (b) the performance of autopsies and other surgical procedures; (c) the storage of caskets, funeral urns and other related funeral supplies; (d) the storage of funeral vehicles, and(e) facilities for cremation.

G. G TERMS

Gambling device: See MCA Section 23-5-112: A mechanical, electromechanical, or electronic device, machine, slot machine, instrument, apparatus, contrivance, scheme, or system used or intended for use in any gambling activity.

Gambling: See MCA Section 23-5-112: Risking any money, credit, deposit, check, property, or other thing of value for a gain that is contingent in whole or in part upon lot, chance, or the operation of a gambling device or gambling enterprise. The term does not mean conducting or participating in a promotional game of chance and does not include amusement games regulated by Title 23, chapter 6, part 1. The term does not include social card games of bridge, cribbage, hearts, pinochle, pitch, rummy, solo, and whist played solely for prizes of minimal value, as defined by Montana Gambling Control Division rule.

Garage, residential: An accessory building or an accessory portion of the main building, enclosed on more than three sides and designed or primarily used only for the shelter or storage of vehicles owned and operated by the occupants of the buildings.

Ghost signs: A sign painted on an exterior building wall, which has been weathered and faded to the extent that it has lost its original brightness of color and visibility, most commonly located on masonry facades and served as advertising of the business within or as a leased area to other businesses.

Golf course: A tract of land laid out for at least nine standard holes for playing the game of golf that may include a clubhouse, golf schools, driving ranges, and accessory uses such as restaurants/bars, pro shops, and related facilities.

Government offices and buildings: An office of a governmental agency that provides administrative and/or direct services to the public, including but not limited to, employment offices, public assistance offices, motor vehicle licensing, and registration services.

Government sign: Any temporary or permanent sign erected and maintained by the city, county, state, or federal government.

Grain elevator: A building for elevating, storing, discharging, and sometimes processing grain.

Greenhouse: A building or structure whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of fragile or out-of-season plants for subsequent sale or for personal enjoyment.

Ground cover: Material planted or placed directly on the horizontal area of a lot at grade to completely open ground. Ground cover is specified as either organic or inorganic landscaping material.

Ground level (signs): the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the sign and property line or, when the property line is more than five feet from the sign, between the sign and a line five feet from the sign.

Group day care home: See Child care facilities.

Guest: A person or persons using a short-term rental for only a short period of time or a brief stay, such as the traveling public.

Guest home, owner-occupied: For the purposes of this section, a residence that is lived in by the owner or a long-term tenant for the majority of a calendar year (180 days or more), that is also used for part-time short-term rentals.

H. H TERMS

Halfway house: See Community residential facilities.

Hazard (sign): Whenever any portion, support structure, or appurtenance of a sign is likely to fail or to become detached, dislodge, or collapse.

Heliport: Any facility whose primary purpose is for the landing or taking-off of helicopters. This would include any accessory uses or structures related to the principal use as a heliport, such as maintenance and overhaul, fueling, service, storage, tie-down areas and hangars.

Hobby farm: A small holding or farm maintained without expectation of profit or as a primary source of income. For purposes of these regulations, this definition shall exclude residential structures.

Home occupation: An occupation carried on by an occupant of a dwelling, which is located in a residential zoning district, as an accessory and incidental activity to the main residential use of the building.

Hospice: A facility where palliative and supportive care are provided to meet the needs of a terminally ill patient and the patient's family according to the requirements of the Montana Department of Public Health and Human Services.

Hospital A facility providing, by or under the supervision of licensed physicians, services for medical diagnosis, treatment, rehabilitation, and care of injured, disabled, or sick individuals. Except as otherwise provided by law, services provided must include medical personnel available to provide emergency care onsite 24 hours a day and may include any other service allowed by state licensing authority. A hospital has an organized medical staff that is on call and available within 20 minutes, 24 hours a day, 7 days a week, and provides 24-hour nursing care by licensed registered nurses. The term includes: (i) hospitals specializing in providing health services for psychiatric, developmentally disabled, and tubercular patients; and (ii) specialty hospitals.

Hotel: A building, or portion thereof, designed or used for temporary lodging, being less than 30 days, where lodging with or without meals is provided for compensation. A central dining room, banquet meeting hall, kitchen, plus accessory shops and services catering to the general public can be provided.

Household:

1. A family, including any foster children, plus any number of unrelated persons living together in a single, not-for-profit housekeeping unit sharing one common kitchen facility; or
2. One or more persons occupying a dwelling unit as a single housekeeping unit, subject to a limit of not more than two adult persons per bedroom; or
3. Any group of individuals and caretakers recognized as a household by Montana law.

I. I TERMS

Impervious site coverage (EBURD only). The percentage of a lot developed with principal or accessory structures and impervious surfaces, such as driveways, sidewalks, and patios.

Individual business: One business on one parcel provided that the parcel is not part of a multiple business complex; and also provided the parcel is not part of a group of multiple contiguous parcels under the same ownership. See also Tenant.

Industrial sales and service: A use category of firms that are engaged in the sale, repair, or servicing of agricultural, industrial, business, or consumer machinery, equipment, products, or by-products. Contractors and similar users perform services off-site. Few customers come to the site. Accessory activities may include sales, offices, parking, and storage.

Inflatable sign: A sign that is constructed from or attached to an envelope of flexible material that is given shape and / or movement by inflation. The phrase inflatable sign does not include balloons that are less than 18 inches in all dimensions. Inflatable signs do not include hot air balloons used for air travel.

Inoperable vehicle: Any vehicle incapable of immediate operation under its own power safely and in concurrence with governing and applicable traffic ordinances and statutes or any vehicle not having current license plates lawfully affixed thereto.

Interstate corridor: The area of the city which is within 660 feet of the nearest edge of the right-of-way of a designated interstate highway and which area is not in a neighborhood residential zone or primarily used for residential purposes.

Invasive Species: An alien (non-naturalized) species whose introduction does or is likely to cause economic or environmental harm or harm to human health and which tends to disrupt natural ecosystems by displacing naturalized species.

Irrigation system: An artificial watering system designed to transport and distribute water to plants.

J. J TERMS

Junk: Any worn out cast off or discarded article or material that is ready for destruction or has been collected or stored as salvage, for conversion to some other use or for reduction into components. Junk includes but is not limited to, old or scrap brass, rope, rags, batteries, paper, tires, rubber debris or waste, iron, steel and other old or scrap ferrous or non-ferrous material.

Junkyard: An open area where wastes, or used or secondhand materials are bought, sold, exchanged, stored, processed or handled, which are not intended to be recycled. Materials shall include, but are not limited to, scrap iron and other metals, paper, rags, rubber tires and bottles.

K. K TERMS

Kennel, commercial: Any lot, building, structure or premises where more than two dogs or cats over the age of six months, other than those owned by the kennel owner are kept or maintained for boarding, training, breeding or selling, exclusive of medical care or for quarantine purposes in excess of 24 hours. Female dogs bred for the sole purpose of the sale of puppies for profit, and female dogs numbering more than three constitute a Commercial Kennel.

Kennel, noncommercial: A kennel at, in, or adjoining a private residence where more than two dogs or cats are kept for the hobby of the householder in using them in shows or obedience trials, personal pleasure or for the guarding or protecting of the householder's property. The occasional raising of a litter of puppies or kittens at the kennel and the occasional sale of puppies or kittens by the keeper of a noncommercial kennel should in no way change the character of the residential property.

L. L TERMS

Land mobile radio service (LMRS): A mobile service between base stations and land mobile stations or between land mobile stations as defined in Title 47, PART 90 (47 CFR § 90)—Private Land Mobile Radio Services.

Landscape architect: A person who holds a license to practice landscape architecture in the State of Montana.

Landscaping: To change the natural features of a plot of ground by combination of organic and inorganic elements, as further described in Section 27-1209.

Landscaping material, inorganic: Material such as rock, stone, flower tubs, fountains, outdoor plazas or other amenities.

Landscaping material, organic: Any material that is or is derived from living plants, such as trees, shrubs, vines, turf, and flowerbeds, bark chips, or mulch.

Livestock and fowl: Livestock shall include all animals of the equine, bovine and swine class, including goats, sheep, mules, horses, hogs, cattle and other grazing animals. Fowl shall include chickens, geese, ducks, turkeys and other poultry.

Long-term care facility: a facility or part of a facility that provides skilled nursing care, residential care, intermediate nursing care, or intermediate developmental disability care to a total of two or more individuals or that provides personal care in accordance with the requirements of the Montana Department of Public Health and Human Services.

Long-Term Tenant: A person who occupies land or property rented from a property owner for 30 days or longer.

Lot, see Section 27-1802.A.

Luminaire: A complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts.

M. M TERMS

Maintenance (sign): The cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the structure of the sign. Replacement of a static sign with an EMD is considered a sign change that requires a permit.

Manufactured home: (See MCA 15-1-101(m)) A home built on a non-removable steel chassis or frame. Each transportable unit of a manufactured home has a red certification label on the exterior section and is built according to the Manufactured Home Construction and Safety Standards (HUD Code). A manufactured home does not include a mobile home or house-trailer constructed before the federal Manufactured Home Construction and Safety Standards went into effect on June 15, 1976. Manufactured homes are classified as Type 1, homes that were certified on or after January 1, 1990; and Type 2, homes that were certified prior to January 1, 1990.

Manufactured home park: A residential use in which more than one manufactured home is located on a single lot. This term does not include a parcel composed of individually platted lots, each lot of which is filed with the Yellowstone County clerk and recorder, which contain only one manufactured home per lot.

Manufacturing: Establishments involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, constructed, raw, secondary, or partially completed materials may be used.

Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, such activity is a subordinate part of sales. Relatively few customers come to the manufacturing site. Accessory activities may include retail sales, offices, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets, and caretaker's quarters.

Artisan: Spaces used by artists for the creation of art or the practice of their artistic endeavors.

Limited: The creation of a unique or customized product, such as hats, boots, or knives, in fulfillment of a customer order.

Light: An establishment engaged in fabrication, assembly, processing, or manufacturing that generally do not create significant impacts on surrounding areas.

Heavy: An establishment engaged in fabrication, assembly, processing, or manufacturing that have the potential to create significant impacts on surrounding areas due to the types of materials used, byproducts created, hours of operations, volumes of heavy truck or rail traffic, noise, or other factors.

Marquee: A permanent structure, other than a roof or canopy, attached to, supported by, and projecting from a façade of a building.

Marquee sign: A sign attached to a marquee.

Mechanical motion sign: Signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced mean.

Medical Structures: Any structure on a P3 Medical Campus that is used for the provision or support of healthcare services and/or patient care including, but not limited to, a hospital, clinic, medical building, emergency room, trauma center, urgent care facility, surgery center, dialysis or infusion center, medical research center, home oxygen service, pharmacy and any parking associated with and/or used by the occupants of or visitors to those structures. All other structures on a P3 Medical Campus and their associated parking are considered non-medical.

Mental health center: A facility providing services for the prevention or diagnosis of mental illness, the care and treatment of mentally ill patients, the rehabilitation of mentally ill individuals, or any combination of these services in accordance with the requirements of the Montana Department of Public Health and Human Services.

Merchandise: All items of movable personal property offered for sale to the public for which no title is required to be registered with or issued by the state.

Message hold time: The time interval a static message must remain on an electronic message display sign before transitioning to another message.

Micro Cell Facility (Wireless Communication Facilities): A small wireless facility that is no larger than 24 inches in length, 15 inches in width, 12 inches in height, and that has an exterior antenna, if any, that is no more than eleven inches in length.

Microbrewery (craft brewery, brew pub): A facility for the production and packaging of up to 10,000 barrels a year of malt beverages of alcoholic content for on or off premises distribution, retail or wholesale in conformance with Montana State law. The facilities typically include a tasting room and may include accessory food preparation and sales, as well as sales of promotional merchandise such as growlers, T-shirts, and hats.

Microdistillery: A facility for the limited production of distilled spirits, making up to 25,000 gallons per year, for on or off premises distribution, retail, or wholesale in conformance with Montana State law. The facilities typically include a tasting room and may include accessory food preparation and sales, as well as sales of promotional merchandise such as T-shirts and hats.

Micro-irrigation: The frequent application of small quantities of water directly on or beneath the soil surface, usually as discrete drops, tiny streams, or miniature sprays through emitters placed along the lateral water delivery pipes. Micro-irrigation includes drip, subsurface, bubbler, and spray irrigation and may be referred to as trickle irrigation, low volume, or low flow irrigation.

Mobile home: (See MCA 15-1-101(o)) Forms of housing known as "trailers", "house-trailers", or "trailer coaches" exceeding 8 feet in width or 45 feet in length, designed to be moved from one place to another by an independent power connected to them, or any trailer, house-trailer, or trailer coach up to 8 feet in width or 45 feet in length used as a principal residence.

Modular home: (See ARM 42.4.201(14)) A home built in a factory setting in units, transported to the home site, placed on a permanent foundation, and joined. Modular homes are required to meet the Building Code adopted by the State of Montana.

Monopole (Wireless Communication Facilities): A single, freestanding pole-type structure supporting one or more antennas.

Monument sign: A sign and supporting structure constructed as a solid structure or one that gives the appearance of a continuous, non-hollow, unbroken mass. A multitenant monument sign is a monument sign permitted for a property with three or more tenants, as identified by individual tenant addresses.

Motor vehicle: A two or more wheeled or track vehicle designed to transport one or more persons or properties from one location to another including without limitation: trucks, buses, cars, motorcycles, scooters, farm and industrial equipment.

Moving billboard sign: A sign attached in any way to a vehicle operating in the public right-of-way, that is used for the primary purpose of advertising, and where the vehicle is either: (1) not used primarily for the transportation of passengers for hire or goods, or (2) is not designed for the transportation of passengers for hire or goods.

Multiple businesses (signs): Businesses that may be located in a single building or in multiple buildings on a single site.

Multi-unit developments:

(1) Condominium, townhome, townhouse or commercial development projects that include common, private facilities shared by two or more buildings or lots.
(2) Residential developments that have more than two dwelling units and include common, private facilities shared by two or more buildings or lots.

N. N TERMS

Native plant: Plant species occurring naturally and native to a given ecosystem or plant community that is suited to the soil, topography, hydrology, and wildfire risk of a particular site.

Naturalized plant: A plant species that has become established in an area where it is not native.

Neighborhood watch sign: A sign obtained through the local law enforcement agency as part of a neighborhood watch program.

New Wireless Communication Facility: The establishment of a telecommunications facility on a tower, building or other support structure where no such facility presently exists.

Nonconforming Lot: A lot that was lawful prior to the adoption, revision, or amendment of this Zoning Code, but that fails by reason of such adoption, revision, or amendment, to conform with the present lot requirements for the zone district in which the lot is located.

Nonconforming Structure: A structure or building that was lawful prior to the adoption, revision, or amendment of this Zoning Code, but which fails by reason of such adoption, revision, or amendment, to conform to the present requirements for a conforming structure in the zone district in which such structure or building is located.

Nonconforming Use: A use or activity that was lawful prior to the adoption, revision, or amendment of this Zoning Code, but which by reason of such adoption, revision, or amendment, is no longer permitted in the zone district in which such use or activity is located.

Nonconforming Site Characteristic: A site characteristic that was lawful prior to the adoption, revision, or amendment of this Zoning Code, but that fails by reason of such adoption, revision, or amendment, to conform with the present location or dimension requirements for the zone district in which the lot is located.

O. O TERMS

Occupied: Being used or taken up by someone or something; includes the words intended, designated or arranged to be occupied.

Occupied space: Interior building space occupied by the building users. It does not include storage areas, utility space, or parking.

Off-premises sign: A sign or billboard that is used or intended for use to advertise, identify, direct or attract the attention of the public to a business, institution, product, organization, event or location offered or existing elsewhere than upon the same lot, tract or parcel of land where such sign or billboard is displayed.

Office, business and professional: A category of establishments in which services are performed involving administrative, professional, business, or clerical operations. This use includes contractors and others who perform services off-site only if major equipment and materials are not stored at the site and fabrication or similar work is not carried out on the site.

On-premises sign: means any sign identifying or advertising a business, activity, goods, products or services located on the premises where the sign is installed and maintained.

On-vehicle sign: Any magnetic sign(s), signs painted or wrapped on, adhesive vinyl film affixed to a window, or sign attached by other temporary or permanent means to a vehicle, where the vehicle is owned by the business, is operable and properly licensed, and the vehicle is regularly and consistently used in the normal daily conduct of the business, such as delivering or transporting goods or providing services related to the business.

Open storage: The storage for a period of five consecutive days or more of junk, salvage, trash, inoperable vehicles and/or merchandise outside of an enclosed structure.

Outdoor sales lot: Use of land for retail product sales where the majority of the goods are stored or displayed outside during both business and non-business hours. Outdoor sales lots include automobile and truck sales and rental; boat and recreational vehicle sales and rental; and manufactured home dealerships.

Outpatient center for surgical services: A clinic, infirmary, or other institution or organization that is specifically designed and operated to provide surgical services to patients not requiring hospitalization and that may include recovery care beds in accordance with the requirements of the Montana Department of Public Health and Human Services.

Over the Air Receiving Device: An antenna used to receive video programming from direct broadcast satellites, broadband radio services and television broadcast stations, but shall not include antennas used for AM/FM radio, amateur ("ham") radio, CB radio, digital audio radio services or antennas used as part of a hub to relay signals among multiple locations.

Owner: A person recorded as such on official records and including duly authorized agent.

Owner-occupied: For the purposes of short-term rentals, a residence that is lived in by the owner or a long-term tenant for the majority of a calendar year.

P. P TERMS

Parcel: A single tract or parcel of land, no matter how legally described whether by metes and bounds, certificate of survey, and/or by lot or lots and block designation as in a recorded plat, which at the time of applying for a land use is designated by its owner or developer as the tract to be used, developed or built upon as a unit of land under single ownership or control and assigned to the particular use for which the land use approval is being secured and having frontage on or legal access to a public street.

Passenger terminal: Premises used for the boarding or discharge of people being transported.

Pedestrianway: A pathway designed for use by pedestrians; it can be located mid-block allowing pedestrian movement from one street to another without traveling along the block's perimeter.

Pennant: A piece of fabric, plastic or other flexible medium that may be in the shape of a triangle, rectangle or other shape, is typically mounted to a flexible cord or rope that is stretched across two points, is mounted in quantity and spaced along the cord or rope.

Permanent sign: A sign constructed of materials that are weather resistant for multiple years without significant deterioration from exposure to the elements or wear and tear.

Permanent tree protection devices: Structural measures, such as retaining walls or aeration devices that are designed to protect the tree and its root system throughout its lifetime.

Personal service: A use category for establishments providing non-medical services to individuals as a primary use.

Pervious surface: Also referred to as pervious material. A material or surface that allows for the absorption of water into the ground or plant material, such as permeable pavers or a vegetated roof.

Parking, commercial: A use category including the commercial assembly or standing of vehicles, either in a garage structure or on a surface lot.

Personal self-service storage: Real property designed and used for the purpose of renting or leasing individual storage space to tenants with access to such spaces for the purpose of storing and removing personal property.

Pole-Mounted Small Cell Wireless Facility: A small cell facility with antenna that are mounted and supported on an alternative tower structure, which includes a replacement pole.

Pole sign: A sign that is supported by one or more uprights, poles, or braces affixed to the ground, and not attached to a building or structure.

Portable sign: Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

Premises: An area of land with its appurtenances and buildings, which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

Primary public entrance: An entrance to a business that is open to the public during its normal and customary hours of operations and the entrance is used as the primary ingress and egress to the business by the public.

Principal building:

1. A structure accommodating the principal use to which the property is devoted. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings. A campus may also have more than one principal building or principal use. Campuses may include buildings or uses that would be principal if located off-campus, but which are accessory to the principal use of the campus.

2. The building in a multi-unit multifamily development located at the main access to the complex or where the office functions are provided for the complex.

Principal building entrance: A street-level primary point of public pedestrian access into a building. The phrase “principal building entrance” does not include doors used principally as emergency exits, or doors that provide restricted access (e.g., for employees or deliveries).

Principal use: The primary or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory.

Private: In reference to a building, structure, utility, facility or use, "private" means owned by someone other than a unit of government, or an agency of a government, unless the context clearly indicates that "private" is being used in the broader sense of something not available to the general populace.

Projected light sign: Any image, text, or other content that is projected onto an outdoor surface (e.g., a building wall or sidewalk) by a laser projector, video projector, video mapping, or other comparable technology, in a location such that the image, text, or content is obviously visible from outside of the premises.

Projecting sign: A sign, other than a flat wall sign, that is attached to and projects from a building, wall or other structure not specifically designed to support the sign. Projecting signs include architectural blade signs.

Proposed Facilities Modification (Wireless Communication Facilities): A proposal submitted by an applicant to modify an eligible support structure which the applicant asserts is subject to review under Section 6409 of the Spectrum Act (minor modification), and involving: (i) collocation of new transmission equipment; (ii) removal of transmission equipment; or (iii) replacement of transmission equipment.

Public: In reference to a building, structure, utility, facility, or use, "public" means owned and/or operated by a unit of government or an agency of a unit of government, unless the context clearly indicates that "public" is being used in the broader sense of something available to the general populace.

Public recreation facility: Facilities or equipment that are used for public recreational or natural resource purposes that have a relatively low flood damage potential, and do not involve a structure. This includes, without limitation: bicycle, equestrian or pedestrian trails and paths, benches, ball fields, tennis and basketball courts, interpretive facilities, and golf courses.

Public right-of-way width: The perpendicular distance across a public street measured from property line to property line. When property lines on opposite sides of the public street are not parallel, the public right-of-way width shall be determined by the city engineer.

Q. Q TERMS

[Reserved]

R. R TERMS

Radio Frequency Emissions Letter (Wireless Communication Facilities): A letter from the applicant certifying all WCFs that are the subject of the application shall comply with federal standards for radio frequency emissions.

Ranch: A ranch is an area of land that usually serves as a place to raise grazing livestock including sheep, cattle, and lesser-known livestock such as ostrich, elk, American bison, or emu.

Recreational vehicle: A motor home, travel trailer, or camper, all as defined in MCA 61-1-101.

Recreational vehicle park: Any area or tract of land designed or used that contains two or more spaces that are available for rent to the general public for parking or placement of temporary recreational vehicles. This term does not include a parcel composed of individually platted lots.

Recycling processing facility: A facility that is not a junkyard and in which recoverable resources, such as newspaper, glassware and metal cans are collected, stored, flattened, crushed or bundled. This term does not include automobile or vehicle salvage or wrecking yards.

Re-facing: Any alteration to the face of a sign involving the replacement of materials. Re-facing does not refer to replacing the entire sign structure or the removal of the sign.

Replacement Pole (Wireless Communication Facilities): An alternative tower structure that is a newly constructed and permitted traffic signal, utility pole, street light, flagpole, electric distribution, or street light poles or other similar structure of proportions and of equal height or such other height that would not constitute a substantial change to a pre-existing pole or structure in order to support a WCF or small cell facility or micro cell facility or to accommodate collocation and replaces a pre-existing pole or structure.

Research and testing laboratory: A facility for conducting medical or scientific research, investigation, testing, or experimentation; however, this does not include facilities for the manufacture or sale of products, except

as incidental to the main purpose of the laboratory. This definition includes electronic and telecommunications laboratories, including assembly.

Residential treatment facility: A facility operated for the primary purpose of providing residential psychiatric care to individuals under 21 years of age in accordance with the requirements of the Montana Department of Public Health and Human Services.

Residential care facility: An adult day-care center, an adult foster care home, an assisted living facility, or a retirement home.

Restaurant: An establishment where food and drinks are available to the general public, primarily for consumption within a structure on the premises where the total sales of food and non-alcoholic beverages exceeds the total sales of alcoholic beverages.

Retail sales: A use category for businesses involved in the sale, lease, or rental of new or used products to the general public. Accessory uses may include offices, parking, storage of goods, and assembly, repackaging or repair of goods for on-site sale.

Agricultural retail: Retail outlets that sell farm, ranch, and agricultural supplies but may include other merchandise.

General retail: An establishment engaged in the sale of goods to the public at retail and that have the potential to create impacts on surrounding residential areas due to the scale of the building, hours of operations, volumes of automobile or truck traffic, or other factors.

Large-format retail: A physically large retail store that is typically part of a retail chain. A large-format store is characterized by a large amount of floor space (generally more than 50,000 square feet) and a wide array of items available for sale, either as general merchandise or in a specialty category such as books or consumer electronics.

Limited retail: An establishment engaged in the retail sales of convenience goods and other goods serving the day to day needs of the immediate neighborhood within one half (1/2) mile of the site, and not including major purchase items, and that generally do not create significant impacts on surrounding residential areas due to the small size of the establishment and more limited automobile and/or truck traffic.

Retirement home or village: A building or buildings in which separate living accommodations are rented or leased to individuals who use those accommodations as their primary residence.

Required sign: A sign that is required by an applicable building code (e.g., address numbers) or health and safety regulations (e.g., the Occupational Safety and Health Act ("OSHA")) or other laws or regulations, whether such sign is temporary or permanent.

Right-of-way: A strip of land dedicated or acquired for use as a public way, or that is acquired through an easement.

Rider (sign): A subordinate sign panel that is attached to a swing sign, either above the horizontal member or below the principal sign face. To illustrate, but without limiting the range of messages that a rider may convey, if the swing sign is used to advertise a property as "for sale," a rider is often used to convey a related message such as "contract pending."

Roof sign: A sign erected, constructed and maintained upon, or connected to any roof of any building with the principal support on the roof structure. This definition excludes architectural blade signs.

1. Roof sign, above-peak: Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

2. Roof sign, integral: Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

Runoff: Water or liquid that is not absorbed by the soil or landscape to which it is applied and flows from the area.

S. S TERMS

Salvage yard: A lot or portion of a lot where junk, waste, discarded or salvaged materials are bought, sold, exchanged, baled, stored, packed, disassembled or handled, including auto wrecking activities, building wrecking activities, used lumber places and places for storage of salvaged building materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building. This definition includes junkyard.

Satellite dish antenna: A device incorporating a reflective surface that is solid, open mesh or bar configured and is in the shape of a shallow dish, cone, horn or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based uses. This definition shall include but not be limited to what are commonly referred to as satellite earth stations, TVROs (television reception only satellite dish antennas), direct satellite systems (D.S.S.) and satellite microwave antennas.

Satellite signal, usable: That level of signal received via the satellite dish antenna, which will run the television and/or radio with a minimum level of distortion, a distortion level that is barely discernible to the naked eye and a picture quality consistent with other reception in the area.

School, college or university: A public or private institution for higher learning (beyond grade 12) providing instruction as approved by the Montana Department of Education or a national collegiate or university accreditation agency. This definition also includes higher learning facilities for religious institutions.

School: An institution of learning which offers instruction in the several branches of learning and study required to be taught in the schools by the Montana State Board of Education; includes public, private and parochial schools.

School, trade, business, technology, or vocational: A vocational / technical school, trade school, language school, business school, training center, beauty school, culinary school, and comparable advanced or continuing education facilities. The phrase does not include music schools, fitness centers, sports instruction, swimming instruction, or martial arts instruction

Seasonal decorations: Decorations and temporary signs that are clearly incidental, customary, and commonly associated with a holiday, birthday, anniversary, graduation or similar occasion.

Semi-pervious surface (EBURD only): Also referred to as semi-pervious material. A material that allows for at least 40 percent absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt and concrete, or gravel.

Shelter, Animal: A facility that is used to house or contain animals and is owned, operated, or maintained by a nonprofit corporation for the purpose of providing temporary kenneling and care for the animals and finding permanent adoptive homes for them.

Shopping center or mall: A shopping center is a mix of retailing land and service uses offering both essential and nonessential goods and services, with at least 100,000 square feet of structure footprint, and that attracts consumers from a region-wide market area.

Short-Term Rental: The renting, or offer to make available (by way of a rental agreement, lease, license or any other means, whether oral or written), for compensation or consideration, of residential property, a dwelling unit, or a portion thereof, for a period of less than 30 consecutive days to a transient guest or guests. See also Tourist Home.

Short-Term Rental Unit: A residential dwelling unit, or portion of such a unit, that is rented for compensation or consideration for less than 30 days at a time; does not include dwelling units owned by the federal government, state, or city, or any of their agencies, or facilities licensed by the state as health care facilities.

Shrub: A woody plant that usually remains low and produces shoots or stems from the base and is not usually tree-like or single stemmed.

Site Characteristic: An aspect of a site that is regulated by this Zoning Code but is not a structure, use, or lot. Site features include site elements such as landscaping, parking, access location, and uses not located in a structure, such as wind or solar energy systems.

Sign: Any writing (including letter, word or number), pictorial representation (including illustration or declaration), product, form (including shapes resembling any human, animal or product form), emblem (including any device, symbol, trademark, object or design which conveys a recognizable meaning, identity or distinction) or any other figure of similar character that is a structure or any part thereof, or is written, painted, projected upon, printed, designed into, constructed or otherwise placed on or near a building, board, plate, or upon any material object or device whatsoever, that by reason of its form, location, manner of display, color, working, stereotyped design or otherwise attracts or is designed to attract attention to the subject or to the property upon which it is situated, or is used as a means of identification, advertisement, or announcement. The term sign shall not include the following:

(1) Art that does not include commercial speech; or

(2) Products, merchandise or other materials which are offered for sale or used in conducting a business, when such products, merchandise, or materials are kept or stored in a location which is designed and commonly used for the storage of such products, merchandise or materials.

Sign administrator: The zoning coordinator.

Sign area: The total dimensions of a sign surface used to display information including text, symbols, or images. The sign area includes nonstructural trim, but does not include the supporting structure, if any, unless the supporting structure is used for the display of text, symbols, or images. The sign area can be smaller than the sign face.

Sign Face: The surface area of the sign that is designed for the placement of text, symbols, or images. For the purposes of measurement, sign faces are defined as follows:

1. Single-sided sign: A sign with only one face plane.
2. Two-sided (also referred to as double-faced or “V” sign): A sign with back-to-back face planes that are parallel or within 30° of parallel.
3. Three-sided sign: A sign with three face planes.
4. Three-dimensional sign: A sign that is sculptural or three-dimensional in form.

Sign structure(s): The base, footer, support poles, framing, and all other parts and components onto which the copy area is resting or attached.

Sign structure area: The total surface area of the structure of a monument sign that supports its copy area and contains dimensional or material differences from the plane of the sign face. Architectural embellishments and decorative features that do not contain or support advertising copy shall not be included in the sign structure area.

Sign walker: A person who carries a sign that is worn, held, or balanced by that person and is not installed or attached to real property.

Single-loaded parking: A parking area design with parking spaces located on only one side of a drive aisle.

Site (Wireless Communication Facilities): (other than towers in the right-of-way and eligible support structures): The current boundaries of the leased or owned property surrounding the tower or eligible support structure and any access or utility easements currently related to the site. A site, for other alternative tower structures, base stations, micro cell facilities, and small cell facilities in the right-of-way, is further restricted to that area comprising the base of the structure and to other related accessory equipment already deployed on the ground.

Small Cell Network (Wireless Communication Facilities): A collection of interrelated small cell facilities designed to deliver personal wireless services.

Small Cell Wireless Communication Facility: A wireless communication facility where each antenna is located inside an enclosure of no more than three cubic feet in volume, or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than three cubic feet; and primary equipment enclosures are no larger than seventeen cubic feet in volume. the following associated equipment may be located outside of the primary equipment enclosure and, if so located, is not included in the calculation of equipment volume: electric meter, concealment, telecommunications demarcation box, ground-based enclosure, back-up power systems, grounding equipment, power transfer switch and cut-off switch. Small cells may be attached to alternate tower structures, replacement poles, and base stations. The definition of a small cell facility shall also include a micro cell or micro cell facility.

Solar Energy Facility (SEF) Standards

Accessory Use – An SEF designed primarily for serving on-site needs or a use that is related to the primary use of the property.

Concentrated Solar Power (CSP) –An SEF that uses mirrors to reflect and concentrate sunlight.

Photovoltaic (PV) – An SEF that converts sunlight into electricity through PV cells.

Practicable means it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

Primary Use - An SEF that is devoted to solar electric power generation primarily for use off-site.

Secondary Use – An SEF that is not the primary use of the property.

Solar Energy Facility (SEF) means a Solar Electric System that satisfies the parameters set out in Section 27-1007.

Solar Electric System (SES) means the components and subsystems that, in combination, convert solar energy into electric or thermal energy suitable for use, and may include other appurtenant structures

and facilities. The term includes, but is not limited to, photovoltaic power systems, solar thermal systems, and solar hot water systems.

Solar Thermal System – Also known as solar hot water systems; an SEF that absorbs solar energy as heat which is then used to heat structures and water.

Solar Reflectance Index (SRI) (EBURD only): A measure of a constructed surface's ability to reflect solar heat, as shown by a small temperature rise. The measure utilizes a scale from zero (0) to one hundred (100) and is defined so that a standard black surface is zero (0) and a standard white surface is one hundred (100). To calculate for a given material, obtain the reflectance value and emittance value for the material; calculate the SRI according to ASTM E 1980-01 or the latest version.

Solid waste facility: A facility principally or solely used for the processing or disposal of solid waste and subject to compliance with all applicable federal, state, and local regulations including:

Transfer Stations: Facilities at which solid waste collected from any source is temporarily deposited to await transportation to another solid waste facility. All activities associated with a Transfer Station shall be done within an enclosed structure including but not limited to sorting, reducing, compressing, shredding, compacting, composting, and storage of waste materials, equipment or vehicles.

Solid Waste Processing Facilities: Facilities where solid waste is sorted, reduced, compressed, shredded, compacted or composted for purposes of volume reduction or preparation for burning or land-filling.

Waste Burning Facilities: Any incinerator, boiler, percolator or other solid waste facility at which solid waste, including previously processed solid waste is burned for the purposes of volume and weight reduction or steam heat, power or energy generation.

Sanitary Landfills: Facilities employing a method of disposing of solid wastes on or into land by various forms of excavation, placement, burial, compaction, or covering.

Recycling Processing Facilities: Facilities at which the primary function is to extract useful materials from the solid waste, and all processing activities are conducted within a completely enclosed building.

Spectrum Act (Wireless Communication Facilities): The “Middle Class Tax Relief and Job Creation Act of 2012” (Public Law 112-96; codified at 47 U.S.C. § 1455(a)).

Stable, private: A detached accessory building in which horses or other beasts of burden owned by the occupant of the premises are kept, and in which no such animals are kept for hire, remuneration or sale, and are kept for the owner's private use only.

Stable, commercial: A stable other than a private stable.

Stay: The act of temporarily stopping or suspending an action, such as the processing of a permit application.

Stealth Communication Facility (Wireless Communication Facilities): Any WCF that is integrated as an architectural feature of a structure or the landscape so that the facility and its purpose to provide wireless services is not visually apparent or prominent.

Stormwater best management practices/techniques (EBURD only): Conservation practices or systems of practices and management measures that control soil loss; reduce water quality degradation caused by nutrients, animal waste, toxins, and sediment; and minimize adverse impacts to surface water and

groundwater flow, circulation patterns, and to chemical, physical, and biological characteristics of wetlands by natural means, including replicating natural systems.

Stormwater Management Manual: City of Billings Stormwater Management Manual.

Streets:

Street: A public way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, land, place, or however otherwise designated which has been dedicated to or acquired for public use and which extends the full width between right-of-way lines, which includes areas acquired or prescribed through an easement.

Alley: A minor way that is used primarily for vehicular service access or for utility lines to the back or the side of properties otherwise abutting on a street.

Arterial street: A street which is intended to provide for high operating speeds, high levels of service and to serve longer trips through access management and the interconnection of major development areas such as the central business district, large commercial and industrial developments and major residential areas.

Collector street: A street that functions as a link between local streets and arterial streets and provides both access and movement functions within residential, commercial and industrial areas.

Cul-de-sac: A street that terminates in a vehicular turnaround.

Local street: A street whose primary function is access and whose movement function is incidental and involves traveling to and from a collector. In addition, local streets are characterized by short trip lengths, low traffic volumes, slow speeds and deliberately discouraging through traffic.

Street face: The facade of a building that faces a public or private street.

Street Front Landscaping: Required landscaping that is placed along the edge of a yard adjacent to a public street or right-of-way.

Street type (*EBURD only):* The permitted and regulated types of streets in this article. Refer to section 27-906, Street Type Standards, for more information and a list of the permitted street types.

Streetwall (EBURD only): The vertical plane created by building facades along a street. A continuous streetwall occurs when buildings are located in a row next to the sidewalk without vacant lots or significant setbacks.

Structural canopy: See canopy.

Structure: Anything constructed, erected, or placed with a more or less fixed location on the ground or attached or resting on something having a fixed location on the ground.

Structure, principal: A structure accommodating the principal use to which the property is devoted.

Studio or instruction service: A small-scale facility for the production of or education in a fine art, dance, fitness, or performance program. Examples of these facilities include individual and group instruction and training in the arts and production rehearsal, photography and the processing of photographs produced only by users of the studio facilities, martial arts training studios, and gymnastics instruction and fitness centers. Also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.

Support Structures (Wireless Communication Facilities): A structure designed to support small cell wireless facilities including, but not limited to, monopoles, alternative tower structures, replacement poles, and other freestanding self-supporting pole structures.

Suspended sign: A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface. See also Under Canopy Sign.

Swale: A shallow channel with gently sloping sides that can be used to manage water runoff, filter pollutants, and increase storm water infiltration.

Swing sign: A type of temporary sign that is suspended from a horizontal swing post that is attached to a post that is staked into the ground. Swing signs may include riders that are mounted to the swing post or suspended under the sign panel.

T. T TERMS

Telecommunications Facilities (Wireless Communication Facilities): Any cables, wires, wave guides, antenna and any other equipment or facilities associated with the transmission or reception of communications services located or installed upon or near a tower or base station. Such communications services include, but are not limited to, cellular, personal communication services, specialized mobilized radio, enhanced specialized mobilized radio, paging and other similar services marketed to the commercial or residential consumers. Telecommunications facilities shall not include:

(1) Any satellite earth station antenna two meters in diameter or less which is located in an area zoned commercial or industrial; and

(2) Any satellite earth station antenna one meter or less in diameter, regardless of zoning category.

Temporary irrigation: An irrigation system that is used to establish plants and is removed after the establishment period.

Temporary sign: A sign that is: (1) constructed of cloth, canvas, vinyl, paper, plywood, fabric or other lightweight material not well suited to provide a durable substrate; or (2) if made of some other material, is neither permanently installed in the ground, nor permanently affixed to a building or structure that is permanently installed.

Temporary structure: A structure established for a fixed period of time as established by this chapter.

Temporary use: A use established for a fixed period of time as established by this chapter.

Tenant: A single incorporated use of a premises for which a certificate of occupancy has been issued, which is separated from another business by demising walls and has a separate entrance.

Theater: A structure that is open to the public and is used for dramatic, operatic, musical, motion picture, or other performance or entertainment related activities, where admission is charged per performance or event, and where there is no audience participation other than as spectators.

Toll and Tolling: To delay, suspend, or hold off on the imposition of a deadline, statute of limitations, or time limit.

Tourist Home: A residential dwelling unit, or portion of such a unit, that is rented for compensation or consideration for less than 30 days at a time; does not include dwelling units owned by the federal government, state, City, or any of their agencies, or facilities licensed by the state as health care facilities.

Tower (Wireless Communication Facilities): Any structure built for the sole or primary purpose of supporting one or more FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site. The term includes self-supporting lattice towers, guy towers or monopole towers, radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, alternative tower structures and the like.

Townhome or townhouse: Property that is owned subject to an arrangement under which persons own their own units and hold separate title to the land beneath their units, but under which they may jointly own the common areas and facilities as provided in MCA Title 70.

Towing service and storage yard: Any lot, structure, or the use of any portion of such lot or structure for the temporary outdoor storage of towed vehicles that are to be claimed by the titleholders or their agents.

Transient guest: A guest for only a brief stay, such as the traveling public.

Transition (sign): The time interval between display changes of graphics, text, messages, or images on EMD signs.

Transmission Equipment (Wireless Communication Facilities): Equipment that facilitates transmission for any FCC licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

Trash: Something worth little or nothing.

Travel trailer: See Recreational Vehicle.

Travel trailer park: See Recreational Vehicle Park.

Truck, RV, and heavy equipment rental, sales, and service: A facility or area for the display, sale, and rental of tools, heavy machinery, dump trucks or commercial and heavy equipment not used in offices, such as used in building construction, farming, restaurant, or manufacturing. Sales may either be retail or wholesale.

Truck stop: Any occupancy that provides a service for highway travel directly or indirectly related to the servicing, repairing, and/or refueling of semi-trucks (also commonly known as tractors), semi-trailers, and their components. A truck stop is a point at which semi-trucks may stop for refueling or where truck drivers can park their trucks, trailers and components and seek lodging and/or food services, as well as, other services related to highway trucking needs.

Truck wash: A building or area that provides facilities specifically designed for washing and cleaning semi-tractors and/or semi-trailers and recreational vehicles, which may use production line methods with a conveyor, blower or other mechanical devices. This term also includes facilities that require hand labor in the cleaning of the vehicle.

Turf grass: Continuous plant coverage consisting of grass species suited to growth in central Montana.

U. U TERMS

Under canopy sign: A sign suspended below the ceiling or roof of a canopy.

Unlawful sign: A sign which contravenes this article or which the administrator may declare as unlawful if it becomes dangerous to public safety by reason of dilapidation or abandonment or a nonconforming sign for which a permit required under a previous sign code was not obtained.

Urban agriculture: The practice of cultivating, processing, and distributing food in or around urban areas.

Usable open space: That space on the same lot and contiguous to the principal building or buildings and which is either landscaped or developed and maintained for recreational purposes and excludes that portion of the lot which is utilized for off-street parking or loading space or for front yard setback requirements. Usable open spaces can be provided within a building or the roof top where facilities are provided for residents of the development.

Use: The purpose for which a building, lot, sign, or other structure is arranged, intended, designed, occupied or maintained.

Utility: A use category for the use of land for public or private lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and facilities for the generation of electricity.

> *Utilities, major facilities/service yard* means infrastructure services that have substantial land use impacts on surrounding areas. Typical uses include, but are not limited to, water and wastewater treatment facilities, major water storage facilities and electric generation plants. This definition also includes service yards for utility providers.
>
> *Utilities, minor facilities/office* means infrastructure facilities and services that need to be located in the area where the service is to be provided such as water and sewer pump stations, electrical transforming substations, wind energy conversion systems, solar collector systems, water conveyance systems or gas regulating stations.

Utility, public: A private business organization performing some public service and subject to special governmental regulations or a governmental agency performing similar public services, the services by either of which are paid for directly by the recipients thereof. Such services shall include, but are not limited to, water supply, electric power, gas and transportation for persons and freight.

V. V TERMS

Variance: See Section 27-1627.

Vegetation: Organic plants, including trees, shrubs, vines, and flowers.

Vehicle sales and rental: A facility used primarily for the sale or rental of consumer-oriented motor vehicles, such as automobiles, pick-up trucks, and motorcycles.

Vehicle maintenance and repair:

> *Major*: Vehicle repair consisting of assembly or disassembly of engine parts, body parts, transmission, chassis, axles, etc. and/or the process of painting or upholstering.
>
> *Minor*: Repairs consisting of a minor nature, such as, tune up, oil change, chassis lubrication, tire change or repair, wheel alignment, muffler repair or installation that meet the following:
>
> i. Repairs are made in fully enclosed bays; and

ii. Repairs are of a type that is typically completed in less than eight hours (e.g., oil changes, brake service, tire rotation and balancing, glass repair, tire replacement, fluid checks and replacement, muffler service, spark plug replacement, and comparable services); and

iii. Vehicles are generally not stored on-site, and on the occasion when overnight storage is necessary, vehicles are stored indoors or an enclosed yard that has a sight-obscuring fence.

Vehicular use area: The area of a site devoted to vehicular parking and driving aisles.

Veterinary services: A facility, including an animal hospital for the diagnosis and treatment of pets and other large or small animals including, but not limited to, dogs, cats, birds, and horses; incidental grooming, boarding, or breeding of animals may also be provided.

Video: The display of a succession of single images at a rate greater than 29 frames per second.

Vine: A woody plant whose stem requires support and climbs by tendrils or twining or creeps along the ground.

W. W TERMS

Wall sign: Any sign painted on, mounted on, attached to or erected against the wall of a building and approximately paralleled to the face of a principal building wall.

Warehousing: The storing of goods, wares, and merchandise, whether for the owner or others.

Wholesale: An establishment primarily engaged in the sale of goods and merchandise for resale instead of for direct consumption.

Wind-driven sign: Any sign consisting of one or a series of two or more banners, flags, pennants, ribbons, spinners, streamers, flutter flags, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

Wind Energy Terms:



Aggregated Project - Aggregated projects are those which are developed and operated in a coordinated fashion, but which have multiple entities separately owning one or more of the individual WECS within the larger project. Associated infrastructure such as power lines and transformers that service the facility may be owned by a separate entity but are also included in the aggregated project.

Blade Arc - The arc created by the edge of the rotor blade that is farthest from the nacelle.

Fall Zone - The area, defined as the furthest distance from the tower base, in which a tower and blades will collapse in the event of a structural failure. This area is no greater than the total height of the structure.

Feeder Line - Any power line that carries electrical power from one or more wind turbines or individual transformers associated with an individual wind turbine to the point of interconnection with the electric power grid, in the case of interconnection with the high voltage transmission systems the point of interconnection shall be the substation serving the WECS.

Meteorological Tower - For the purposes of this Wind Energy Conversation System Ordinance, meteorological towers are those towers that are erected primarily to measure wind speed and directions plus other data relevant to siting WECS. Meteorological towers do not include towers and equipment used by airports, the Montana Department of Transportation, or other similar applications to monitor weather conditions.

Micro-WECS - Micro-WECS are WECS of five (5) kW nameplate generating capacity or less mounted on a tower.

Non-Participating - Any landowner except those on whose property all or a portion of a wind energy facility is located pursuant to an agreement with the Facility Owner or Operator.

Project Site – The geographic area of an aggregated site or wind farm project that includes location of all turbines.

Property Line - The boundary line of the area over which the entity applying for WECS permit has legal control for the purposes of installation of a WECS. This control may be attained through fee title ownership, easement, or other appropriate contractual relationship between the project developer and landowner.

Rated Power Output – the electric power output of a WECS at a constant hub height and wind speed of 25 mph.

Rotor Diameter - The diameter of the circle described by the moving rotor blades.

Shadow Flicker – Alternating changes in light intensity caused by the movement of Wind Turbine blades casting shadow on the ground or a nearby stationary object.

Significant Shadow Flicker – More than 30 hours per year of shadow flicker on adjacent property.

Substations - Any electrical facility designed to convert electricity produced by wind turbines to a voltage greater than (35,000 KV) for interconnection with high voltage transmission lines shall be located outside of the road right of way.

Total Height - The highest point, above ground level, reached by a rotor tip or any other part of the WECS.

Transmission Line - Those electrical power lines that carry voltages of at least 69,000 volts (69 KV) and are primarily used to carry electric energy over medium to long distances rather than directly interconnecting and supplying electric energy to retail customers.

Tower - Towers include vertical structures that support the electrical generator, rotor blades, or meteorological equipment.

Tower Height - The total height of the WECS exclusive of the rotor blades.

WECS - Wind Energy Conversion System (WECS) - An electrical generating facility comprised of one or more wind turbines and accessory facilities, including but not limited to, power lines, transformers, and substations that operate by converting the kinetic energy of wind into electrical energy. The energy may be used on-site or distributed into the electrical grid.

Wind Turbine - A wind turbine is any piece of electrical generating equipment that converts the kinetic energy of blowing wind into electrical energy by airfoils or similar devices to capture the wind.

Window: An opening in a wall, door, or roof of a building that allows the passage of light, sound, and sometimes air. An individual window is defined by an architecturally distinct opening. Individual windows may be further divided by muntins, mullions, or decorative elements such as grilles.

Window sign: Any sign, pictures, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

Winery: A bonded winery facility licensed pursuant to MCA Section 16-4-107 comprising the building or buildings used to convert fruit juices (all or part of which are produced on the property) to wine, and to age, bottle, store, distribute and sell said wine. A winery, for the purposes of this section, includes crushing, fermenting and refermenting, bottling, blending, bulk and bottle storage, aging, shipping, receiving, laboratory equipment and maintenance facilities, sales, and administrative office functions, and may include tasting and promotional events.

Wireless communication facility: A facility used to provide personal wireless services as defined at 47 U.S.C. Section 332 (c)(7)(C); or wireless information services provided to the public or to such classes of users as to be effectively available directly to the public via licensed or unlicensed frequencies; or wireless utility monitoring and control services. A WCF does not include a facility entirely enclosed within a permitted building where the installation does not require a modification of the exterior of the building; nor does it include a device attached to a building, used for serving that building only and that is otherwise permitted under other provisions of the code. A WCF includes an antenna or antennas, base stations, support equipment, alternative tower structures, and towers. The term does not include mobile transmitting devices used by wireless service subscribers, such as vehicle or hand-held radios/telephones and their associated transmitting antennas, nor does it include other facilities specifically excluded from the coverage of Section 27-1007.C.

Wireless communication facility antenna or tower farm: An antenna or tower farm is a tract of land that contains no more than three antenna support structures within 750 linear feet of each other. No antenna support structures located in tower farms shall exceed 250 feet in height. Legal tracts must be adjacent to each other to be included in this definition.

X. X TERMS

Xeriscape: Landscape methods that conserve water by drought-tolerant plants and planting techniques.

Y. Y TERMS

Yard, service or storage: Any land or buildings used primarily for the storage of equipment, vehicles, machinery, or materials.

Yard sign: A type of temporary sign that is constructed of paper, vinyl, plastic, wood, metal or other comparable material, which is mounted on a stake or a frame structure (often made from wire) that includes one or more stakes.

Youth foster home: See Community residential facilities.

Youth group home: See Community residential facilities.

Z. Z TERMS

Zoning coordinator: The person designated by the planning director to oversee the administration of this Zoning Code, and the Zoning Coordinator's designee.

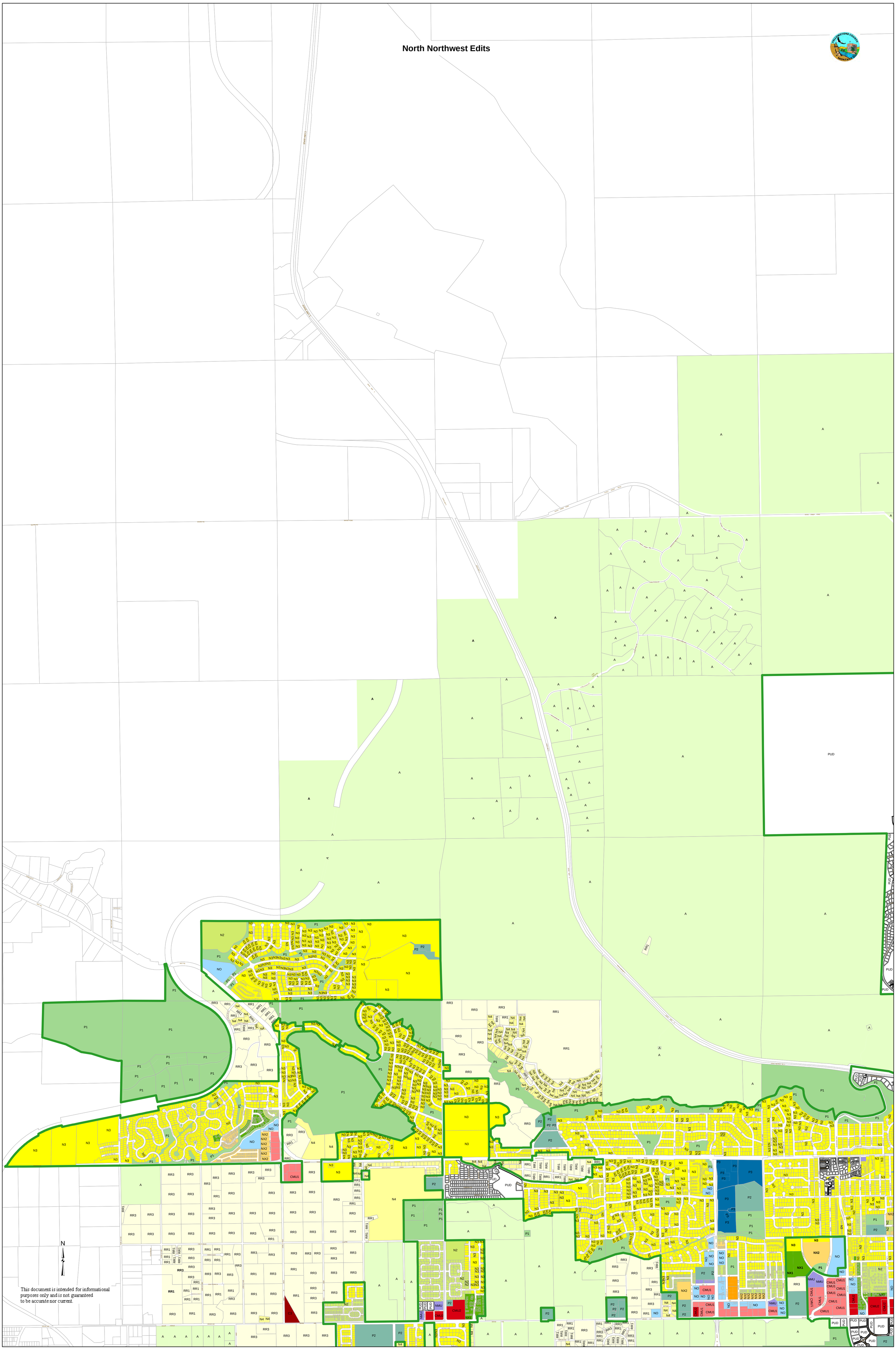
Existing Zone	Proposed Zone	Updated Zone	TAX_ID	Num	Street	Suff	Reason
CC	NO	CMU1	A16645	1307	12th	St W	Big B Bingo
RMF-R	NO	NX3	A16639	1107	Alderson	Ave	Apartment Bldg
RMF	RMH	NX2	A13917	1032	Lake Elmo	Dr	New MHP owner wants to keep RMF option
HC	CX	P2	D05418	1642	Old Hardin	Rd	Lockwood Water Offices
EGC	CMU2	P2	C04253A	1118	Firth	St	Lockwood Sewer Pump Station
R-150	A	P2	D13568	2771	Prairie	Dr	Lockwood Water Facility
R-70	NX2	N2	C00403	323	Covert	Ln	Duplex
R-70	NX2	N2	C00402	331	Covert	Ln	Duplex
R-70	NX2	N2	C00401	339	Covert	Ln	SFR
Public	N2	P1	A31450		Cherry Creek	Loop	Vacant ground inside city limits
A-S	RR1	N4	D04676		Creek Crossing		correction
RMF-R, RP & NC	NMU	N 453' = CMU1 S 420' NX3	D12499	3038	Central	Ave	Requested to match existing allowed uses
CC	NO	CMU2	A08117	2401	Grand	Ave	Requested to match existing allowed uses
NC, RP	NO	NMU	A34229M	2900	Central	Ave	Requested to match existing allowed uses
			A34229A				Requested to match existing allowed uses
			A34229B				Requested to match existing allowed uses
			A34229C				Requested to match existing allowed uses
			A34229D				Requested to match existing allowed uses
			A34229F				Requested to match existing allowed uses
			A34229G				Requested to match existing allowed uses
			A34229H				Requested to match existing allowed uses
RMF-R	N2	NX1	A13367	416	Orchard	Ln	correction
HC	P2	P3 -Civic	D01382	424	Morey	St	correction MDT - multiple buildings campus
NC	NMU	NX2 & NMU	C17796		Elysian	Rd	Requested to match existing allowed uses
CC	CMU1 & NX2	CMU2	A36509		BLACK THUNDER	Rd	correction
CC	CMU1 & NX2	CMU2	A36510		BLACK THUNDER	Rd	correction
CC	CMU1 & NX2	CMU2	A36511		BLACK THUNDER	Rd	correction
CC	CMU1 & NX2	CMU2	A36512		BLACK THUNDER	Rd	correction
CC	CMU1 & NX2	CMU2	A36513		BLACK THUNDER	Rd	correction
CC	CMU1 & NX2	CMU2	A36514		BLACK THUNDER	Rd	correction
CC	CMU1 & NX2	CMU2	A36515		BLACK THUNDER	Rd	correction
CC	CMU1 & NX2	CMU2	A36516		BLACK THUNDER	Rd	correction
CC	CMU1 & NX2	CMU2	A36517		BLACK THUNDER	Rd	correction
CC	CMU1 & NX2	CMU2	A36518		BLACK THUNDER	Rd	correction
CC	CMU1 & NX2	CMU2	A36519		BLACK THUNDER	Rd	correction
CI	I1	CX	A14819	4410	State	Ave	correction
CI	I1	CX	D01383	4808	Underpass	Ave	correction
CI	I1	CX	A04380	343	S Plainview	St	correction
CI	I1	CX	A28397	739	S 20th	St W	correction
CI	I1	CX	D01359A	739	S 20th	St W	correction
CI	I1	CMU2	A28398	749	S 20th	St W	correction
CI	I1	CMU2	D01356B	765	S 20th	St W	correction
CI	I1	CMU2	A20588	710	Carbon	St	correction
CI	I1	CMU2	A20590	1911	King	Ave W	correction
CI	I1	CMU2	D01356A	785	S 20th	St W	correction
CI	I1	CX	C13933	3710	ZOO	DR	correction
CI	I1	CX	C13935	3788	ZOO	DR	correction
CI	I1	CX	C13936	3838	ZOO	DR	correction
CI	I1	CX	C13937	3876	ZOO	DR	correction
CI	I1	CX	C13938	3954	ZOO	DR	correction
CI	I1	CX	C13939	2043	SHILOH	RD	correction
CI	I1	CX	C13940	2085	SHILOH	RD	correction
CI	I1	CX	C13941	3800	ZOO	DR	correction
CI	I1	CX	C13942	3660	PIERCE	PKWY	correction
CI	I1	CX	C13943	3723	PIERCE	PKWY	correction
CI	I1	CX	C13930	3643	PIERCE	PKWY	correction
CI	I1	CX	C13932		PIERCE	PKWY	correction
CI	I1	CX	A30678	3360	HESPER	RD	correction
CI	I1	CX	A30679				correction
CI	I1	CX	A30680	1679	MAJESTIC	LN	correction
CI	I1	CX	A30681	1713	MAJESTIC	LN	correction
CI	I1	CX	A30682	1725	MAJESTIC	LN	correction
CI	I1	CX	A30683	1737	MAJESTIC	LN	correction
CI	I1	CX	A30685	1777	MAJESTIC	LN	correction
CI	I1	CX	A30687	1801	MAJESTIC	LN	correction
CI	I1	CX	A30688	1849	MAJESTIC	LN	correction
CI	I1	CX	A30688A				correction
CI	I1	CX	A30689	3456	BROSO PARK	DR	correction
CI	I1	CX	A30689A	3420	EMBER	LN	correction
CI	I1	CX	A30690	3431	EMBER	LN	correction
CI	I1	CX	A30691	3550	EMBER	LN	correction
CI	I1	CX	A30692	3551	EMBER	LN	correction
CI	I1	CX	A30693	3540	BROSO PARK	DR	correction
CI	I1	CX	A30694	1791	MAJESTIC	LN	correction
CI	I1	CX	A30695	1785	MAJESTIC	LN	correction
CI	I1	CX	A30697	1753	MAJESTIC	LN	correction
CI	I1	CX	A30721	3487	BROSO PARK	DR	correction
CI	I1	CX	A30725	1739	SPRING CREEK	LN	correction
CI	I1	CX	A30726				correction
CI	I1	CX	A30727				correction

Existing Zone	Proposed Zone	Updated Zone	TAX_ID	Num	Street	Suff	Reason
CI	I1	CX	A30728	1730	MAJESTIC	LN	correction
CI	I1	CX	A30730	1766	MAJESTIC	LN	correction
CI	I1	CX	A30713				correction
CI	I1	CX	A30714	3428	HESPER	RD	correction
CI	I1	CX	A30715				correction
CI	I1	CX	A30716	3435	MOUNTAIN PASS	RD	correction
CI	I1	CX	A30718	3477	MOUNTAIN PASS	RD	correction
CI	I1	CX	A30719				correction
CI	I1	CX	A30698				correction
CI	I1	CX	A30699	3620	GABEL	RD	correction
CI	I1	CX	A30700	3616	GABEL	RD	correction
CI	I1	CX	A30701	3612	GABEL	RD	correction
CI	I1	CX	A30704	3572	HESPER	RD	correction
CI	I1	CX	A30707	1720	SPRING CREEK	LN	correction
CI	I1	CX	A30708	1732	SPRING CREEK	LN	correction
CI	I1	CX	A30709	1744	SPRING CREEK	LN	correction
CI	I1	CX	A30710	1768	SPRING CREEK	LN	correction
CI	I1	CX	A30711	1780	SPRING CREEK	LN	correction
CI	I1	CX	D00843B				correction
CI	I1	CX	D00843C	3224	HESPER	RD	correction
CI	I1	CX	D00609	3605	HESPER	RD	correction
CI	I1	CX	D11640	3815	HESPER	RD	correction
CI	I1	CX	A29204				correction
CI	I1	CX	A29203	3576	GABEL	RD	correction
CI	I1	CX	A29205	3545	HESPER	RD	correction
CI	I1	CX	A29206	3497	HESPER	RD	correction
CI	I1	CX	A29207				correction
CI	I1	CX	A29208	3333	HESPER	RD	correction
CI	I1	CX	C10941	3211	HESPER	RD	correction
CI	I1	CX	C10940	3205	HESPER	RD	correction
CI	I1	CX	C10940A	3201	HESPER	RD	correction
CI	I1	CX	C10938				correction
CI	I1	CX	C10939	3206	CONRAD	RD	correction
CI	I1	CX	A29209	3554	GABEL	RD	correction
CI	I1	CX	A29210	3528	GABEL	RD	correction
CI	I1	CX	A29211	3490	GABEL	RD	correction
CI	I1	CX	A29212	3470	GABEL	RD	correction
CI	I1	CX	A29212A	3450	GABEL	RD	correction
CI	I1	CX	A34339		GABEL	RD	correction
CI	I1	CX	A34340		GABEL	RD	correction
CI	I1	CX	A34341		GABEL	RD	correction
CI	I1	CX	A34342		GABEL	RD	correction
CI	I1	CX	A29213	3388	GABEL	RD	correction
CI	I1	CX	A29214	3352	GABEL	RD	correction
CI	I1	CX	A29215	3310	GABEL	RD	correction
CI	I1	CX	A29216	3274	GABEL	RD	correction
CI	I1	CX	A29217	3240	GABEL	RD	correction
CI	I1	CX	D00598		CONRAD	RD	correction
CI	I1	CX	D00599		CONRAD	RD	correction
CI	I1	CX	A36567				correction
CI	I1	CX	A36568				correction
CI	I1	CX	A36569	3311	CONRAD	RD	correction
CI	I1	CX	A36570	3335	CONRAD	RD	correction
CI	I1	CX	A36571				correction
CI	I1	CX	A29218	3233	GABEL	RD	correction
CI	I1	CX	A29220	3319	GABEL	RD	correction
CI	I1	CX	A29222	3395	GABEL	RD	correction
CI	I1	CX	A29223	3413	GABEL	RD	correction
CI	I1	CX	A29225	3481	GABEL	RD	correction
CI	I1	CX	A30059M				correction
CI	I1	CX	A30059A	1205	TRANSTECH	WAY	correction
CI	I1	CX	A30059B	1238	TRANSTECH	WAY	correction
CI	I1	CX	A30059D	1241	TRANSTECH	WAY	correction
CI	I1	CX	A30059E	1246	TRANSTECH	WAY	correction
CI	I1	CX	A30059F	1300	TRANSTECH	WAY	correction
CI	I1	CX	A30059G	3205	TRANSTECH	WAY	correction
CI	I1	CX	A30059H	3210	TRANSTECH	WAY	correction
CI	I1	CX	A30059I	3289	GABEL	RD	correction
CI	I1	CX	A30059J	3405	TRANSTECH	WAY	correction
CI	I1	CX	A30059K	3417	TRANSTECH	WAY	correction
CI	I1	CX	A30059L	3429	TRANSTECH	WAY	correction
CI	I1	CX	A30059N	3521	GABEL	RD	correction
CI	I1	CX	A30059P	1321	DISCOVERY	DR	correction
CI	I1	CX	A30059Q	1336	DISCOVERY	DR	correction
CI	I1	CX	A30059U		TRANSTECH	WAY	correction
CI	I1	CX	A30059W		DISCOVERY	DR	correction
CI	I1	CX	A30059X		DISCOVERY	DR	correction
CI	I1	CX	A30059O	1345	DISCOVERY	DR	correction
CI	I1	CX	A30059R	3533	GABEL	RD	correction
CI	I1	CX	A30059S	3529	GABEL	RD	correction
CI	I1	CX	A30059T	3531	GABEL	RD	correction

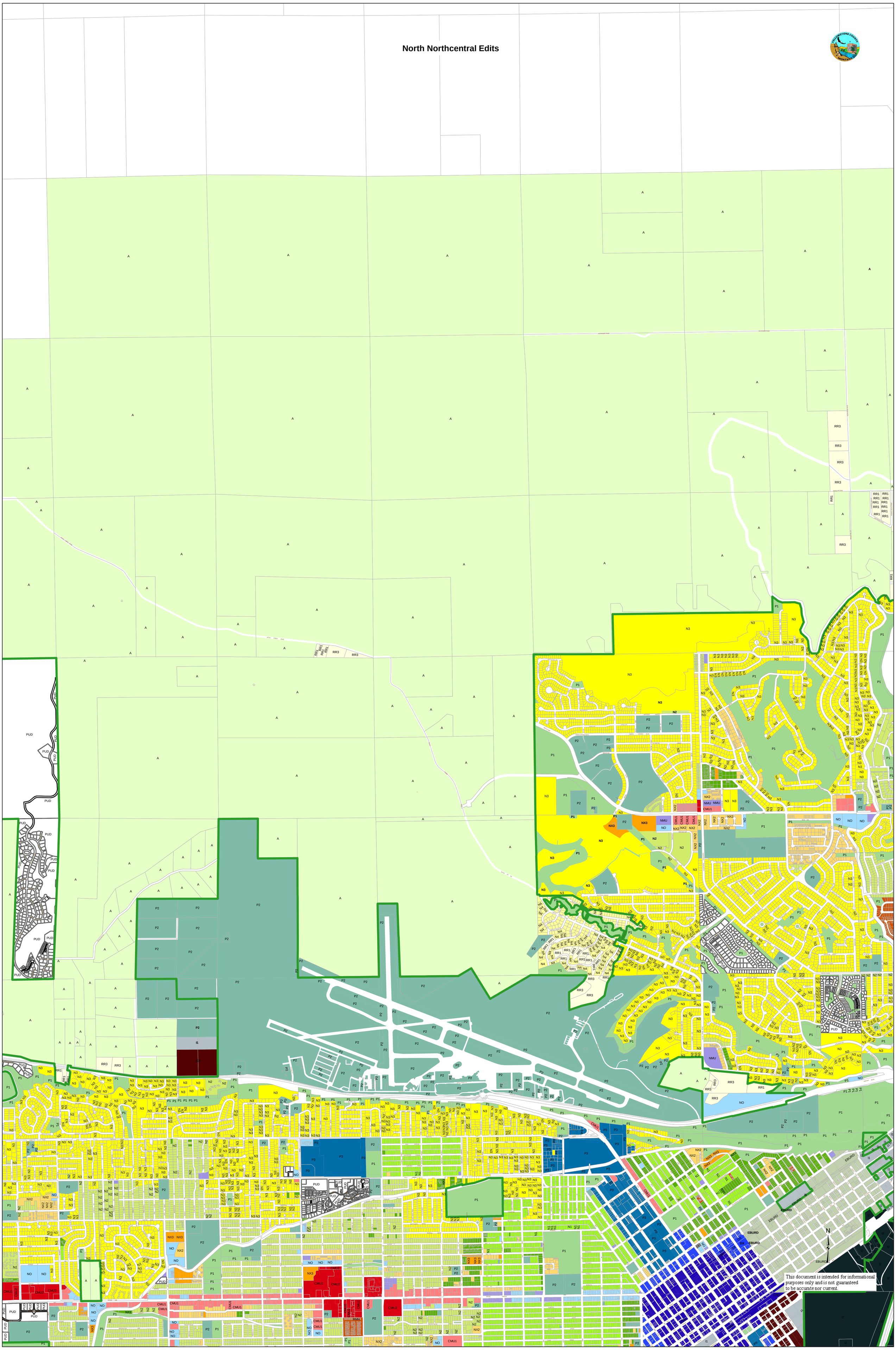
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CI	I1	CX	A30059V		TRANSTECH	WAY	correction
CI	I1	CX	D12486		ZOO	DR	correction
CI	I1	CX	D12710		ZOO	DR	correction
R-150	I1	C3	C05923	1534	WEST	LN	correction
R-150	I1	C3	C05922	1520	WEST	LN	correction
R-150	I1	C3	C05921	1514	WEST	LN	correction
R-150	I1	C3	C05920	1508	WEST	LN	correction
R-150	I1	C3	C05919	1504	WEST	LN	correction
R-150	I1	C3	C05918	1452	WEST	LN	correction
R-150	I1	C3	C05917	1448	WEST	LN	correction
R-150	I1	C3	C05916	1444	WEST	LN	correction
HC	I1	C3	C05915	1440	WEST	LN	correction
HC	I1	C3	C05914A	1440	WEST	LN	correction
HC	I1	C3	C05914	1440	WEST	LN	correction
R-150	I1	N4	C05924	1542	WEST	LN	correction
CI	I1	CX	C11648	2795	ENTERPRISE	AVE	correction
CI	I1	CX	C11647M		ENTERPRISE	AVE	correction
CI	I1	CX	C11647A	2747	ENTERPRISE	AVE	correction
CI	I1	CX	C11647B	2747	ENTERPRISE	AVE	correction
CI	I1	CX	C11647C	2747	ENTERPRISE	AVE	correction
CI	I1	CX	C11647D	2747	ENTERPRISE	AVE	correction
CI	I1	CX	C11647E	2747	ENTERPRISE	AVE	correction
CI	I1	CX	C11647F	2749	ENTERPRISE	AVE	correction
CI	I1	CX	C11647G	2751	ENTERPRISE	AVE	correction
CI	I1	CX	C11647H	2751	ENTERPRISE	AVE	correction
CI	I1	CX	C11647I	2751	ENTERPRISE	AVE	correction
CI	I1	CX	C11647J	2751	ENTERPRISE	AVE	correction
CI	I1	CX	C11645	2721	ENTERPRISE	AVE	correction
CI	I1	CX	C11644	2701	ENTERPRISE	AVE	correction
CI	I1	CX	C11643M	2697	ENTERPRISE	AVE	correction
CI	I1	CX	C11643A	2697	ENTERPRISE	AVE	correction
CI	I1	CX	C11643B	2697	ENTERPRISE	AVE	correction
CI	I1	CX	C11643C	2697	ENTERPRISE	AVE	correction
CI	I1	CX	C11643E	2697	ENTERPRISE	AVE	correction
CI	I1	CX	C11642	2675	ENTERPRISE	AVE	correction
CI	I1	CX	C11641	2625	ENTERPRISE	AVE	correction
CI	I1	CX	C11639	2595	ENTERPRISE	AVE	correction
CI	I1	CX	C11638		ENTERPRISE	AVE	correction
CI	I1	CX	C11637	2549	ENTERPRISE	AVE	correction
CI	I1	CX	C11636	2521	ENTERPRISE	AVE	correction
CI	I1	CX	C11658	2701	OVERLAND	AVE	correction
CI	I1	CX	C11659	2695	OVERLAND	AVE	correction
CI	I1	CX	A31494M	2675	OVERLAND	AVE	correction
CI	I1	CX	A31494A	2675	OVERLAND	AVE	correction
CI	I1	CX	A31494B	2675	OVERLAND	AVE	correction
CI	I1	CX	A31494C	2675	OVERLAND	AVE	correction
CI	I1	CX	A31494D	2675	OVERLAND	AVE	correction
CI	I1	CX	A31494E	2675	OVERLAND	AVE	correction
CI	I1	CX	C11661	2625	OVERLAND	AVE	correction
CI	I1	CX	C11661A	2625	OVERLAND	AVE	correction
CI	I1	CX	C11661B	2625	OVERLAND	AVE	correction
CI	I1	CX	C11661C	2625	OVERLAND	AVE	correction
CI	I1	CX	C11661M	2625	OVERLAND	AVE	correction
CI	I1	CX	C11662	2621	OVERLAND	AVE	correction
CI	I1	CX	C11662A	2621	OVERLAND	AVE	correction
CI	I1	CX	C11662M	2621	OVERLAND	AVE	correction
CI	I1	CX	C11663	2601	OVERLAND	AVE	correction
CI	I1	CX	C11664	2593	OVERLAND	AVE	correction
CI	I1	CX	C11665	2525	OVERLAND	AVE	correction
CI	I1	CX	C11667	2501	OVERLAND	AVE	correction
CI	I1	CX	C11649	1050	S 25TH	ST W	correction
CI	I1	CX	C11651	2550	ENTERPRISE	AVE	correction
CI	I1	CX	C11652	2596	ENTERPRISE	AVE	correction
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CI	I1	CX	C11654	2626	ENTERPRISE	AVE	correction
CI	I1	CX	C11655	2676	ENTERPRISE	AVE	correction
CI	I1	CX	C11656		ENTERPRISE	AVE	correction
CI	I1	CX	C11657	2702	ENTERPRISE	AVE	correction
CI	I1	CX	C10466		S 29TH	ST W	correction
CI	I1	CX	C10465	2924	MILLENNIUM	CIR	correction
CI	I1	CX	C12203	2913	MILLENNIUM	CIR	correction
CI	I1	CX	C12201	2909	MILLENNIUM	CIR	correction
CI	I1	CX	C12200M	2905	MILLENNIUM	CIR	correction
CI	I1	CX	C12200A	2905	MILLENNIUM	CIR	correction
CI	I1	CX	C12200B	2905	MILLENNIUM	CIR	correction
CI	I1	CX	C12200C	2905	MILLENNIUM	CIR	correction
CI	I1	CX	C12200D	2905	MILLENNIUM	CIR	correction
CI	I1	CX	C12200F	2905	MILLENNIUM	CIR	correction
CI	I1	CX	C12200G	2905	MILLENNIUM	CIR	correction
CI	I1	CX	C12200H	2905	MILLENNIUM	CIR	correction
CI	I1	CX	C13064	2922	MILLENNIUM	CIR	correction

Existing Zone	Proposed Zone	Updated Zone	TAX_ID	Num	Street	Suff	Reason
CI	I1	CX	C12199	2901	MILLENNIUM	CIR	correction
CI	I1	CX	C13065	2914	MILLENNIUM	CIR	correction
CI	I1	CX	C13068	2906	MILLENNIUM	CIR	correction
CI	I1	CX	C13069	2902	MILLENNIUM	CIR	correction
CI	I1	CX	A29024M				correction
CI	I1	CX	A29024A				correction
CI	I1	CX	A29024B				correction
CI	I1	CX	A29024C	2877	OVERLAND	AVE	correction
CI	I1	CX	A29025				correction
CI	I1	CX	A29026M	1057	S 29TH	ST W	correction
CI	I1	CX	A29026A	1057	S 29TH	ST W	correction
CI	I1	CX	A29026B	1057	S 29TH	ST W	correction
CI	I1	CX	A29026C	1057	S 29TH	ST W	correction
CI	I1	CX	A29026D	1057	S 29TH	ST W	correction
CI	I1	CX	A29027M		S 29TH	ST W	correction
CI	I1	CX	A29027	1033	S 29TH	ST W	correction
CI	I1	CX	A29027A	1033	S 29TH	ST W	correction
CI	I1	CX	A29027B	1033	S 29TH	ST W	correction
CI	I1	CX	A29027C	1033	S 29TH	ST W	correction
CI	I1	CX	A29028	1011	S 29TH	ST W	correction
CC	CMU1	CX	D05559	744	Lake Elmo	Dr	At request of storage business owner
R-150	RR1	N4 & P1			MacKenzie Meadows Sub		See attached Page 4 of preliminary plat, Lots 18, 37 & 38 Block 2 staying RR1; all other lots N4; Parkland 2 east of Abby Rd is now P1
CC	NMU	N2	A22244		Clubhouse	Way	Request of Owner
R-70	N2	N3	A33646				Request of Owner Regal Land Development
NC	NMU	CMU1	D05510	727	Bench	Blvd	Request of Owner
R-70	N3	N2	D05357	1530	Wicks	Ln	correction
R-70	N3	N2	D05358	1536	Wicks	Ln	correction
R-96	N2	N3	C00082B	1709	Wicks	Ln	correction
R-96	N2	N3	C00082A	1715	Wicks	Ln	correction
R-96	N2	N3	C00082	1721	Wicks	Ln	correction
R-96	N2	N3	C00081C	1727	Wicks	Ln	correction
R-96	N2	N3	C00081B	1735	Wicks	Ln	correction
R-96	N2	N3	C00081A	1741	Wicks	Ln	correction
R-96	N2	N3	C00081	1747	Wicks	Ln	correction
R-70	N3	N2	D05345	1246	Wicks	Ln	correction
R-70	N3	N2	D05346	1302	Wicks	Ln	correction
R-70	N3	N2	D05347	1314	Wicks	Ln	correction
R-70	N3	N2	D05348	1322	Wicks	Ln	correction
R-70	N3	N2	D05349	1334	Wicks	Ln	correction
R-70	N3	N2	D05350	1340	Wicks	Ln	correction
R-70	N3	N2	C06121	1344	Wicks	Ln	correction
R-70	N3	N2	C06122	1346	Wicks	Ln	correction
R-70	N3	N2	C06123	1410	Wicks	Ln	correction
R-70	N3	N2	C00346	1418	Wicks	Ln	correction
R-70	N3	N2	C00347	1422	Wicks	Ln	correction
R-70	N3	N2	C00348	1426	Wicks	Ln	correction
R-70	N3	N2	D05351	1430	Wicks	Ln	correction
R-70	N3	N2	D05352	1444	Wicks	Ln	correction
R-70	N3	N2	D05354	1508	Wicks	Ln	correction
R-70	N3	N2	D05355	1516	Wicks	Ln	correction
R-70	N3	N2	A31248M		Wicks	Ln	correction
R-70	N3	N2	A31247A	1524	Wicks	Ln	correction
R-70	N3	N2	A31247B	1522	Wicks	Ln	correction
CC	CMU1	CMU2	A08117	2401	Grand	Ave	correction
RMF	NO	N2	A36504		Rimrock	Rd	correction
RMF	NX2	N2	A36503M		Coal Creek MSP		correction all units in Signal Peak TH

North Northwest Edits



North Northcentral Edits



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North Northeast Edits

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South Southwest Edits

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South Southcentral Edits

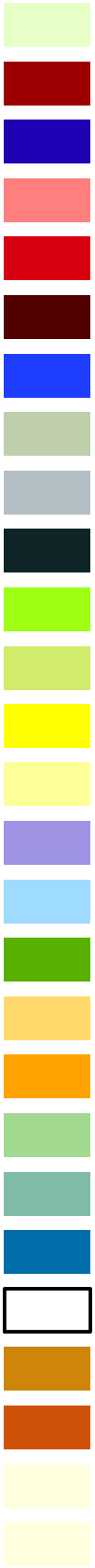
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South Southeast Edits

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Legend

Billings & Yellowstone County Updated Zoning



A - Agriculture 10+ acres*

C3 - General Commercial*

CBD - Central Business District

CMU1 - Corridor Mixed-Use

CMU2 - Corridor Mixed-Use

CX - Heavy Commercial

DX - Downtown Mix

EBURD

I1 - Light Industrial

I2 - Heavy Industrial

N1 - First Neighborhood

N2 - Mid-Century Neighborhood

N3 - Suburban Neighborhood

N4 - Large Lot Suburban Neighborhood*

NMU - Neighborhood Mixed-Use

NO - Neighborhood Office

NX1 - Mixed Residential 1 (1-4 units)

NX2 - Mixed Residential 2 (2 to 8 units)

NX3 - Mixed Residential 3 (5 or more units)

P1 - Open Space, Parks, Recreation

P2 - Public - Civic & Institutional

P3 - Public - Campuses - Medical, Civic, Educational

PD- Planned Development

R-RMH Rural-Residential Manufactured Home*

RMH - Residential Mobile Home

RR1 - Rural Residential 1 acre to 2.9 acres*

RR3 - Rural Residential 3 acre to 9.9 acres*

* = County Only

Exhibit C

City Council Adjustments and Amendments to Exhibit A, 2020 Draft Billings Zoning Code

[Note: This exhibit is formatted to provide complete page replacements for the full Billings Zoning Code distributed to the City Council November 9, 2020 (commonly referred to as Exhibit A). There will be content on some pages that does not include redline edits.]

Article 27-100, General Provisions

No subject matter adjustments.

Article 27-200, Zone Districts and Official Zoning Map

No subject matter adjustments. Zoning map updates through December 3, 2020 included in Exhibit B. Staff will continue to work with property owners to make adjustments unless instructed otherwise.

Article 27-300, Neighborhood Districts

See page 3.

Article 27-400, Mixed-Use and Commercial Districts

No subject matter adjustments.

Article 27-500, Public Districts

No subject matter adjustments.

Article 27-600, Industrial Districts

No subject matter adjustments.

Article 27-700, Planned Development (PD)

No subject matter adjustments.

Article 27-800, Planned Neighborhood Development (PND)

See page 18.

Article 27-900, East Billings Urban Redevelopment District (EBURD)

No subject matter adjustments.

Article 27-1000, Use-Specific Standards

No subject matter adjustments.

Article 27-1100, Proportionate Compliance

See page 25.

Article 27-1200, Landscaping, Buffering, and Screening

See page 29.

Article 27-1300, Parking and Loading

No subject matter adjustments.

Article 27-1400, Sign Code

See page 30.

Article 27-1500, Nonconformities

See page 32.

Article 27-1600, Administration and Procedures

No subject matter adjustments.

Article 27-1700, Violations, Enforcement, and Remedies

No subject matter adjustments.

Article 27-1800, Measurements and Definitions

See page 37.

Article 27-300, Neighborhood Districts

SECTION 27-302 DISTRICT DESCRIPTIONS

Neighborhood districts are primarily intended to allow a mix of residential uses within appropriately scaled buildings to maintain and promote the desired physical character of neighborhoods within the city.

A. N1: FIRST NEIGHBORHOOD RESIDENTIAL

The N1 district is intended to continue the existing character of single-and two-family homes in the first residential neighborhoods developed in the early part of the twentieth century in the city. This district may also be used for new neighborhoods designed with similar characteristics of the first neighborhoods. These characteristics include parking/garages located in the rear of the lot, pitched roofs, and doors and windows on the front facades. Building and garage location are specified in the regulations, with basic parameters for front doors and windows.

B. N2: MID-CENTURY NEIGHBORHOOD RESIDENTIAL

The N2 district is intended to continue the existing character of the residential neighborhoods with single-and two-family homes developed during the middle of the twentieth century. This district may also be used for new neighborhoods designed with similar characteristics of the mid-century neighborhoods. These characteristics include homes wide on the lot, ~~single~~proportionate garages located in the front façade ~~though less than 35% of the facade~~, low pitched roofs, and doors and windows on the front facades. Building and garage location are specified in the regulations, with basic parameters for front doors and windows.

C. N3: SUBURBAN NEIGHBORHOOD RESIDENTIAL

The N3 district is intended for residential neighborhoods primarily with single-family homes. Characteristics include wide lots and attached garages typically located on the front building façade, often greater than 35% of the façade. Basic setback and height parameters apply.

D. NX1: MIXED RESIDENTIAL 1

The NX1 district is intended to continue the character of the first neighborhoods with single-family, two-family, and small-scale multiple-family homes with 3 to 4 units. Multiple-family homes are intended to match the scale of the neighborhood single-family homes with characteristics such as building width, parking and garages location, roof design, and doors and windows on the front facades.

E. NX2: MIXED RESIDENTIAL 2

The NX2 district is intended for small- and mid-scale multiple-family homes with 3 to 8 units, in small neighborhood nodes. The buildings are oriented to the streets in walkable blocks with doors and windows on front facades and parking/garages located behind the buildings.

F. NX3: MIXED RESIDENTIAL 3

The NX3 district is intended for large-scale multiple-family homes in larger neighborhood nodes. The buildings may include larger apartment buildings with more than eight units per structure. The development may have an internal private street system for access throughout the larger node with walkable blocks. Buildings are oriented to the street with doors and windows on front facades and parking/garages located behind the buildings. Covered parking may include rows of canopies or enclosed garages. Common open space, shared recreational facilities, or central gathering spaces are generally provided for residents.

SECTION 27-303 REGULATIONS APPLICABLE TO ALL NEIGHBORHOOD DISTRICTS

All buildings must comply with the general regulations and the specific regulations per each district, unless otherwise expressly stated in this Zoning Code. See Article 27-1500, Nonconformities, for existing buildings that do not fully conform to the district regulations.

A. ALLOWED USES

Allowed uses are provided in Article 27-1000.

B. EXISTING BUILDINGS

Existing buildings are not required to meet these regulations except as defined in Article 27-1500, Nonconformities.

C. SITE ACCESS FOR LOTS

1. Access to residences must be from any public or approved private street right-of-way.

2. All lots shall have one lot line located fully on a public or private street right-of-way, except one of every four lots in the development may be located on a shared open space with access provided by private easement.

~~1.~~3. Where there is an existing or planned alley system, lots shall be provided vehicle access from the alley. Lots without alley access shall be provided a curb cut for vehicle access pursuant to City Curb Cut and Driveway Standards in BMCC 6-1208.

D. PERMANENT STRUCTURES

All buildings constructed in any neighborhood district, except the RMH district, must be of permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise expressly stated in this code. Modular construction that meets state adopted building code is allowed.

E. ACCESSORY STRUCTURE REGULATIONS

1. Accessory structures are subject to Article 27-1000, Use-Specific Standards, except as defined in the district site and structure regulations.

2. Façade siding on accessory structures over 200 square feet in footprint must match the façade material and design of the principal structure to the maximum extent practicable.

F. EXCEPTIONS AND EXEMPTIONS

The following exceptions and exemptions may apply to the district site and structure regulations. Use specific standards in Article 27-1000 are still applicable.

1. Administrative Relief. Article 27-1600 defines administrative relief applicable to the site and structure regulations. Additional administrative relief may be noted throughout this article.

~~1.~~2. Utility Installations. The following structures are not required to comply with site and structure regulations applicable to a specific district.

   (a) Wireless communications facilities and uses

   (b) Public and private utility stations, substations, and associated utility station facilities

~~2.~~3. Public, Civic, and Institutional Uses. Public, civic, and institutional uses allowed in the district are required to the meet the district site and structure regulations, except the following applies:

(a) The minimum dimension of any build-to zone shall be treated as a minimum setback.

(b) Minimum heights are not required. Heights above the maximum allowed may be approved through an Administrative Relief, based upon similar civic structures on similar lots in the surrounding neighborhood. See Section 27-1614, Administrative Relief.

(c) Window, front door, and roof regulations are not required.

G. TRASH, RECYCLING, REFUSE LOCATIONS

For all buildings with five or more units, all trash, recycling, and other refuse areas must be located and treated as follows:

1. Trash, recycling, and other refuse areas must be located in the rear yard of the lot.
2. When no rear yard exists or when the rear yard is less than 10 feet in depth, trash, recycling, and other refuse areas may be located in the rear portion of an interior side yard.
3. Trash, recycling, and other refuse areas may be located inside the building with access doors off the rear or interior side facade. Access doors may be located off a non-primary frontage facade with Administrative Relief per Article 27-1614. Access doors must be opaque, screening a minimum of 80 percent of the opening.
4. See Article 27-1200 for required screening of trash, recycling, and other refuse areas.

H. ALLOWED ENCROACHMENTS

The following encroachments are permitted within setbacks as defined in Table 27-300.2. Encroachments are not allowed where a build-to zone is required.

TABLE 27-300.2: TABLE OF ALLOWED ENCROACHMENTS

Type of Encroachment	Front Setback	Side Setback	Rear Setback	Street-Side Setback	Additional Info
Eaves, gutters, cornices, other arch features	2 feet	2 feet	2 feet	2 feet	Projections over 2 feet in any yard count as lot coverage
Fireplaces Bay Windows	2 feet	2 feet	2 feet	2 feet	
Open or Enclosed Porches, Stoops	8 feet (N3, RMH) All others not less than 5 feet to front property line	None	2 feet	2 feet	
Open decks, Stairways & Landings	8 feet (N3 & RMH) All others not less than 5 feet to front property line	2 feet	2 feet	2 feet	Ramps providing an accessible way are exempt from these requirements

I. YARD TREATMENT

Build-to zones, and front, side and rear yards shall be a minimum of 60 percent landscape area. ~~Driveways are not permitted within the minimum side setbacks.~~

J. FRONT ENTRANCES

The following standards apply only when required by the site and structure regulations for the district. Front building entrances shall be emphasized, adding interest to the building façade, through one or more of the following design features:

1. Roof or Canopy. The entrance is covered by a roof or canopy differentiating it from the overall building roof type.
2. Porch. The entrance is through a porch.

SECTION 27-304 N1 DISTRICT

The following site and structure regulations apply to any lot in the N1 district. Refer to 27-303 for general regulations applicable to all districts and Table 27-300.3, below, for regulations specific to this district, keyed to illustrations in Figure 27-300(1). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-300.3: SITE AND STRUCTURE REGULATIONS

			REFERENCES
A.	**BUILDING SITING**		
1	Minimum Lot Width (feet) per principal building Maximum Lot Width (feet) per principal building	20 80	See 27-304.D for 2-unit buildings. See Article 27-1500 existing lots of record.
2	Maximum Front Building Width (feet)	65 per principal building	
3	Front Build-to Zone (feet)	8-20; match block face average	See Article 27-1800 for block face averaging instructions.
4	Street-Side Build-to Zone (feet)	5-15	
5	Side Setback (feet) Space Between Principal Buildings on Lot (feet)	5 minimum 10 minimum	See 27-304.D for side street lots
6	Rear Setback (feet)	5 minimum	
7	Accessory Building Yard Location	Rear	
8	Accessory Building: Min. Rear Setback (feet)	3, except 0 at alley	
9	Maximum Building Coverage (%)	60	.
10 11	Permitted Driveway Access Location Attached Garage Entrance Location	Alley, side street if no alley Rear, side, or street-side façade; front façade allowed maximum ~~15~~16 feet in width and no more than 30% of facade	~~See Article 27-1305 for driveway access.~~ See BMCC 6-1200 for driveway access.
B.	**HEIGHT**		
12	Principal Building: Maximum Height (stories) Maximum Height (feet)	2.5 34	See Article 27-1800 for instructions for measuring height Accessory roof pitch shall match principal building
13 ~~2~~	Accessory Building: Maximum Height (stories) Maximum Height (feet)	2; not taller than the principal structure 27	
C.	**WINDOWS, FRONT DOOR, ROOF**		
14	Minimum Window & Door Coverage: Front Façade (%)	15 measured per story of all full stories	Measured per each full and half story. See Article 27-1800 for information on measuring front façade window & door coverage
15	Front Door Location Entrance Treatment	Front Façade See 27-303.J for Front Entrance	See 27-304.D for 2-unit buildings.
16	Permitted Roof Types Minimum pitch, less than 2 stories Minimum pitch, 2 or more stories	Pitched, tower permitted 4:12 (rise:run) 3:12 (rise:run)	See Article 27-1800 for definition of roof types and exception for other allowed roof types. See Article 27-1500 for existing buildings

SECTION 27-305 N2 DISTRICT

The following site and structure regulations apply to any lot in the N2 district. Refer to 27-303 for general regulations applicable to all districts and Table 27-300.4, below, for regulations specific to this district, keyed to illustrations in Figure 27-300(2). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-300.4: SITE AND STRUCTURE REGULATIONS

	A. BUILDING SITING		REFERENCES
1	Minimum Lot Width(feet) per principal building Maximum Lot Width (feet) per principal building	50 120	See 27-305.D for 2-unit buildings. See Article 27-1500 existing lots of record.
2	Maximum Front Building Width (feet)	80 per principal building	
3	Front Build-to Zone (feet)	10-20; match block face average	See Article 27-1800 for block face averaging instructions
4	Street-Side Build-to Zone (feet)	10-15	
5	Side Setback (feet) Space Between Principal Buildings on Lot (feet)	5 minimum 10 minimum	
6	Rear Setback (feet)	5 minimum	See 27-305.D for side street lots
7	Accessory Building Yard Location	Rear	
8	Accessory Building: Rear Setback (feet)	3 minimum, except 0 at alley	
9	Maximum Total Building Coverage (%)	40	
10 11	Permitted Driveway Access Location Attached Garage Entrance Location	Any Any façade; front façade limited to no more than ~~35~~40% of façade	~~See 27-1305 for driveway access exceptions.~~ See BMCC Section 6-1200 for driveway access exceptions
	B. HEIGHT		
12	Principal Building: Maximum Height (stories). Maximum Height (feet)	1.5; 2 stories on maximum 60% of footprint except as provided in 27-305.D 27	
13~~2~~	Accessory Building: Maximum Height (stories)	1.5 stories, no taller than the principal building	Accessory roof pitch shall match principal building
	C. WINDOWS, FRONT DOOR, ROOF		
14	Minimum Window & Door Coverage: Front Façade (%)	15 per story	Measured per each full and half story. See Article 27-1800 for information on measuring window and door facade coverage
15	Front Door Location	Street Façade	See 27-305.D for 2-unit buildings.
16	Permitted Roof Types Minimum pitch Maximum pitch	Low pitched, flat 3:12 (rise:run) 6:12 (rise:run), except as provided in 27-305.D	See Article 27-1800 for definition of roof types and exception for other allowed roof types.

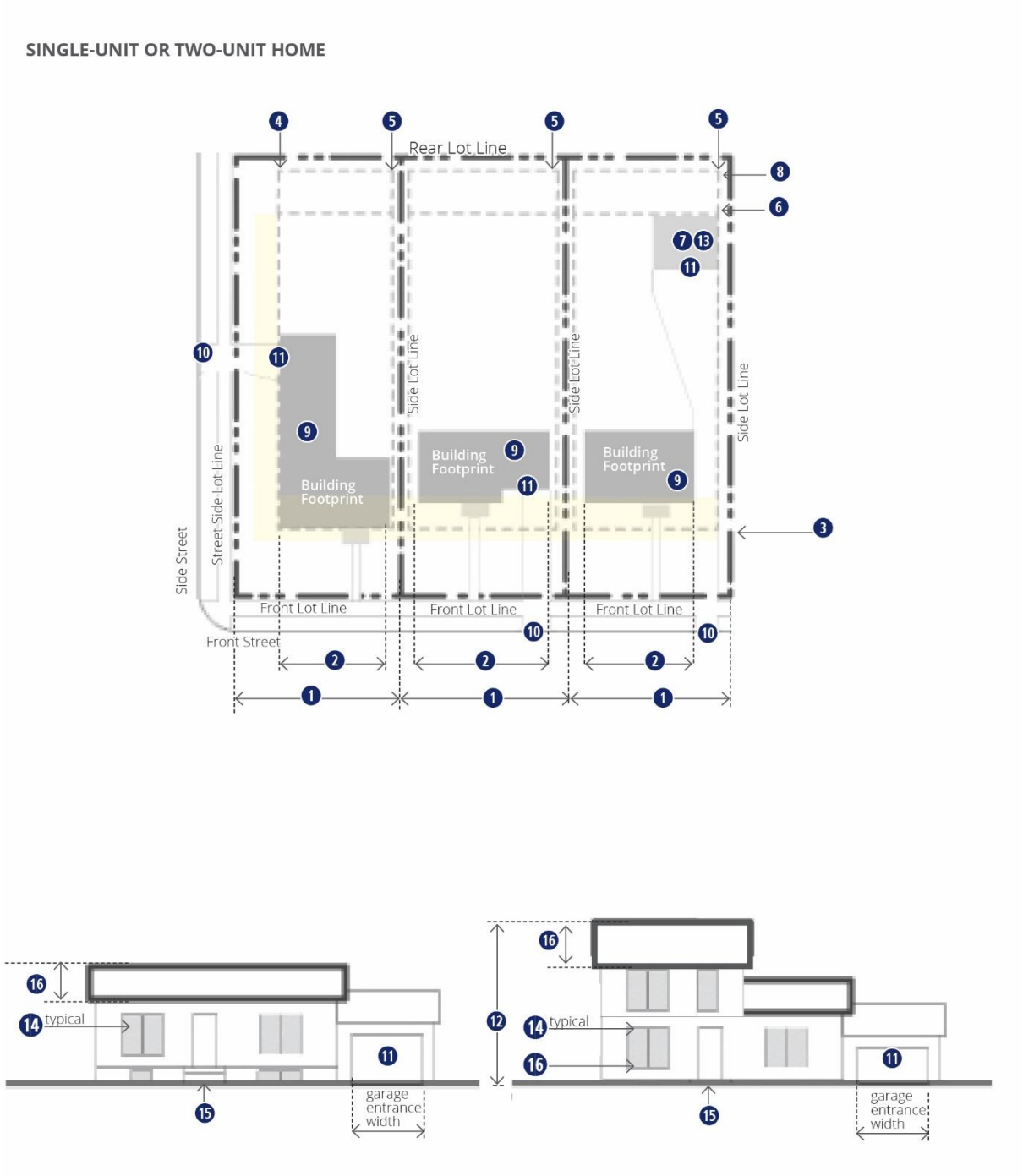


Figure 27-300(2). N2 district diagrammatic plans and elevations.

D. Supplemental Regulations

1. Side Street Lots. Side street lots are those lots that along the short end of blocks, where the front of the lot faces the side street and the depth of the lot is generally the width of

most of the lots on the block. Lots with only side street frontage are allowed maximum building coverage of 80%.

2. The following standards apply to 2-unit buildings:

(a) Configuration. Allowed configurations include the following: side-by-side per below, stacked units, front and rear units, all located in the principal building; two principal buildings on one lot; or a principal building with an accessory building (see Article 27-1000).

(b) Infill Development in Existing Neighborhood. The following apply to any 2-unit building developed adjacent to or abutting existing housing that does not qualify as a new neighborhood development in D.2(c):

(1) Side-by-side units in N2 shall be located perpendicular to the street in a U-shaped configuration with a courtyard or shared yard. The lot may be split to allow a fee simple configuration with a zero side yard setback and shared wall between the two units. Two units attached end to end are permitted with a maximum width along the street of 60 feet.

(2) Entrance. One entrance is permitted on the street, except for side-by-side units on separate lots, the entrances may be located off the courtyard.

(c) New Neighborhood Development. A new neighborhood is any development occupying lot(s) in a subdivision, amended subdivision, certificate of survey, or master site plan created on or after May 3, 1972. The following apply to any 2-unit building developed as part of a new neighborhood development:

(1) Garage entrances located on the front facade are limited to no more than 40% of the front facade width.

(2) Up to 2 entrances are permitted on the street.

(3) Principal buildings may have two stories for the entire footprint of the structure.

(4) Roofs may exceed the 6:12 maximum roof pitch

SECTION 27-307 NX1 DISTRICT

The following site and structure regulations apply to any lot in the NX1 district. Refer to 27-303 for general regulations applicable to all districts and Table 27-300.6, below, for regulations specific to this district, keyed to illustrations in Figure 27-300(4). See Article 27-1800 for definitions and information on how to measure the following regulations.

TABLE 27-300.6: SITE AND STRUCTURE REGULATIONS

	A. BUILDING SITING	Single or Multi-Unit Building	Side-by-Side Attached Units	REFERENCES
1	Minimum Lot Width (feet) per principal building	20 for 1 or 2 units; 50 for 3 or more units	50	See Article 27-1500 for existing lots of record. Side-by-side means units attached along front façade. See 27-307.D for fee simple side-by-side attached units.
2	Maximum Front Building Width (feet)	60	80, 4 units; 120, 4 units on side street	See 27-307.D for fee simple side-by-side attached units.
3	Front Build-to Zone (feet)	8-20; match block face average		See Article 27-1800 for block face averaging instructions. See definitions for front and street-side. See 27-307.D for through lots. Refer to 27-700 for visibility at intersections. See 27-303.K for arterial setback regulations.
4	Street-Side Build-to Zone (feet)	8-15		
5	Side Setback (feet) Space Between Principal Buildings on Lot (feet)	5 minimum 10 minimum		See 27-307.D for side street lots.
6	Rear Setback (feet)	5 minimum		See 27-307.D for side street lots.
7	Accessory Building Yard Location	Rear	Rear	See Article 27-1800 for explanation of yards.
8	Accessory Building: Rear Setback (feet)	5 minimum or 0 at alley		
9	Maximum Building Coverage (%)	60		See 27-307.D for side street lots.
10	Permitted Driveway Access Location	Alley, side street; front street if no side street is available		~~See 27-1305 for driveway standards.~~ See BMCC Section 6-1200 for driveway access standards.
11	Attached Garage Location Allowed Garage Entrance	Rear half of the building; Rear or side adjacent to street façade only		
	B. HEIGHT			
12	Principal Building: Maximum Height (stories) Maximum Height (feet)	2.5 27	2.5 27	See Article 27-1800 for definition half story.
13~~2~~	Accessory Building: Maximum Height (stories)	1.5, no taller than the principal building		Accessory roof pitch shall match principal building
	C. WINDOWS, FRONT DOORS, ROOF			
14	Minimum Window & Door Coverage: Front Façade	15 per story	15 per story	Measured per each full and half story. See Article 27-1800 for information on measuring door & window coverage.
15	Front Door Façade Location & Number of Doors	1 on street façade per building	1 per unit on street facade	See 27-307.D for multiple buildings on a courtyard.
	Entrance Treatment	See 27-303.J for Front Entrance		

16	Permitted Roof Types	Parapet, pitched; tower permitted	See Article 27-1800 for definition of roof types and exception for other allowed roof types.

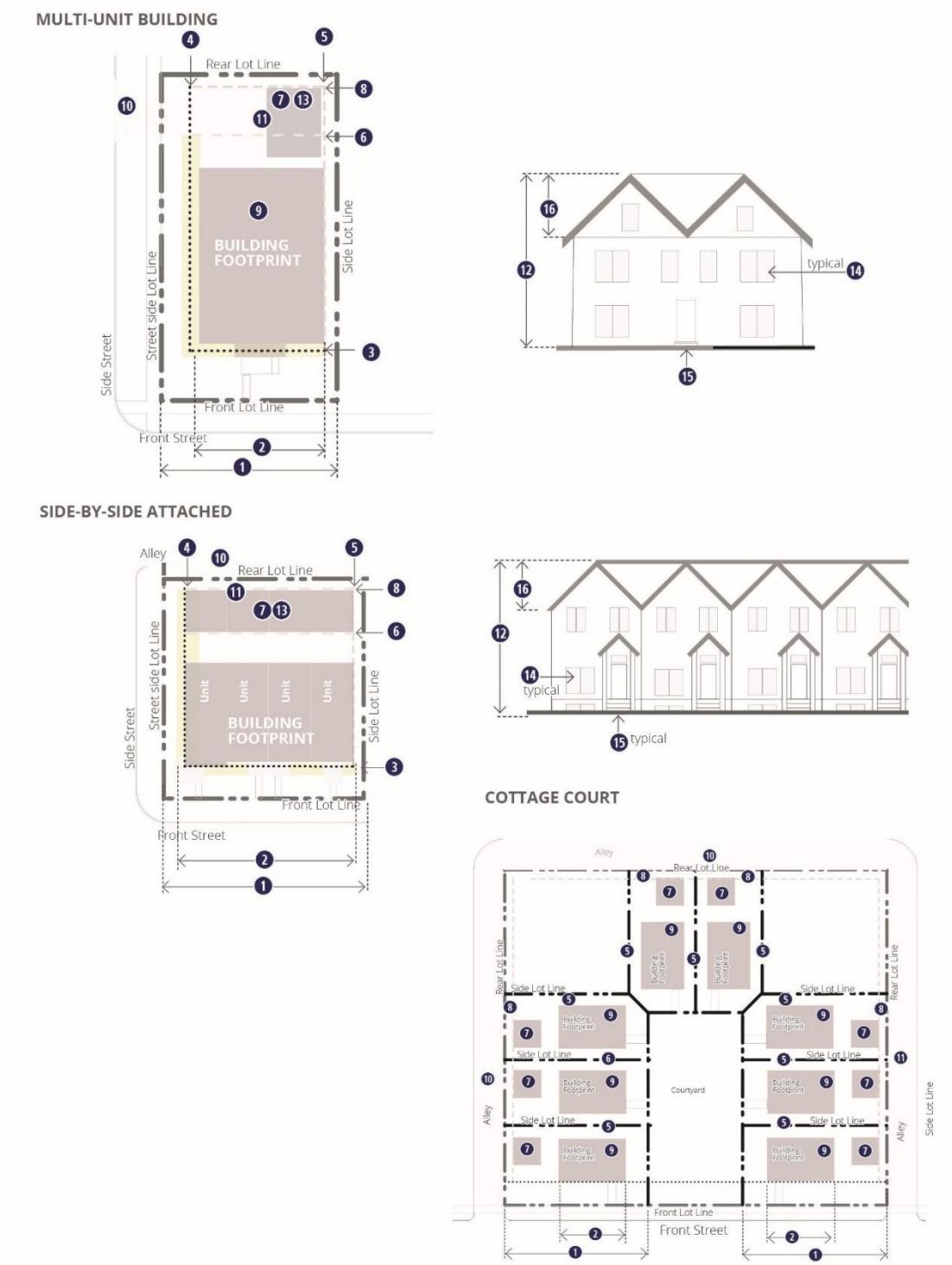


Figure 27-300(4). NX1 district diagrammatic plan.

D. Supplemental Regulations

1. Courtyard Configuration. For multiple buildings and side-by-side attached units with a courtyard, entrances may be located off the courtyard, except every unit abutting a street frontage must include the principal entrance on the street.
2. Through Lots. For developments on lots that extend through a block and addresses on two streets, buildings must front both streets and entrances provided on each street.
3. Fee Simple Side-by-Side Units. For fee simple side-by-side units, the lot width may be smaller; however, the building, comprised of multiple units, shall total meet the minimum regulations.
4. Side Street Frontage. For corner lots, all lot lines other than the front and street-side are side lot lines and, for parking and accessory buildings, the director shall determine where the rear of the lot is located.
5. Open Space. One of the following open space types must be provided for every three contiguous acres of NX1 district:
   (a) Parklet. A parklet is a landscaped open space with a minimum 70% living plant material ~~and a minimum of 20,000 square feet in area,~~ with at least ~~10~~20 feet of street frontage.
   (b) Green. A green is a larger, landscaped space~~, a minimum of one acre in size,~~ with at least ~~20~~50 feet of street frontage.
   (c) Natural Area. A natural area is a large area~~, a minimum two acres in size,~~ defined to conserve a natural feature, such as a stream, wetland or woodland. At least 50 feet of street frontage is required for a natural area.

SECTION 27-308 NX2 AND NX3 DISTRICT

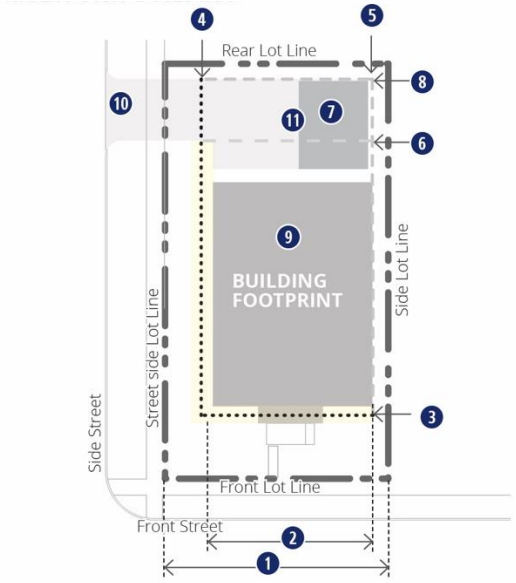
The following site and structure regulations apply to any lot in the NX2 and NX3 district. Refer to 27-303 for general regulations applicable to all districts and Table 27-300.7, below, for regulations specific to this district, keyed to illustrations in Figure 27-300(5). See Article 27-1800 for definitions and information on how to measure the following regulations.

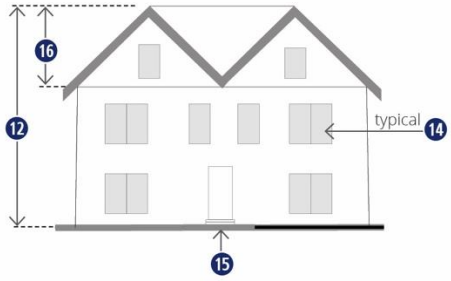
TABLE 27-300.7: SITE AND STRUCTURE REGULATIONS

	A. BUILDING SITING		Multi-Unit Building	Side-by-Side Units	REFERENCES
1	Minimum Lot Width (feet) per principal building		20 for 2 units; 50 for 3 or more units	50	See Article 27-1500 for existing lots of record.
	Minimum Lot Area (square feet)		~~7000;~~ None ~~for 2 units~~	None	
2	Maximum Building Width (feet)		16 ft per ground floor unit	8 units/172 feet on any frontage	See 27-307.D for fee simple row building units.
3	Front Build-to Zone (feet)		10-20		See definitions for front and street-side. See 27-303.K for arterial setback regulations. See 27-307.D for through lots. Refer to 27-~~700~~1802 for visibility at intersections.
4	Street-Side Build-to Zone (feet)		5-15		
5	Side Setback (feet) Space Between Principal Buildings on Lot (feet)		5 minimum; 15 abutting N1, N2, N3, or RMH districts 10 minimum		
6	Rear Setback (feet)		10 minimum; 20 abutting N1, N2, N3, or RMH districts		
7	Accessory Building Yard Location		Rear		See Article 27-1800 for definition of yards.
8	Accessory Building: Rear Setback (feet)		7.5		
9	Maximum Building Coverage (%)		60		
10	Permitted Driveway Access Location		Alley, side street; front street if no side street is available		~~See 27-1305 for driveway access.~~ See BMCC Section 6-1200 for driveway access standards.
11	Attached Garage Location Allowed Garage Entrance		Rear half of the building; Rear or street-side façade only		
	B. HEIGHT				
12	Principal Building:	Minimum Height (stories)	2	1.5 for NX2; 2 for NX3	See Article 27-1800 for definition of half story.
		Maximum Height (stories)	3 for NX2; 4 for NX3	2.5 for NX2; 3 for NX3	
13~~2~~	Accessory Building:	Maximum Height (stories) Maximum Height (feet)	1.5 27	1.5 27	Accessory roof pitch shall ma principal building
	C. WINDOWS, FRONT DOOR, ROOF				
14	Minimum Window & Door Coverage: Front Façade (%)		15 per story	15 per story	Measured per each full and half story. See Article 27-1800 for information on measuring door & window coverage.
15	Front Door Façade Location & Number of Doors		1 per building on street façade	1 per unit on street facade	See Article 27-1800 for multiple buildings on a courtyard
	Entrance Treatment		See 27-303.J for Front Entrance		

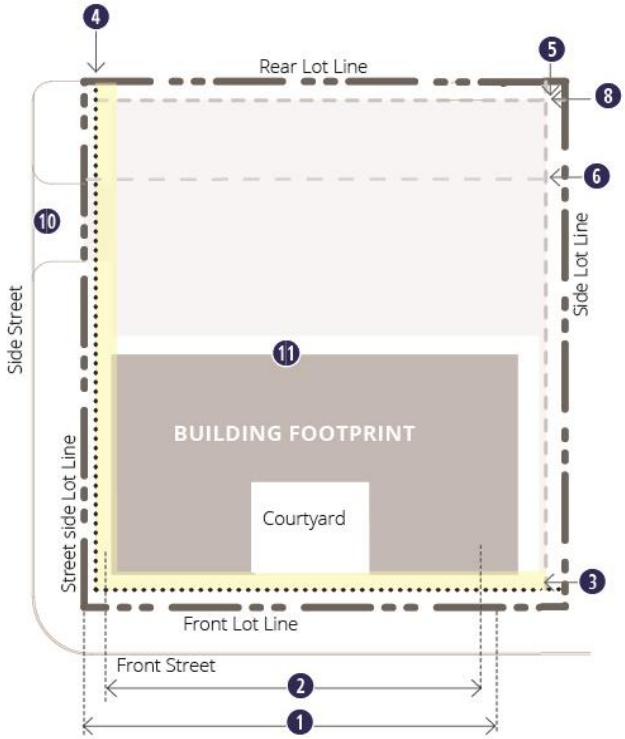
16	Permitted Roof Types	Parapet, pitched, flat; tower permitted	See Article 27-1800 for definition of roof types and exception for other allowed roof types.

2-4 UNIT BUILDING





5+ UNIT BUILDING





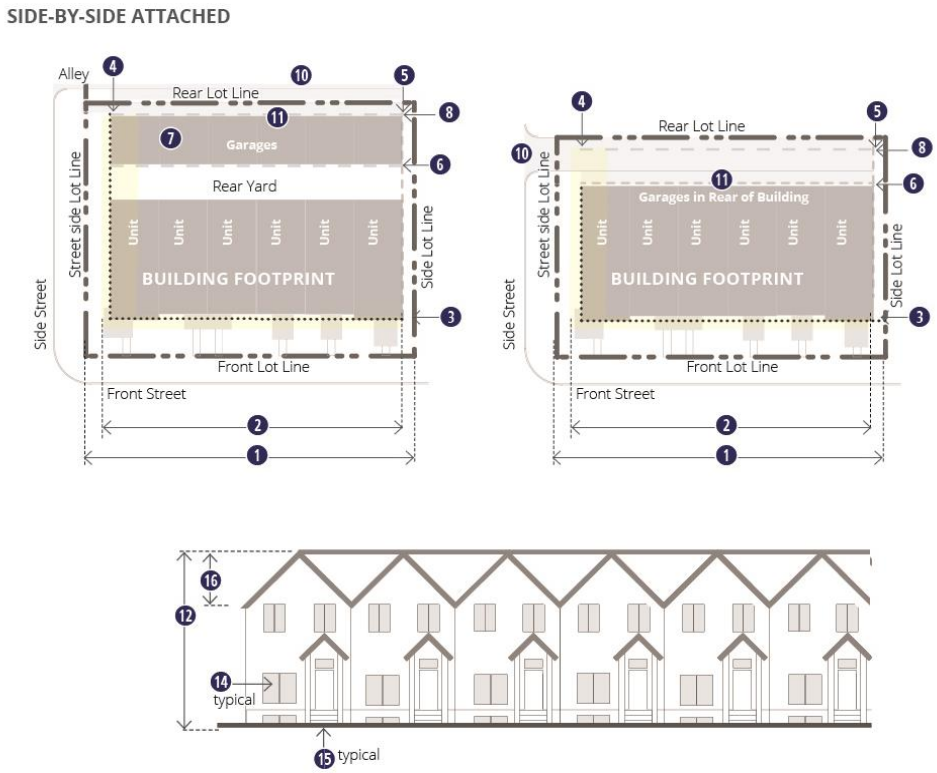


Figure 27-300(5). NX2 and NX3 district diagrammatic plans.

D. Supplemental Regulations

1. Courtyard Configuration. For multiple buildings and side-by-side attached units with courtyards, entrances may be located off a courtyard, except every unit abutting a street frontage must include the principal entrance on the street.
2. Through Lots. For developments on lots that extend through a block and addresses on two streets, buildings must front both streets and entrances provided on each street.
3. Fee Simple Side-by-Side Units. For fee simple side-by-side units, the lot width may be smaller; however, the building, comprised of multiple units, shall total meet the minimum regulations.
4. Side Street Frontage. For corner lots, all lot lines other than the front and street-side are side lot lines and, for parking and accessory buildings, the director shall determine where the rear of the lot is located.
5. Open Space. One of the following open space types must be provided for every three contiguous acres of NX2 or NX3 district:
   (a) Parklet. A parklet is a landscaped open space with a minimum 70% living plant material ~~and a minimum of 20,000 square feet in area,~~ with at least ~~10~~20 feet of street frontage.
   (b) Green. A green is a larger, landscaped space~~, a minimum of one acre in size,~~ with at least ~~20~~50 feet of street frontage.

(c) Natural Area. A natural area is a large area~~, a minimum two acres in size,~~ defined to conserve a natural feature, such as a stream, wetland or woodland. At least 50 feet of street frontage is required for a natural area.

Article 27-800, Planned Neighborhood Development (PND)

SECTION 27-801 GENERAL

A. INTENT

The Planned Neighborhood Development (PND) regulations are intended to allow large and medium sized parcels to use a set of design elements and a combination of zone districts that produces a walkable, sociable, and resilient urban design.

B. APPLICABILITY

1. Annexed Land. All undeveloped parcels equal to or greater than ~~3~~10 acres for which annexation into the city is requested must meet these PND regulations, submitting the PND application concurrent with the annexation request. Connection to City of Billings public services, including, but not limited to, water and sewer, is required. Developed parcels and parcels designated as a P district in their entirety are not subject to this requirement.
2. Optional Applicability. Any parcels equal to or greater than ~~3~~10 acres within city boundaries and that can be connected to City of Billings' public services, including, but not limited to, water and sewer, may follow these PND regulations.
3. The following information, at a minimum, shall be shown on the PND plan application:
   (a) All abutting land owned or under contract for purchase by owners of the subject property;
   (b) All abutting undeveloped parcels for which site plans or subdivision plats have been approved or submitted for approval; and
   (c) All actual or planned transportation facilities including without limitation streets, trails, bikeways, pedestrian ways, alleys, half-streets and similar motorized or non-motorized transportation facilities.
   (d) All actual or planned water, wastewater, storm water or public utility facilities, corridors or services.
4. A PND shall be submitted and approved in whole as a zone change on the parcel but subdivision, building siting, and construction may occur as separate and distinct phases and approvals.
5. Refer to Section 27-1619, Master Site Plan, and Section 27-1628, Zone Change, for approval procedures.

ZONING DISTRICTS

Planned neighborhood developments shall include a mix of multiple zoning districts as a neighborhood development plan. The mix of zoning districts is determined by the type of PND the developer intends to build. The selection of a PND is guided by an adopted growth policy plan, preferred land use plan, neighborhood or area plan, or other city adopted land use, development, transportation or similar plans and policies.

A. DETERMINATION OF PND TYPE

1. Table of PND Types. Refer to Table 27-800.1 for available types of PNDs.

~~1.~~2. Multiple PND Types. The application of one or more types of PNDs, is permitted as follows:

(a) For all sites up to ~~1~~20 acres, only one of the PND types will be allowed on the site.

(b) For developments over ~~1~~20 acres, multiple PND types are allowed as long as at least 10 acres is applied to any one type. The PND plan must show boundaries for each PND type.

Table 27-800.1. Types of Planned Neighborhood Districts

Required Min. Acres	Types of PND	Zoning Districts: CMU1	CMU2	NMU	NO	NX1	NX2	NX3	N1	N2	N3	RMH	P1	P2	P3
~~3~~ 10	**Mixed-Use MU PND** (City or County) Choose at least 2 districts: Pick 1 MU, Pick 1 NX, or Pick 1 N	~~R~~L	L	P	P	P	P	L	P	P	-P	P	**R**	P	P
	Min. % of gross acres	~~10~~											~~5~~2		3 buildings
	~~Max. % of gross acres~~	~~30~~		~~15~~	~~15~~			~~8~~							
~~3~~ 10	**Mixed Residential MR PND** (City or County) Choose at least 2 districts: Pick 1 NX, Pick 1 N	-	-	L	P	~~R~~P	P	P	P	L	-	P	**R**	P	P
	Min. % of gross acres					~~25~~							~~10~~2		3 bldgs
	~~Max. % of gross acres~~			~~10~~						~~20~~					
~~3~~ 10	**Neighborhood N PND** (Choose at least 2 N/NX districts) (City or County)	-	-	L	L	L	L	-	~~R~~P (~~mix of all 3 districts~~)	P	P	P	**R**	P	P
	Min. % of gross acres								~~5~~	~~20~~			~~10~~2		3 bldgs
	~~Max. % of gross acres~~			~~10~~	~~10~~	~~20~~	~~20~~				~~50~~				
Table Notes: All numeric values are percentages of the actual ~~gross~~net parcel area.															

R = *Required.* Refer to specific development type regulations in section 27-802.

P = Allowed or *permitted.* Refer to specific development type regulations in section 27-802.

L = Allowed but *limited* ~~per Table 27-800-1~~ or specific development type regulations in section 27-802.

- = Not allowed or permitted per specific development type regulations in section 27-802.

B. GENERAL LAYOUT OF NEW DISTRICTS

1. Location of CMU Districts
   (a) CMU2 districts shall be located within 660 feet of an arterial or collector streets and not adjacent to or sharing a property line with any existing N, RR, RMH, or A district.
   (b) CMU1 districts shall be located within 1,320 feet of an arterial or collector street intersection and must be separated from any existing N, RR or A district by a public street or alley.
   (c) CMU districts areas shall be uninterrupted and continuous.
2. General Layout of PND Districts
   (a) The same districts shall face each other across streets, including existing districts. This requirement excludes existing zone districts RR, A, RMH, or N4. Similar districts within the same district category (e.g. NX1 and NX2 districts) may be located adjacent to or across the street from the new districts.
   (b) More intense uses located on blocks with less intense uses shall be located on block ends.
   (c) Changes in districts shall generally occur at a rear lot line, at an alley, or at corner parcels.
   (d) N1, N2, and N3 districts shall not be located along arterial streets.
3. Minimum District Mix Regulations.
   (a) Each type of Planned Neighborhood Development ~~has~~ requires~~d~~ a combination of at least two development zoning districts at a minimum 78/20 percentage mix measured by total net parcel area, plus the minimum required open space (2 percent minimum). For example, an applicant with a 12-net acre lot may choose to create a Neighborhood PND (N-PND) with a mix of: (1) 9.36 acres (78%) N3, (2) 2.4 acres (20%) N2, and the required .24 acres of P1 open space.
   (b) Zoning district area minimums and maximums are set as a percentage of the total net ~~land~~parcel area not including the required P1 open space~~.~~
   ~~(c) Variations from the minimum or maximum of up to two percent are allowed. Deviations greater than two percent will require a Variance approval from the Board of Adjustment.~~

~~C. TOWN CENTER PLANNED NEIGHBORHOOD DEVELOPMENT (TC-PND)~~

~~Town Center PNDs are required to provide at least three zone districts in addition to the P1 district as shown in Table 27-800-1. Refer to Table 27-800-1 for the allowed zoning districts available for use in the TC-PND.~~

~~1. CMU and NMU District. A maximum of 60% of the total TC-PND area may be designated for these zones.~~

~~2. CMU2 District. A maximum of 10% of the total TC-PND may be designated as a CMU2 zone.~~

~~3. N District. One NX1 district is required for each TC-PND. Additional N districts may be designated.~~

~~4. Additional Districts.~~

~~(a) A P3 zone must accommodate at least three buildings within the designated area. A P3 zone may not be greater than ten percent of the TC-PND area.~~

~~D.~~C. MIXED-USE PLANNED NEIGHBORHOOD DEVELOPMENT (MU-PND)

Mixed-Use PNDs are required to designate at least one MU district and at least one NX or N district, ~~minimum amount of CMU1 district~~ with other permitted districts, in addition to the minimum area of P1 district as shown Table 27-800.1. Refer to Table 27-800.1 for the allowed zoning districts available for use in the MU-PND.

1. ~~CMU, NMU, or NO~~MU District. A maximum of 7860% of the total MU-PND area may be designated for these zones.
2. ~~CMU2 District. When at least 2 acres of CMU1, NMU, and/or NO district area is designated, a CMU2 district is permitted, so long as all the CMU, NMU and NO area is less than or equal to 60% of the total MU-PND area.~~ All CMU2 districts must be within 660 feet of an arterial or collector street intersection.
3. Additional Districts.
   (a) Minimum Required Residential Mix. ~~With more than five acres of residential districts, a~~At least one N or NX districts shall be designated on a minimum of 20% of the net acreage.

   ~~(b) NX3 districts shall be limited to no more than eight percent of the total MU-PND area.~~

   ~~(c)~~(b) All P3 zones must accommodate at least three buildings within the designated area.
4. Other Districts. Other districts are allowed per Table 27-800.1.
5. P1 Districts. Public and private open space types required in section 27-803 must be zoned P1.

~~E.~~D. MIXED RESIDENTIAL PLANNED NEIGHBORHOOD MR-PND

Mixed Residential PNDs are required to provide ~~one~~two zone districts in addition to the P1 district as shown in the locational requirements of Table 27-800.1. Refer to Table 27-800.1 for the allowed zoning districts available for use in the MR-PND.

1. NX District. ~~A minimum of 25% of the MR-PND area must be zoned NX1~~ One NX-category zone district is required and one N-category zone district is required.

~~2. A maximum of eight percent of the MR-PND area may be zoned NX3.~~

~~3.~~2. NMU District. The NMU district is limited to nodes at local street intersections ~~up to ten percent of the MR-PND area~~.

~~4. N2 districts are limited to no more than 20% of the MR-PND area.~~

~~5.~~3. P1 Districts. Public and private open space types required in section 27-803 must be zoned P1.

~~6.~~4. Additional Districts.

(a) With more than ~~five~~ 10 acres of residential districts, at least one of the following districts must be included with a minimum area of at least 1/2 acre of development: NX2, or NX3 districts.

~~F.~~E. NEIGHBORHOOD PLANNED NEIGHBORHOOD (N-PND)

Neighborhood PNDs are required to provide two zone districts in addition to the P1 district as shown in Table 27-800.1. Refer to Table 27-800.1 for the allowed zoning districts available for use in the N-PND.

1. NMU District. The NMU district is limited to nodes at local street intersections ~~and may be up to 10% of the total N-PND land area.~~ No more than four local street intersections shall have an NMU zone district designated on two or more block ends.
2. NO District. The NO district may be designated at local street intersections ~~and may not exceed 10% of the N-PND land area~~.
3. Additional Districts.
   (a) For all developments, at least two N districts shall be designated.
   (b) For developments over 40 acres, at least one NX district shall be designated ~~and may not exceed 20% of the total N-PND area~~ with a minimum area of at least one acre of development.
   ~~(c) A maximum of 50% of the land area may include land designated as an N3 district with lot sizes over 15,000 square feet.~~
4. P1 Districts. Public and private open space types required in section 27-803 must be zoned P1.

SECTION 27-803 PRIVATE OPEN SPACE REQUIREMENTS

All PNDs must provide open space to ensure the walkability, sociability, and safety of residents and visitors.

A. NATURAL FEATURES

Where significant tree canopy or natural features exist on the site, the open space shall be located in order to preserve the maximum amount of the existing trees or natural features. Open space shall also be located and designed to maximize buffers from waterways and natural features.

B. TYPES OF OPEN SPACE

The following types of open space are required ~~based on the type of PND selected~~.

1. ~~The Town Center and Mixed Use~~ PNDs are required to provide one of the following:
   (a) Plaza. A plaza ~~must be at least 10,000 square feet in area and~~ share street frontage with a CMU, NMU, NO, NX, or P2 zone district. A plaza may provide areas for seasonal

shopping or similar community activities. A plaza may be used to meet the required minimum dedication of open space for a subdivision ~~within the TC-PND or MU-PND zone district~~. A plaza must be developed with landscaping and pedestrian facilities throughout.

(b) Square. A square is similar to a plaza except it is surrounded by street frontage on all sides. A square ~~must be at least 10,000 square feet in area and~~ must be developed with landscaping and pedestrian facilities throughout. A square may be used to meet the required minimum dedication of open space for a subdivision ~~within the TC-PND or MU-PND zone district~~.

~~2. The Mixed Residential and Neighborhood PNDs are required to provide one or more of the following:~~

~~(a)~~(c) Parklet. A parklet is a landscaped open space with a minimum 70% living plant material and ~~a minimum of 20,000 square feet in area, with~~ at least ~~10~~20 feet of street frontage.

~~(b)~~(d) Green. A green is a larger, landscaped space~~, a minimum of one acre in size,~~ with at least ~~20~~50 feet of street frontage.

~~(c)~~(e) Natural area. A natural area is a large area~~, a minimum two acres in size,~~ defined to conserve a natural feature, such as a stream, wetland or woodland. At least 50 feet of street frontage is required for a natural area.

~~3.~~2. All required open space may be counted towards the minimum required dedication of open space for a subdivision ~~within the Mixed Residential or Neighborhood PND zone districts~~.

C. P1 DISTRICT DESIGNATION

The open space must be zoned P1.

D. TRAILS

New trails and trail connections shall be provided through and within the site, and any existing trails surrounding the site shall be continued through the PND, in accordance with the city open space and trail plans and master transportation plan, or as otherwise required.

SECTION 27-804 BLOCKS

Each development shall contribute to an interconnected system of streets and blocks as required by the city subdivision regulations in addition to the following requirements. Streets shall be located to result in the following block regulations.

A. MAXIMUM BLOCK FACE LENGTH

1. For CMU districts, the maximum block face length between street intersections shall be no more than 660 feet in length.
2. For all districts other than CMU, maximum block face length shall be no more than 800 feet.

B. MAXIMUM BLOCK PERIMETER

The maximum perimeter of any block shall be 2,200 feet.

C. CONNECTIVITY

1. Streets shall connect and continue existing or planned streets from adjoining areas.
2. Block faces at the maximum length above require pedestrian access at mid-block points to ensure walkability. Pedestrian access or walkways may be incorporated as a dedicated alley or as an easement between lots.

Article 27-1100, Proportionate Compliance

SECTION 27-1101 PURPOSE AND APPLICABILITY

A. PURPOSE

To encourage redevelopment, continuing property investment, and infill development, it may be necessary to determine site appropriate adjustments to applicable development standards that will allow the development to take place while applying proportional development standards. This section identifies the process for determining specific site compliance with a proportionate standard.

B. APPLICABILITY

1. New Development

New development shall comply fully with all site development and zone district standards.

2. Existing Development

Applicants for some types of redevelopment may qualify for the proportionate application of site or zone district standards as described in this section.

3. No New or Increased Noncompliance

Any redevelopment of a structure or site shall be designed to either increase compliance with this Zoning Code or, at a minimum, not increase existing noncompliance. Redevelopment shall not establish new noncompliance with this Zoning Code, regardless of the applicability of this section.

C. FIVE-YEAR TIMEFRAME

1. Any application by a property owner to expand or replace part of an existing structure shall remain on record for five years from the date of work completion.
2. Any subsequent application by the same property owner(s) to expand or replace part of an existing structure shall be cumulative to any requests made within the previous five years.
3. The total shall be used by the City to determine the property owner's necessary level of compliance.

D. SITE DEVELOPMENT STANDARDS

An applicant may request the application of proportionate compliance with the following site development standards pursuant to Section 27-1102:

1. Section 27-1200, Landscaping

(a) 27-1203, Street Frontage Landscaping

(b) 27-1204, Bufferyard Standards

(c) 27-1205, Parking Lot Landscaping Standards

2. Section 27-1300, Parking and Loading

(a) Table 27-1300.1, Off-Street Parking Standards

(b) 27-1303, Loading Spaces

E. ZONE DISTRICT STANDARDS

An applicant may request the application of proportionate compliance with eligible zone district standards pursuant to Section 27-1103.

SECTION 27-1102 SITE DEVELOPMENT STANDARDS ELIGIBILITY AND MEASUREMENT

A. ELIGIBILITY FOR PROPORTIONATE COMPLIANCE

Proportionate compliance with eligible site development standards as applicable to a specific development or structure type may be requested for development types in Table 27-1100.1 according to the calculations described in Section 27-1102.B.

Table 27-1100.1: Applicability of Development Standards

	Res. Multi-Unit	Mixed-Use and Public	Comm.	Ind.
New Development	**Percent compliance with development standards**			
New Development	100	100	100	100
Existing Development				
Interior Change(s),	Apply Sec. 27-1102.B.2			
Redevelopment:				
Less than 10% GFA	n/a	n/a	n/a	n/a
Between 10% and 75% GFA	Apply Sec. 27-1102.B.2			
Greater than 75% GFA	100	100	100	100
Use Change with Increased Parking	Apply Sec. 27-1102.B.3			
Nonconformities				
See Section 27-1500 for applicability of nonconformity standards				

B. MEASURING REQUIRED COMPLIANCE

1. Interior Changes

In the CBD, DX, CMU1, CMU2, NO, NMU, and EBURD districts, Section 27-1203, Street Frontage Landscaping requirements shall be applicable when a building is remodeled by 10% or more. This shall be calculated based on the value of the remodel permit as a percentage of the building's most recent assessed valuation. For example, a property owner with a building assessed at $1,500,000 who submits an application for a remodel permit valued at $300,000 shall be responsible for 20% compliance with the applicable street frontage landscaping requirements.

2. Gross Floor Area (GFA) Changes

(a) Site development standards shall be proportionately applied to all increases in GFA as follows:

(1) Minimal Change. Square footage changes that increase the total gross floor area of a structure by less than 10 percent, as determined by the building permit application, shall not be required to comply with these development standards.

(2) Proportionate Change. Square footage changes that increase the total gross floor area of a structure by more than 10 percent but less than 75 percent, as determined by the building permit application, shall require a corresponding

percent increase in compliance with these development standards or until the site reaches compliance, whichever is less.

(3) Full Compliance. Square footage changes that increase total gross floor area of a structure by 75 percent or greater, as determined by the building permit application, shall be required to fully comply with these standards.

(b) Measurement is based on changes to an individual structure that is subject to improvements, regardless of the total number of structures on the site.

3. Increased Parking Requirement

Where a change of use triggers a requirement for increased parking on a lot, the calculations of Section 27-1102.B.2 shall be applied to calculate required landscaping improvements from Section 27-1205, Off-Street Parking Lot Standards.

SECTION 27-1103 ZONE DISTRICT STANDARDS ELIGIBILITY AND MEASUREMENT

The following proportionate compliance standards apply to redevelopment in the N1, N2, NX, NMU, NO, CMU1, CMU2, and DX districts.

A. GENERAL SITE AND STRUCTURE ~~DESIGN~~ REQUIREMENTS

For any site or structure renovations, the regulations applicable to all neighborhood districts (Section 27-303) or commercial and or mixed-use districts (Section 27-403) ~~general site design requirements~~ shall be met for that aspect of the site or structure subject to renovation.

B. ZONE DISTRICT SPECIFIC REGULATIONS~~GENERAL RENOVATIONS~~

Any renovation involving the addition of 50% or more gross building square footage, measured cumulatively within a five-year period as determined by the building permit application(s), shall comply with applicable zone district site and structure standards as follows:

1. Build-to Zones

(a) Build-to zones are locations, when required by the zone district, on a lot in which the front or street side facade of a building shall be placed. Refer to Section 27-1802.B, Building and Parking Siting Measurements and Terms.

(b) The renovation or expansion of existing structures is exempt from compliance to place any part of the structure within the required build-to zone identified in the zone district building siting standards unless the renovation is designed to encroach into a build-to zone. Where the expansion does encroach into a required build-to zone, that aspect of the building design shall comply with the build-to standard.

2. Façade Regulations

(a) Façade regulations are those zone district-specific regulations that apply to the design of the front or street side of a building; façade regulations include doors and windows.

(b) Renovations are required to comply with façade regulations only when the renovation is to a front or street façade that exists or will exist in the required build-to zone and which meets one of the following:

(1) Expansion or change in location of 50 percent or more of the doors or windows on any street façade of the building; renovations to garage openings are not included in this calculation.. Refer to Section 27-1800 for the definition of street facade.

(2) In the EBURD (Section 27-900) district only, Rreplacement of 50 percent or more of facade materials on any street facade of the building with a different facade material.

~~Where any renovation includes an addition of more than 50 percent in gross building square footage within a 5-year period, all site and structure regulations shall be met.~~

~~C.~~ FACADE RENOVATIONS

~~If the building's façade exists or will exist within the required build-to zone of the district regulations, the facade regulations shall be met, if the renovation includes any one of the following:~~

~~1. Expansion or change in location of 50 percent or more of the windows on any street façade of the building. Refer to Section 27-1800 for the definition of street facade.~~

~~2.~~1. ~~Replacement of 50 percent or more of facade materials on any street facade of the building with a different facade material.~~

~~2.~~3. Roof Renovations

If the renovation of the shape or style of more than 50 percent of the roof occurs, the applicable roof pitch regulations shall be met. Renovations that do not extend or change the roof of an existing structure do not trigger the application of the zone district's roof regulations.

Article 27-1200, Landscaping, Buffering, and Screening

SECTION 27-1202 APPLICABILITY

Table 27-1200.1: Landscaping Applicability

Landscape Type	Section	Res (N1-3, NX1-3 and RMH)	NO, NMU	CMU1, CMU2	DX, CBD	CX, I1, I2	P2, P3	EBURD
Key: ✔A = Applicable, L/A = Limited Applicability N/A = Not Applicable								
Street Frontage/ Trees	27-1203	✔A All districts and uses located on a public street						Located in Sec.27-900
Bufferyards	27-1204	L/A [1]	✔A	✔A	✔A	✔A	✔A	
Parking Lot Landscaping	27-1205	L/A [2]	✔ Any parking lot with 10 or more spaces					
Tree Preservation Options	27-1206	N/A	✔A	✔A	✔A	✔A	✔A	

Notes: [1] May be applicable to new master site plans or new subdivisions adjacent to existing non-residential development or non-residential zone districts.
[2] May be applicable to multifamily parking lots depending on total number of spaces.

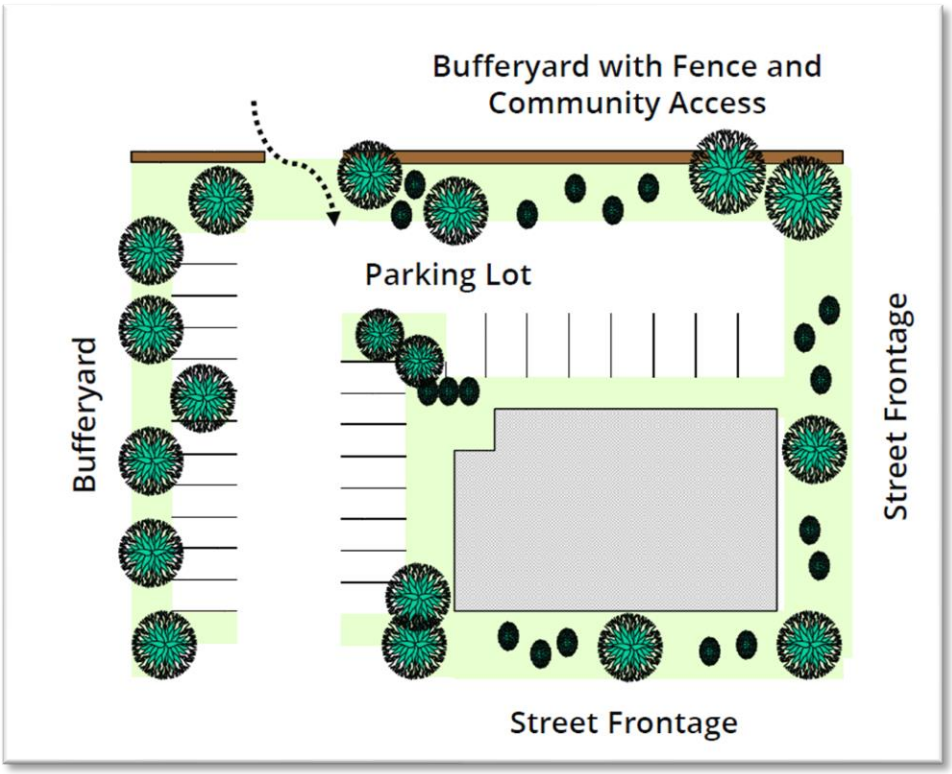


Fig. 27-1200.A: Illustrated location of different required landscape types

A. PROPORTIONATE COMPLIANCE

Article 27-1100, Proportionate Compliance, may be applicable to adjust landscape standards for redevelopment projects.

Article 27-1400, Sign Code

SECTION 27-1405 GENERAL REGULATIONS FOR PERMANENT, ON-PREMISES SIGNS

C. ELECTRONIC MESSAGE DISPLAY (EMD) SIGNS

1. EMD Signs Prohibited

EMD signs are prohibited in the following districts:

(a) All residential neighborhood districts: N1-3, NX1-3 and RMH

(b) Neighborhood Office

(c) Neighborhood Mixed-Use

(d) Public 1

(e) Historic districts

2. Display Technology

The technology currently being deployed for EMDs is LED (light emitting diode), but there may be alternate, preferred, and superior technology available in the future. Any other technology that operates pursuant to the display brightness limits above shall not require an ordinance change for approval.

3. Incorporation in Wall or Freestanding Sign

(a) An EMD may only be used in conjunction with an adjacent wall sign or as part of a freestanding sign and shall not be displayed on its own.

(1) The EMD shall not be larger than 40 percent of the total square footage of the permanent graphic portion of the sign when compared as separate components.

(2) For purposes of determining the allowable total sign area, the permanent graphic portion of the sign and the EMD shall be included in the same perimeter and measured as a single sign, inclusive of any physical separation between the two components.

(b) Only one EMD sign, either wall or freestanding is permitted per developed parcel. EMD sign(s) shall be counted in the total number of signs allowed on the parcel.

4. Generally Applicable Display Standards

(a) All EMD signs shall comply with the following display standards:

(1) EMDs must be equipped with an automatic image dimming capability (ambient light monitors). This feature must be enabled at all times, allowing the display to automatically adjust brightness based on ambient light conditions. The sign must be operated at a brightness level no greater than the manufacturer's recommended levels

(2) The sign shall not include audio, pyrotechnic, bluecasting (bluetooth advertising), or other similar components.

5. Static Display EMD

Where a static display EMD is permitted by this article, the following standards shall apply:

(a) A static display EMD may display a series of static messages and may not flash, scintillate, blink, show motion borders or traveling lights, employ any other aspect of animation, or display video.

(b) Messages on static display EMDs shall not include flashing, the varying of light intensity, or scrolling.

(c) Each static message on the sign shall be displayed for a minimum of ~~six~~three seconds in duration.

(d) Message change shall be completed instantaneously.

(e) There shall be a direct change from one message to the next. All transition effects, such as motion, animation, fading, scrolling, or dissolving are prohibited.

6. Animated Display EMD

Where an animated display EMD is permitted by this article, the following standards shall apply:

(a) The sign shall be on-premises;

(b) A freestanding animated display EMD sign shall be separated by at least 35 linear feet in any direction from any other freestanding animated display EMD;

(c) The sign shall be located at least 100 feet from any residential neighborhood zone (N1-3, NX1-3, or RMH); and

(d) Video display is prohibited.

7. Sign Permit Conditions

The following conditions apply to all EMD sign permits. Failure to comply shall result in the sign ceasing operation until compliance occurs.

(a) That the sign shall at all times be operated in accordance with City codes and that the owner or operator shall provide proof of such conformance within 24-hours of a request by the City;

(b) That a City inspector may access the property upon 24 hours' notice to the owner, operator or permittee so that the City may verify that the EMD has the automatic image dimming capability engaged. In the event of a citizen complaint regarding the EMD brightness, the owner, operator or permittee may be required by the City inspector to manually reduce the brightness to a lower setting;

(c) That whether the sign is programmed from the site or from a remote location, the computer interface that programs the sign and the sign's operation manual shall be available to City staff upon 24 hours' notice to the owner, operator or permittee.

(d) Sign permit applications to install an EMD must include a certification from the owner or operator that the sign shall at all times be operated in compliance with the conditions set out in City code. The owner, operator or permittee shall immediately provide proof of such conformance upon request of the City.

Article 27-1500, Nonconformities

SECTION 27-1501 PURPOSE

A. PURPOSE

1. Changes to the zoning code can impact the status of legal, existing uses, lots, structures, and site features. It is the general policy of the City to allow uses, structures, and lots that came into existence legally to continue to exist and be put to productive use. As these uses and structures change, they should be brought into compliance with applicable regulations as expediently as is reasonably possible.
2. This article continues the City's established regulations regarding nonconformities and also establishes an intermediate legal status category for applicability following partial compliance with this Zoning Code.

B. INTENT

These regulations are intended to:

1. Recognize the interests of property owners in continuing to use their property;
2. Promote the reuse and rehabilitation of existing buildings; and
3. Place reasonable limits on the expansion of nonconformities that have the potential to adversely affect surrounding properties, neighborhoods, or the City as a whole.

C. ILLEGAL STATUS AND CODE VIOLATIONS

Nothing in this article shall be interpreted as authorization for or approval of a continuance of the use of a structure or premises in violation of the zoning regulations in effect at the time of the effective date of this Zoning Code.

SECTION 27-1502 APPLICABILITY

A. GENERAL APPLICABILITY

1. The provisions of this article shall apply to buildings, structures, lands, uses, and site features that become nonconforming as a result of adoption, revision, or amendment to this Zoning Code.
2. The effective date for these regulations shall be established by the ordinance enacting the same. This Zoning Code applies to ~~is _____, ___, 2020 for~~ any property that was located within the limits of the City of Billings on or before that date.
3. Any permit application or development approval that had been accepted by the City as a complete application as of ~~____,__, 2020~~ the effective date of this Zoning Code shall be subject to the provisions of Section 27-107, Transitional Regulations.

B. PRE-EXISTING NONCONFORMITY

1. Any legal nonconformity existing as of the effective date of this Zoning Code will also be a legal nonconformity under this Zoning Code, as long as the situation that resulted in the nonconforming status under the previous zoning code continues to exist.

2. If a nonconformity under the previous zoning code becomes conforming because of the adoption of this Zoning Code, then the situation will no longer be a nonconformity.

C. REPAIRS AND MAINTENANCE

Any building or other structure containing a nonconforming use, or any nonconforming structure or portion thereof, declared unsafe by the Building Official may be strengthened or restored to a safe condition.

D. NONCONFORMING SIGNS

Nonconforming signs are addressed in Article 27-1400, Signs.

SECTION 27-1503 NONCONFORMING STRUCTURES

A. CONTINUATION OF NONCONFORMING STATUS

1. A nonconforming structure may continue to be used in conformance with the zone district where it is located so long as the structure remains lawfully occupied.

2. The structure may not be enlarged or altered in a way which increases its nonconformity unless an enlargement or structural alteration is required by law or by subsection C. above.

   (a) Structural alterations may be permitted when necessary to adapt a nonconforming building to new technologies or equipment pertaining to uses housed in such building.

   (b) Any enlargement greater than 10% of the GFA that is necessary to adapt to new technologies shall be authorized only by a variance, as described in Sections 27-1627.

   (c) All structural changes shall be made in compliance with Article 27-1100, Proportionate Compliance.

3. Enlargement or alteration of nonconforming residential structures is permitted as follows:

   (a) A residential structure that is nonconforming to the applicable zone district façade regulations, as defined in Section 27-1802, may be enlarged or altered in any manner that does not increase the façade non-conformance.

   (b) A residential structure that is nonconforming to applicable zone district build-to zones may be enlarged or altered in any manner that is compliant with zone district standards.

   (c) All structural changes shall be made in compliance with Article 27-1100, Proportionate Compliance.

B. ABANDONMENT AND TERMINATION

1. When a nonconforming structure is abandoned for 12 months or more, the nonconforming status shall be considered terminated and the structure shall be brought into compliance with the current Zoning Code prior to any use.

2. Should the structure be destroyed by any means to an extent of more than 50 percent of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Zoning Code.

3. If the structure is brought into conformance or compliance with the zone district in which it is located, the structural nonconformity may not be resumed.
4. Should the structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations of the zone district in which it is located after it is moved.

SECTION 27-1504 NONCONFORMING USES

A. CONTINUATION OF USE

1. Nonconforming uses may be continued so long as the use remains otherwise lawful.
2. Any nonconforming use may be extended throughout any parts of a building designed for such use that existed as of ~~[adoption date]~~ the effective date of this Zoning Code, but no such use shall be extended to occupy any land outside such building.

B. CONTINUATION OF STRUCTURE SPECIFIC TO USE

No existing structure specific to a nonconforming use shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in conjunction with changing to a conforming use.

C. DISCONTINUANCE

1. Compliance with Code

(a) When a nonconforming use is replaced with a conforming use, the nonconforming use is considered terminated and may not be resumed.

(b) Any structure specific to the use, or structures and land in combination specific to the use, in or on which a nonconforming use is replaced by a permitted use shall be brought into compliance with the zone district in which the structure(s) is located and the nonconforming use may not be resumed.

2. Abandonment

(a) When a nonconforming use is abandoned for six months or more it shall be considered terminated.

(b) When a nonconforming use of a structure specific to a use, or structures and land in combination specific to a use, is abandoned for one year or more, the structure, or structures and premises in combination, shall be brought into conformance with the applicable zone district regulations and the nonconforming use may not be resumed.

3. Demolition, Destruction, or Obsolescence

(a) Where nonconforming use status applies to: (1) a structure specific to a use (such as a gas station), or (2) structure and land in combination specific to a use, (such as an automobile dealership), removal or destruction of the structure shall presumptively eliminate the nonconforming status of the land and reconstruction shall be done in compliance with this Zoning Code..

(1) Destruction for the purpose of this subsection is defined as damage to an extent of more than 50 percent of the replacement cost at time of destruction.

(2) The operation of a nonconnonforming~~mpliant~~ residential use located in an N1-4, NX1-3, or RMH district shall not be terminated regardless of the amount of damage or destruction suffered by the structure in which the use is operated.

(3) The operation of a nonconforming non-residential structure specific to a use or structure and land in combination specific to a use shall be terminated unless the property owner seeks Special Review approval (See Section 27-1623) to reestablish the destroyed structure or structure and land within six months of the date of the event(s) that caused the destruction. In addition to the decision criteria in Section 27-1623,D, the zoning commission and city council shall also consider:

a. Whether changes, over time, to the surrounding area or neighborhood make reestablishment of the structure and use or structure, land and use detrimental to nearby residents or property values;

b. Whether the use and specific structure or use, specific structure and land became nonconforming because of the actions of the property owner; or

~~a.~~c. Whether the use and structure or use, structure and land were subject to distance requirements ("separated use") from other uses ("protected uses") and became non-conforming only when a protected use in a structure specific to that use (such as a religious assembly in its own building) or structure and land specific to that use (such as a primary school) were established within the distance restricted area after the documented establishment of the separated use.

(b) Obsolete or Substandard Non-Residential Structure: The right to operate and maintain any nonconforming use shall terminate and shall cease to exist whenever the non-residential structure in which the use is operated and maintained becomes obsolete or substandard under any applicable state or City code and the cost of placing such structure in lawful compliance with the applicable ordinance exceeds 50 percent of the replacement cost of such structure on the date that the building official determines such structure is obsolete or substandard; provided, however, that in determining the replacement cost of any structure, there shall not be included therein the cost of land or any factors other than the structure itself.

SECTION 27-1505 NONCONFORMING SITE CHARACTERISTICS

A. GENERAL

The following provisions apply to nonconforming site characteristics as defined in Section 27-1803:

1. The nonconforming site characteristic shall not be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption.

2. The nonconforming site characteristic shall not be moved in whole or in part to any other portion of the lot or parcel occupied by the use at the effective date of adoption.

3. The existence of nonconforming site characteristics do not render an otherwise conforming structure or use on the site nonconforming. When changes are made to a conforming

structure or use on a site with nonconforming site characteristics, the site characteristics may need to be brought into compliance as required in Article 27-1100.

B. MANUFACTURED HOME

Within a period of one year or less from its removal from a lot of record, a manufactured home used for residential purposes which is a legal nonconforming use of land may be replaced by another manufactured home for residential purposes, so long as the new home is not more than 50% larger in GFA than the manufactured home that it replaced and can be placed on the lot in compliance with the applicable zone district standards.

SECTION 27-1506 COMPLIANT SINGLE UNIT RESIDENTIAL LOTS

A. A single unit dwelling and customary accessory buildings may be erected on any vacant single lot of record as of the effective date of this Zoning Code in an N1-4, NX1-3 or RMH district as follows:

1. The lot must be in separate ownership and not of contiguous frontage with other lots in the same ownership.
2. This provision shall apply even though such lot fails to meet the applicable requirements for lot width or area, as applicable, provided the setback dimensions, lot coverage, and other requirements not involving lot width or area of the lot shall conform to the regulations of the district in which such lot is located.
3. Either Section 1614, Administrative Relief, or Section 27-1627, Variance, may be used to make requests for adjustments to area and yard requirements

B. If two or more vacant lots or combinations of lots and portions of lots with contiguous frontage in single ownership or record exist at the time of adoption, and if all or part of the lots do not meet the requirements for lot area as established by this Zoning Code, the land involved shall be ~~considered to be~~ treated as an undivided parcel for the purpose of zoning determinations, and no portion of the parcel shall be used or sold which does not meet lot applicable area requirements required by the zone district in which the parcels are located, nor shall any division of the parcel be made which leaves remaining any lot, with area below the applicable zone district requirements ~~stated in this Zoning Code~~ unless the lot is created for utility or dedication purposes and is at least 50% smaller than the minimum lot size permitted in the zone district.

Article 27-1800, Measurements and Definitions

SECTION 27-1802.F.6 ROOF MEASUREMENTS AND TERMS

(a) Tower Height. Maximum height, measured from the top of the parapet or eave to the top of the tower, is the equivalent of the height of one upper floor of the building to which the tower is applied.

(b) Tower Width. Maximum width along all facades is one-third the width of the front facade or thirty feet, whichever is less.

(c) Horizontal Expression Lines. An expression line shall define the tower from the upper stories, except on single family or attached house residential Frontage Types (refer to BMCC Sec.27-904 for Frontage Types).

(d) Occupied Space. Towers may be occupied by the same uses allowed in upper stories of the Frontage Type to which it is applied.

(e) Application. May be combined with all other Roof Types.

(f) Tower Cap. The tower may be capped by the parapet, pitched, low pitched, or flat roof Roof Types, or a spire may cap the tower.

2. Spire

A spire is a long, tapering design element that can be attached to a tower or other Roof Type.

(a) Permitted Location. Spires are permitted only on civic and institutional buildings.

(b) Spire Height. Spire height is not limited.

(c) Spire Width. Maximum width, measured at the spire base is one-sixth (1/6) the width of the front facade or fifteen (15) feet, whichever is less. A wider spire base, proportionate in height, is subject to the approval the Zoning Coordinator.

(d) Occupied Space. Occupied space is not permitted within the spire.

(e) Application. May be combined with any other roof type.

G. OTHER GENERAL STRUCTURE MEASUREMENTS & TERMS

Antenna support structure height: The vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure including any attached antennae. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

Gross floor area: The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

H. USE AND PROPERTY SEPARATIONS MEASUREMENTS

1. Generally Applicable Requirements

Unless otherwise specified in this Zoning Code, separation requirements shall not be applicable when a protected use (e.g., religious assembly, primary or secondary education

facility) is located in a mixed-use structure where the protected use constitutes less than 50% of the total occupation of the structure.

2. Separation Measurements

Unless otherwise specified in this Zoning Code, the following measurement standards will be applied:

(a) Separation Between Uses

(1) Use separation is measured from the nearest point of a structure or part of a multiple use structure occupied by the use requiring separation to the nearest property line occupied by a use from which the separation is to be effected or established.

(2) Only when a significant part of the use is operated outside of a completely enclosed structure shall a separation be measured from the nearest point of the zone lot

WELLS
BUILT

P.O. Box 80445
406.656.1301
www.wellsbuilt.com

23 November 2020

Dear City Council,

I write to you today with concerns about Project Re-code, which is up for its first reading at this evening's council meeting. My goal in writing to you is to ask for more time to allow for tweaks that help Re-code really start off on the right foot.

As someone who has been on the peripheral of Project Re-code, I am more familiar with its origin and creation than my average fellow Billings citizen. I have spent dozens of hours reading, asking questions, and participating in group meetings to understand how the proposed changes will affect the day to day of myself, prospective buyers, and other trade professionals.

The essence of my argument rests on this; With the current zoning, it is practically impossible to mix residential zoning uses, with the proposed zoning, mixed use becomes the only option. I advocate for a middle ground, where mixed use is allowed, but the power of if to use and how much to use remains in the private sector's hands. Staff Clarification: The Neighborhood Zone districts range from single family only (N3) to one & two-family (N1 & N2) to mixed residential one to four unit buildings (NX1), two to eight unit building (NX2) and five plus unit buildings (NX3). This mix of zone districts allows flexibility for a residential areas. Mixed use districts form Neighborhood Office (NO), Neighborhood Mixed Use (NMU) and the Corridor Mixed Use districts will also allow some mixing of residential uses in commercial buildings. The new commercial districts will not continue the allowance to do a stand-alone multi-family apartment in a commercial zone.

This can be accomplished by removing minimum quantities of N1, N2, or N3 zoning in each new planned neighborhood development. The minimums have been advocated as a way to increase density, reduce sprawl, and keep Billings looking the way it's always looked. The main reason I have been given as to why those are promoted as virtues generally refer to cost of providing services. What about the other side of the ledger, revenue? Staff Clarification: City Staff is presenting changes for the PND tool, and for new N1 & N2 districts. I contend people should be able to have lower density housing if they are willing to pay for it. Let's not limit what Billings will allow in hopes, of but no guarantee of, reducing infrastructure costs.

WELLS
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I also understand the desire of the Re-Code to keep Billings' First and Mid-Century neighborhoods looking the way they do. I do not understand why that should have any bearing on what new construction looks like in new neighborhoods that do not look like Billings' First or Mid-Century neighborhoods. N1 and N2 have form requirements (aesthetic mandates) that limit the types of housing that can built in new construction.

Aesthetic mandates are never less expensive to build and are purely subjective in assuming what one person likes and thinks is appealing another person will like and think is appealing. The reason we have First Century and Mid-Century housing to begin with is because the market decided that was how those homes were to have been built, not the planning regulations. So why limit our future to the past?

In conclusion, I am an advocate for progress, and the efficient allocation of resources. I understand the tension between private sector self-interest and the public sector regulation. We cannot have one without the other. Project Re-code will shift the balance too far without some tweaks to how it is written. Markets are better at allocating resources than planning.

The planning department is listening to the private sectors comments, but more concerns are raised as more people become aware of what will change. Please do not vote tonight, delay your vote 4 weeks while we improve upon the zoning that will govern the next decades.

.

Respectfully,

Steve Wells

President

Wells Built, Inc.

CREATIVE VINYL FENCING INC.

dba Ernie Szillat Construction, Inc.
235 E Airport Rd
Billings, MT 59105
406-259-5200
CreativeVinylInc@Live.com

November 23, 2020

Attn: City Council Members:

I oppose the approval of the proposed re:Code for building codes and ask for a continuance to resolve major issues that have been found. Partly due to COVID-19, the construction industry has been inundated with business. This industry needs appropriate time to review the proposed re:Code and conclude to acceptable standards for housing that is affordable. The following are specific drawbacks to the proposal:

A. The new code would be disingenuous to affordability of building due to:

I. Overreach of architectural design in ALL zones. Staff Clarification: Four minor form requirements are added to the residential and commercial zones in some cases. Not all districts.

2. Overreach of landscape requirements in ALL zones. Staff Clarification: Please see all previous replies on this issue.

3. Overreach of controlled/required types of buildings 111 PD/PND/PUD (required mixed use of residential & commercial) Staff Clarification: This is not true. The PND tool will require two districts and can be all residential uses.

B. As written, RMH Zone min 3000 sq ft lot (30' x 100') can accommodate a building 14' wide x 80' long x 34' high WITH an accessory building of 12' wide x 30' long x 40' high. Staff Clarification: All code requirements have to be met - not just minimum lot area. Setbacks, lot coverage and building separations will also be required and enforced.

C. Clarity & better definition is needed for all zones so lot sizes and building footprint are compatible. Specifically, in NX I if a lot is 7000 sq ft, a duplex is allowed. If a single lot is 1.5 acres, is only a single duplex allowed? Another example: NI district: a 20'wide x100' long interior lot, the building may be Io· wide x 60' long x 2.5 stories (34' high). Staff Clarification: The table provided for each zone district explains and the definitions (Sec. 27-1803) further clarify the meaning of terms and measurements. The table states "per prinicple structure" not "per property".

Reviewing this proposed re:Code, I have come across over 100 questions & conflicts as a builder/developer. **We request ample time to stand behind the final document so it will be compatible & beneficial to the current people of the city and for future generations to come.**

Ernie Szillat, owner

Sincerely



From: Bill Hanser <bill@hanserconstruction.com>
Sent: Monday, November 23, 2020 1:37 PM
To: Council <council@billingsmt.gov>
Subject: [EXTERNAL] Project Re-Code

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

Dear Mayor Cole and Members of the City Council,
I want to thank all of the people who have devoted so much work to Project Re-Code.
Below are several items that I would ask receive additional consideration:
Overall:
There is always a balance between administrative oversight and private property rights to most efficiently create the community we all desire to live in. I believe it is important we have strong and clear zoning to drive the shape of our communities, while also allowing maximum personal choice, innovation, and flexibility to create desirable neighborhoods, provide affordable housing, and meet the changing market demands.

Section 27-304 N1 District

Requires side or alley facing driveways. This requirement adds cost and reduces the available yard space. Side entry driveways add expense and increase the amount of snow removal for the homeowner. Staff Clarification: The Table for N1 is not clear that a front load driveway/garage is allowed. A clarification to this part of the code is prepared for Council consideration. It was not the intent of the code to prevent in all cases, a front load driveway/garage.

Section 27-305 N2 District

Allows a maximum 6/12 roof pitch. This makes sense in already built N2 Zones, but in new construction, we frequently use greater than 6/12 pitches to create affordable bonus spaces in attic and garage trusses. Staff Clarification: Staff and the consultant team are preparing a flexible plan for new building while keeping the character requirements for infill or re-builds in existing neighborhoods.

An 80' front is allowed for a single residence, but only a 60' front for a duplex. It seems these should both allow for an 80' front. Staff Clarification: See note above.

Section 27-306 N3 District

Does not allow for duplexes. For most efficient use of land and to create more affordable housing, perhaps this should be an option through special review in this zoning as well.

Section 27-1203 Landscape Plan

Requires a landscaping plan to be submitted with the building permit and that plan will be binding on successors. This seems to add a significant, hard to enforce burden, as well as additional cost to the housing market. Also, many homeowners choose to build sweat equity by doing their own landscaping, allowing them to purchase a property they otherwise would not be able to afford. Staff Clarification: For existing lots for new residential structures, the only required landscaping is the street frontage landscaping showing street trees. This can be done on the existing site plan already submitted for review by Building, Planning & Engineering.

Again thank you to all those who have committed so much energy and hard work to Project Re-Code.

Bill Hanser
2916 Thousand Oaks St
Billings, MT 59102
(406) 671-7301

From: mtstock@bresnan.net
Date: Nov 23, 2020 11:18 AM
Subject: [EXTERNAL] Project recode
To: "Purinton, Pam" <purintonp@billingsmt.gov>
Cc:

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

Pam and City Council, please be advised that I am not ok with the project recode as it stands today. We have not had time to thoroughly review the document. Stock Development has developed over one hundred million dollars in residential, commercial and multi-family real-estate in Billings over the last several years. During the project re-code we were never given the opportunity to comment on any of the changes that have been made. Just reviewing the 400+ page document the parking for residential/multi-family has increased over 25%. This is astronomical in development worlds an will have a substantial increase in development costs! As it stands today we will no longer be able to consider Affordable housing or for that matter Housing in general. Costs due to this type of increase could be as much as 2 Million on a 200 unit complex. Stock Development is very energy conscious and all the work we put into making our buildings ENERGY EFFICIENT will be canceled out by the increase parking! 99% of all municipalities across the country are reducing parking codes not increasing them. Please put this project Recode on hold so we can have time to properly review and make comments. Thanks…Michael Stock

Pam sorry for all the typos rush job….

Staff Clarification: Mr. Stock along with more than 165 other individuals including developers, real estate professionals and neighborhood task force members were notified continually over the 3.5 years of the code development. This included notification and emails with draft code. The opportunity was available and input requested all along the way.
Mr. Stock attended several Urban Issues Working Group meetings that focused on the off-street parking requirements for multi-family apartments as well as other uses. Overall, the new off-street parking code is a better fit for developers since it is based on current understanding of parking demand. The City Engineering Division originally proposed that no enclosed off-street parking garage spaces be "counted" for multi-family developments. It was the Engineering staff opinion these were primarily used for household storage and not for car parking. The Urban Issues Working Group did not agree this was an appropriate measure to handle over-subscribed parking in multi-family apartment areas. This was directly influenced by the participation of Mr. Stock and other multi-family developers. The proposed code changes the current off-street parking ratio from one space for each studio or 1-bedroom unit and 1.5 spaces for each two or more bedroom unit to 1.5 parking spaces for each dwelling unit in a multi-family development plus 1 additional space for every 10 dwelling units. The one additional space is to accommodate visitors. This is a parking ratio Mr. Stock provides already in his multi-family developments. Many multi-family developers also provide between 1.5 to 2 off street parking spaces per dwelling unit. Staff agrees parking ratios should be adjusted where necessary, so administrative relief, transit offsets and shared parking agreements are encouraged in the proposed code. The code will also allow for a zoning variance if needed.
The current parking code is over 60 years old and is of little use to gauge the correct off-street parking demand.

From: Doug Wild <doug@billingsbuilders.com>
Sent: Monday, November 23, 2020 9:29 PM
To: Council <council@billingsmt.gov>
Subject: [EXTERNAL] Landscape requirements

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

I wanted to voice concern with the landscape requirements as it concernes residencial development. I believe that there should not be specific requirements set forth for single family and duplex property. There are a number of times that home owners have the desire to do their own landscape to help with adorablility. Requiring landscaping at time of certificate of occupancy will cause additional cost.

Staff Clarification: The new landscaping requirements for single lot existing residential developments ONLY include the requirment for street frontage landscaping (Section 27-1203 and Table 27-1200.1) For new residential developments that adjoin or are across an alley from a different zone or use such as mixed-use or non-residential development, the developer will need to plan for a buffer yard on the residential side of the shared property line. The mixed-use or non-residential development will also be required to install a buffer yard on their side of the property line or alley.

From: Doug Wild <doug@billingsbuilders.com>
Sent: Monday, November 23, 2020 10:20 PM
To: Council <council@billingsmt.gov>
Subject: [EXTERNAL] "style" requirements n1 and n2

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

I wanted you again thank you for your time and the city council meeting this evening.

I believe that it is appropriate to remove the style requirements for the N1 and N2 for new development. As they are written to ensure conformity in these historic parts of town. Requirements restricting roof pitch, front facade garage doors, windows, and the like are things that should be left up to the person purchasing the home. I believe that removing the style requirements will entice developers to develop smaller lots thus conforming more with the city's growth policy. Removing such style restrictions will not decrease the quality of homes built only provide flexibility and innovation for our growing community.
Doug wild
Staff Clarification: Staff is working with the consultant team to allow a flexible plan for the N1 & N2 zone districts to continue the character of existing neighbors and allow some flexibility for new developments.

From: Laura Boyer <laura@boyerproperties.com>
Sent: Monday, November 23, 2020 11:34 AM
To: Council <council@billingsmt.gov>
Subject: [EXTERNAL] Re-Code

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

As a builders and developer in Billings, Montana for over 45 years we feel we have a strong pulse on what buyers are looking for and this new code will no longer allow us to provide that to the Montana buyer. The most popular multifamily and single family homes that we have sold over the years will no longer be able to be built under this new code. Our market is driven by the consumer and if we cant produce what the consumer wants this will have a negative effect on our community.

Staff Clarification: Staff is not able to answer this concern without specific code requirements that would prevent Design Builders from building their current design in the future. Staff reviewed all of the proposed and approved master building plans on record for Design Builders, and each one met the proposed code requirements for the N3 zone district. I am not aware of a multi-family building plan constructured by Boyer Properties in the past 5 to 10 years. The N2 & N1 zone district will have a flexibility plan for new developments.

We would like to ask the City to hold off on making a decision about the rezoning. There are many concerns that homebuilders and developers have but with COVID right now we are unable to attend meetings and the fact that we are extremely busy building and selling homes that we will no longer be allowed to build under this new code.

Laura Boyer
406-698-5455
Boyer Properties, LLC
Boyer Land, LLC
Design Builders, Inc.

Laura Boyer
406-698-5455
Boyer Properties, LLC
Boyer Land, LLC
Design Builders, Inc.

From: Ewalt, Frank
Sent: Thursday, November 26, 2020 8:07 AM
To: Kukulski, Chris <kukulskic@billingsmt.gov>; Cromwell, Nicole <CromwellN@billingsmt.gov>; Iffland, Kevin <ifflandk@billingsmt.gov>
Cc: .MayorAndCouncil <Mayor&Council@billingsmt.gov>
Subject: re-code

I want to commend the movement made by planning/re-code committee so far. I feel the changes are appropriate in addressing concerns voiced mostly by the building/developers of our community. Thank you for exercising this flexibility.

One other area of concern is the financial impact that is being imposed upon property owners when this re-code is passed and enforced. Their property is worth "X" amount today and the next day a lessor amount due to re-zoning, much like making casinos/bars/taverns non-conforming that next day. It may be advantageous to consider a 2 year grace period for those that can prove financial loss with the re-code. It is very easy to say that upon passing and enforcing re-code all past zoning will be gone, if you have no real "skin in the game". This financial impact is very real for some property owners, and may become very real for the City if litigation is filed against the City for this reason.
Staff Clarification: Property value, market value and utility of property are based on many factors, the least of which is probably zoning conformity or nonconformity. Property appraisers, who help determine market value, are concerned with zoning conformity as are lenders and insurance underwriters. The ability to rebuild a residential property – as is and where is – is important for residential lending. If a home is in a flood plain, then flood insurance will be required. If a home is too close to a property line, often the lender will require a zoning variance so the home can be re-built at the same location. If a home is too large for the lot – over lot coverage – the lender may require a zoning variance. Many of the changes to the residential zone districts will alleviate existing non-conformities – not create new problems. The new “urban form” requirements are not in the same category of nonconformities as a building height, setback or lot coverage. A building with more than 50% of the front façade in garage openings can continue, can be renovated and updated so long as the garage door openings are not increased on the front façade. This is a site characteristic and the code recognizes the unique property of a site characteristic versus other zoning requirements such as use.

Thank you for consideration of this matter.

Frank

From: tylert@epconsigngroup.com <tylert@epconsigngroup.com>
Sent: Wednesday, November 11, 2020 9:18 AM
To: Council
Cc: toddt@epconsigngroup.com
Subject: [EXTERNAL] EMD Regulations/ Sign Code Allowances

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

Dear Council Members,

I have attached the document which an EMD user must sign before their EMD is permitted. This document pertains to the sign code they were presented, upon signing this agreement. My customers would not have signed this, nor made the substantial investment, if the code limited the use of the sign as the proposed new sign code. I urge you to think about the backlash from the business owners if they are told to not use their EMD in accordance to what they signed. Staff Clarification: The existing sign code prohibits several uses of EMD signs that many owners are violating including the current sections of the sign code at 27-708 (Prohibited Signs)
(a) Animated and intensely lighted signs: No signs shall be permitted which are animated by means of flashing, scintillating, blinking, traveling lights, displaying video or any other means not providing constant illumination (unless specifically permitted in special sign districts). Electronic Message Displays may be allowed provided they do not flash, scintillate, blink, show motion borders or traveling lights or display video.

The proposed change to static display for most existing EMD signs is based on the lack of compliance with the existing code, even by owners who sign an EMD certificate.

Also, the current sign code allows a freestanding sign to be a maximum of 175 square feet in most commercial zones, the proposed code is cutting this down to 50 or 80 square feet for a single tenant in CMU1 and CMU2, (most of grand avenue, 24th street, and many more arterials). Staff Clarification: The proposed code will allow smaller sign area but we are also changing the way sign area is measured. Current measurement includes the entire sign cabinet. The new measurement method will distinguish between the total area of a sign and the area that just supports the sign face. Decorative designs and sign area not designed for the placement of text, symbols or graphics will not be included in the sign area calculation.

This would make the majority of the freestanding signs, legal non-conforming. We understand 175 square feet is a lot, but cutting it by more than half seems drastic and unfair to new businesses trying to compete. Staff Clarification: I reviewed some of the more recent sign permits for locations of single tenant properties on arterial streets. It appears this statement does not conform to our more recent permits (2018 through 2020) for new freestanding signs on Grand, 24th St W, Broadwater Avenue, Central Avenue, Main Street or other arterial streets. Most of these are 50 to 80 square feet in area. The much larger new freestanding signs are generally for new casinos and gas stations. Also, minor nonconformities for sign height or area (20% or less of the proposed sign limits) can continue and can have regular maintenance and new sign faces. The signs more than 20% out of conformity with height or area limits have stricter requirements for sign changes, but sign faces may still be replaced. (Section 27-1403)

The new proposed freestanding sign size will also greatly reduce the size of an allowed EMD, an EMD can only be 40% of the sign, making an allowed EMD 20 square feet, now try to advertise anything with

a 6 second static message. Staff Clarification: The percentage of the total sign area is not in all cases 20 square feet for the EMD. For example, an 80 square-foot total sign area could have 40% or 32 square feet for the EMD sign.

The current code allows 3 square feet of building signage per foot of building frontage, the new code limits 1 building sign per street frontage, again, extremely unfair to any new business to compete with an existing competitor. Staff Clarification: The proposed sign area for building signs for one tenant buildings is 20% of the total wall area (on the street façade) or 250 square feet whichever is smaller. The business could have multiple building signs including one each of the sign types listed in Table 27-1400.6 of the proposed sign code. These sign types include wall signs, projecting signs, awning signs, canopy signs and window signs

I could go on and on, but I urge you to look at the current code, compared to the proposed code, and see how drastic the allowances have been reduced.

Thank you for your consideration,

Tyler J. Thelen
930 Avenue C
406-670-0555

From: Travis Woltermann <Travis.Woltermann@goldenent.com>
Sent: Monday, November 23, 2020 2:34 PM
To: Cole, Bill <coleb@billingsmt.gov>; Shaw, Kendra <shawk@billingsmt.gov>; Yakawich, Mike <yakawichm@billingsmt.gov>; Ewalt, Frank <ewaltf@billingsmt.gov>; Neese, Roy <neeser@billingsmt.gov>; Choriki, Danny <chorikid@billingsmt.gov>; Joy, Denise <joyd@billingsmt.gov>; Purinton, Pam <purintonp@billingsmt.gov>; Ronning, Penny <ronningp@billingsmt.gov>; Boyett, Mike <boyettm@billingsmt.gov>; Brown, Shaun <browns@billingsmt.gov>
Subject: [EXTERNAL] Project Re:Code

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

Good Afternoon Mayor Cole and Members of the Council,

I'm writing to you today with hope that you will delay the decision making on Project Re:Code until further research is conducted and discussions have been had in more detail. It was recently brought to my attention that it will directly affect the industry I'm currently in which is the Hospitality Industry. I've started reviewing this 428 page document and after reviewing a few of the mentions in the Re:Code, it was quite alarming as I immediately felt like this was more of an attack on our industry rather than for general purpose. A few examples of those mentions I've listed below.

- Casino Classification- These will now be categorized into 3 areas. Accessory Limited, Accessory Small, and Primary/Large if I understand correctly. I'm not quite comprehending the need for the breakdown and would be interested to hear reasoning. Page 147 Staff Clarification: The classification was to distinguish between business models that are primarily oriented to a gambling use and those with an accessory or minor additional use to the primary use – a restaurant for example.
- Separation Distances- (a) Primary/Large casinos shall be separated from religious institutions by at least 600 ft. For the most part I agree with a reasonable separation when also mentioning "active" schools or parks or playgrounds however why is that the separation is required by casinos yet churches or places of worship are under no restrictions and can be placed within 600ft of a casino? In a particular past case, I'm aware of a church being the landlord of the casino. Seems to be a bit one sided from my view. Staff Clarification: This is the current code requirement measured property line to property line. The new measurement will be from the exterior of the building where the casino/bar is located to the property line of the protected use – school (primary & secondary), church (religious assembly), park with a playground, and now residential zones. The proposed code makes the separation distances no eligible for reduction, waivers or variances.
- Page 146. Bars or taverns shall also be separated from any residential neighborhood zone (N1, N2,N3, N4, NX1, NX2, NX3, and RMH) by at least 150 feet, measured from the exterior of the occupied building space of the bar or tavern to the property line of the lot in the residential neighborhood zone. Why are casinos required to be 600 ft? Again, having troubles finding the clarity for reasoning behind these proposed and some current restrictions. Staff Clarification: Bars & taverns (places that serve more alcohol than food), will need to meet the 150 feet separation to a residential zone and casinos (Large, Primary) will need to be separated from residential zones by 350 feet.
- There was a mention in the Billings Gazette made by Nicole Cromwell stating if the bar or casino gets destroyed by accident or disaster, it can't rebuild as a bar or casino if it doesn't fit the new

zoning requirements. This one is very concerning to me as arson is very much alive and well in our city. 20 years ago I wouldn't have questioned it as much as I do today. After recently discussing with local fire departmens, we do in fact have a problem with arson in our city.

Overall in the hospitality industry, we can come a very long ways adapting to new times and progression in the world we live in. We've gone from bars and nightclubs packing in 300-400 people to nowdays pubs, lounges, and casino hosting a faction of that number and maintaining lucrative tax revenues for the State and local departments. Casinos are heavily taxed businesses paying in 56 times per year! Billings generated $10.6M in tax revenue alone during it's last fiscal year. I feel that is a very strong number generated mainly by local mom and pop's businesses. Some people will argue there are too many casinos currently in Billings. The "perception" is that there is no cap on gaming licenses and the city will soon turn into Las Vegas. Not true. These licenses have been capped now for several years. Usually when one older style casino shuts down…. a newly remodeled modern casino reopens.

In closing, I appreciate what you all do for this great City of Billings we live in. I hope we are not writing and approving new laws/regulations based off perception. The word seems to be all to common these days in discussions. Please consider postponing your decision on Project Re:Code until we fully understand it's direction and where it's all stemming from.

All the best,
Travis

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From: Bough, Jason <Jason.Bough@goldenent.com>
Sent: Monday, November 23, 2020 4:06 PM
To: Council <council@billingsmt.gov>
Subject: [EXTERNAL] Project Recode

ATTENTION: This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

Good afternoon Mayor and Council Members,

I am writing in the hope that you will rethink Project Recode, and the effect it will have on the bar and casino industry in Billings. I believe this is being contemplated to combat the notion that bars and casinos are everywhere in Billings, and that more and more keep popping up. Most people outside of the industry do not realize that there are no new city alcohol licenses (that allow gaming) available from the state. What that means is that when you see a new bar/casino open somewhere in Billings it is because a different bar/casino closed somewhere else.

We currently have state mandated separation distances from churches, schools, and parks, although variances are allowed in some instances. This Project Recode makes the distances more restrictive in redefining how the distances are calculated ,not allowing for variances, and added residential areas to the separation requirements. So now bars/casinos can't be near churches, schools, parks, or residential areas which leaves them to main streets and industrial areas.

Schools and parks aren't added very regularly, but churches (especially small venues) seem to move around a lot and they can currently move within the 600 foot distance to a bar/casino which then hinders the bar/casino from possible expansion, even on their own property. It seems like any distance requirements should prohibit both parties from being near each other. Staff Clarification: If a church or religious assembly rents a space in a larger building, this will not trigger the separation distance requirement in the existing or proposed code. If the religious assembly is the primary use of the property (more than 50% of the building or land area) would a separation distance be required.

The bar and casino industry in Billings employs a lot of people and generates a lot of tax revenue. I hope you review this project and ask yourself what it is trying to accomplish, as these restrictions seem intended to severely restrict business which will have a negative impact to tax revenue, as well as to peoples livelihoods.

Thank you very much for your time,

Jason Bough

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To City Council on November 23, 2020

Project Re-Code points of interest & concern

Below are the specific sections and language in Project Re-Code that will have detrimental effects to our State sanctioned gaming businesses. Before I layout those proposed provisions, it is important to know that I believe that Project Re-Codes zoning map may NOT PROVIDE ENOUGH LEGAL SPACE for all of Billings Casinos to be legal. The proposed map lays out zoning options for casinos, but with a 350 ft separation from residential districts, 600 ft separation from churches, parks with a playground, and schools in CMU zones, and an additional State Law requiring a 150 ft separation from the exterior wall of another casino (which I don't know any one is considering), it is my belief there not enough real estate in the proposed map to cater to the 130+ State approved licenses operating in city limits. Staff Clarification: A map was prepared by the City GIS staff showing areas available for the location of new casinos if the proposed non-reducible separation distances are approved. The existing state law requiring 150-foot separation from another casino ONLY applies to locations owned by the same party – not separate parties or corporations.

I've asked Nicole to provide a map highlighting potential legal locations using ALL of those separations (including the State required 150 ft separation from another casino) and we'll see what she comes back with, I could be wrong. If she comes back with nothing, I will hire a civil engineering firm to provide those answers. If it true that the city does not provide enough legal space for our businesses, although I'm not an attorney, logic tells me this might a problem.

Questions & Concerns

- I believe the proposed 350 ft separation from a residential district does not apply to uses, but to be clear will residential "uses" within a CMU or DX zone prohibit gaming? Example – Casinos are allowed in CMU2 zones, but what if there are apartments or a condo(s) on the second floor of a business located in the CMU zone. Are casinos then prohibited? Staff Clarification: In Section 27-1005.J, the separation to a residential zone lists the specific residential districts where the separation applies. This does NOT include any of the mixed-use districts or where residential uses may be part of a development. The specific wording of the separation distances does not state "uses" it states "zone".

- **27-1001-2 (Pg2):** Residential uses now include: day cares, healthcare facilities, household living centers, and social assistance centers. If the answer to your question above is "Yes" is it safe to assume that it is also proposed that casinos will now have a 350 ft separation from those uses within CMU zones as well? Staff Clarification: The word "use" cannot be used interchangeably with the word "zone" in this context. The careful language of Section 27-1005.J does not require

a separation for a "residential use" it requires a separation from a "residential zone" and those districts are listed.

- I was not able to find the definition for "healthcare and social assistance uses." Will healthcare uses include dental, vision, rehabilitation centers? My concern again is the separation from residential uses/districts in a CMU zone. If an eye doctor is considered a residential use and/or district, is a separation required from gaming? Staff Clarification: See the answers above.

- **Section 27-602-6 (Pg. 2):** I do not understand what it means when they say, "No fascia of a building or canopy may be internally illuminated." Can Nicole give us examples of prohibited internal lighting? Staff Clarification: This prohibition is only triggered when the commercial/industrial zone is within 50 feet of a residential zone. This is in the existing code at Sec. 27-612.e. Internally illuminated fascia is a building fascia – usually along the eave – where a plastic covering is placed over lighting. Exterior neon or led tubing attached to a fascia – usually along the building eave – is not included in this prohibition. This is not a common choice for exterior building materials. The current code has been in place since 2012.

As I understand it casinos that are grandfathered into non-conforming locations and may continue to operate at those locations. However, if more than 50% of that casino property is destroyed by arson or natural disaster, the casino owners will not be allowed to rebuild and operate under the same use.

My concern here is that with so little options available for casino owners to relocate, the landowners who have land for sale or lease options available in conforming locations will naturally increase their price to casino owners as they will be desperate to find conforming space. Furthermore, the value of casinos reside within the locations that they operate, the area's residents they serve, and the profit that the business is able to create. If the city forces casinos owners out of those grandfathered locations after being destroyed by natural disaster or arson, it will without any doubt, destroy the value of that license. Buyers of casino licenses will pay far less for casinos located in grandfathered locations due to the increased risk of being destroyed and not being allowed to rebuild. The other concern is that separation uses will eventually encroach on a gaming license under this re-code. This encroachment will make legal locations illegal and further devalue the price a buyer is willing to pay due to increased risk of being kicked out and unable to find economically viable locations.

Solution: Create assurances that grandfathered locations will be allowed rebuild and continue operating as non-conforming use if destroyed by natural disaster or fire. I would also argue that encroachment on a gaming license should be addressed. License owners lucky enough to find a legal location should not have to worry about becoming illegal and potentially losing their business and the devaluation of their property.

27-402 -D (Bottom of Page 1)

By definition, Project Re-code states the following: "CMU2 differs from CMU1 as it is meant to accommodate larger scale commercial, warehouse-style buildings, and other uses in multiple buildings on larger, deeper parcels along corridors."

Problem: Casinos are not large commercial spaces or buildings. The majority of gaming floors and establishments are small. Many times not exceeding 2500 sq ft. Re-Codes definition of CMU2 does not fit the characteristics of an average casino. My fear is that casinos will ultimately be forced into these CMU2 zones and buried in warehouse style areas that will make it economically unfeasible for casinos to continue. Staff Clarification: Casinos and bars are not limited to the CMU2 zone district. It may be easier to locate a casino/bar in a CMU2 zone – as a tenant space or in an "out lot" on a larger parcel to meet the non-reducible separation requirements.

27-602-F-9 (Industrial district): "No outdoor announcement system of music system whether permanent or temporary, is allowed"

> **Problem:** This would eliminate the possibility for special events to take place (Ex: Live after 5) in an industrial district. Is this fair to the people and businesses that enjoy live music on special occasions? Seems to me that as Re-Code is written so that casinos over time will be forced to concentrate themselves into these districts. Now add that Re-Code proposes to take away these areas ability to provide a fun, economically viable entertainment elements to their area by taking away their right to be granted a permit for live music from time to time. I would even argue this is a long-term strategy by the authors to further exacerbate negative public perception of gaming. These areas will turn into overconcentrated "Casino zones" and the code seems to be attempting to prevent these districts from doing anything the public would perceive as positive.
>
> This seems so targeted to me that, I need to question whether I am even understanding this correctly? Can Nicole confirm that I'm reading right? Staff Clarification: This prohibition only applies when the property is within 50 feet of a residential zoning district. This is the existing code at Sec. 27-612.e. and applies to any commercial use within this 50-foot area. It does not apply everywhere and on every commercial or industrial property.

Article 27-1005-G-1(a)-(c). (Bar and tavern separation)

Bars and Taverns without gaming are allowed a 150 ft separation from residential districts. Why are state sanctioned casinos are being targeted with a 350 ft separation from residential districts while taverns/bars are not? Staff Clarification: The City Council gave staff direction two years ago to separate the two uses – alcohol service and gambling – so the code is different for each use. Gambling and casinos were a greater concern for the City Council and for public safety.

The primary function of a bar without gaming is to serve alcohol. It's my belief that alcohol creates far more problems for people, families, and cities than a gaming establishment. Gaming establishments discourage drinking due to the fact that they are forced to give much of their alcohol away. At our six casinos we do everything we can to discourage drinking. It's expensive for our casinos to get people drunk, we don't like to do it. Allowing bars and tavern a 150 ft separation but gaming a 350 ft separation (27-1005-J:3(b)) appears to be targeted without any rationale.

The way the separation is measured from a casino to a residential district in (27-1005-J-3(b)) is from the exterior wall of the casino to the property line of the residential district. I would encourage that it measured from building to building instead. I would further encourage casinos to be treated fairly and equally and for the separation to be reduced to 150 ft from a residential district.

- Tavern and building owners beware **27-1102** dictates that if you complete an interior remodel of your building you will be required to produce landscaping for your building as well. This will increase the cost of your remodel.

27-1204-B-1(b)

This section dictates that property owners in all districts except CBD add one tree for every 40 linear feet of frontage. The only thing I worry about here are those trees blocking the view of businesses. I think this will be okay, but would rather see bushes and plants that do not reach high enough to block line of sight of the business from the frontage. Staff Clarification: Street trees do not need to placed exactly 40 feet apart and can be placed as makes sense on the street frontage, accounting for driveways, clear vision areas and viewshed of the building. Street frontage landscaping always adds property value.

27-1300.1 & 27-1300.4

Says that gaming establishments can have one parking spot for every 150 ft of building. For every parking space above and beyond the maximum amount, Re-Code requires additional installation of deciduous trees and shrubs. I'm ok with this, but people besides me need to understand this. Staff Clarification: This refers to the "maximum off-street parking" criteria. When a location adds more than 10 to 20 percent over the maximum required, additional landscaping may be required. For example, a 2,500 square foot "casino" put in more than 20 off-street parking spaces (17 required + 4 additional), then the business would have to add four shrubs to the landscaping for the property. Section 27-1302.F

27-1800 (Pg 55)

Definition of schools now include a beauty school, a culinary school, and training centers.

Re-Code already adds significant restrictions to a casinos ability to find economically viable locations. Being that schools have a 600 ft separation, I do not feel that beauty schools, and culinary arts schools should be included in this definition. The use of the word "Training Centers" in this definition is nebulous and not clear as to this means. Being that a 600 ft separation is required from a "Training Center" it is important that there are no grey areas in the definition of "Training Center." I would ask that this be better defined. Staff Clarification: ONLY primary and secondary schools are included in the required separation distances for bars/tavern and casinos. Section 27-1005.G and 27-1005.J and definitions Section 27-1803.

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Billings CITY ATTORNEY

To: Mayor and City Council
Chris Kukulski, City Administrator
Kevin Iffland, Assistant City Administrator

From: Gina Dahl, Interim City Attorney
Wyeth Friday, Planning and Community Services Director
Nicole Cromwell, Zoning Coordinator

Date: December 2, 2020

Re: ReCode: Legal Review

Introduction

The City and Yellowstone County have been comprehensively revising their Zoning Code and maps and this process has been called Project ReCode. This was initiated by the City-County Planning Board on June 13, 2017. The purpose of the initiative was to update both the City and County Zoning Code. A Steering Committee assisted in drafting the code which consisted of a team of well-qualified professionals including consultant team lead, Elizabeth Garvin, a certified land use planner and attorney. A councilmember has posed the question of whether the entirety of the proposed code is compliant with the law. This memo will address that issue.

Discussion

Zoning Authority

Montana law authorizes Municipal zoning under MCA § 76-2-301. The updated City of Billings Zoning Code was drafted to comply with applicable Montana statutes (MCA 76-2-300 (Part 3 Zoning)) and both state and federal case law. The majority of the changes and edits made to the Zoning Code are either reflections of community goals and priorities expressed through the 2016 City of Billings Growth Policy or changes made to improve the functionality of the Zoning Code, to make it more clear and understandable, and to protect and preserve property values.

These content changes were made within the legal framework of the existing zoning code, which has been established law in Billings for many years. A few substantive and procedural changes that were made to reflect City Council preferences, such as restructuring casino and bar regulations, revising the City's approach to nonconformities, and clarifying the language of the special review process, were addressed with the input of the City Attorney.

The sign code revisions were made within our best understanding of the current applicability of the United State Supreme Court decision in *Reed v. Town of Gilbert*, 135 S.Ct. 2218 (2015), which substantially affected how local government can regulate signage.

Changes and Corrections

Pursuant to section 27-1602, BMCC, staff may administratively make corrections to ensure the official adopted zoning map is consistent with the legislative actions of City Council concerning zone changes. This occurs only when a map error is found. A map error is when the legislative zoning history does not match the County GIS map.

To clarify, any changes made to the draft zoning map are not the same as corrections to the official adopted zoning map. Changes made to the draft zoning map before adoption by the City Council are similar to edits to a draft document before it is final and adopted by the governing body. There are no restrictions on staff making changes to the draft zoning map.

Effect of Zone Changes on Property

Every regulation of property impacts the property owner's freedom in some respect. But not every regulation can be deemed a "taking." Municipalities are authorized to zone and must be able to enact some regulations without having to pay everyone whose freedom may be affected or diminished.

A zoning code update can change the status of some properties in the community. This is generally acceptable under both Montana and federal law, and only rises to the level of a regulatory "taking" of property in extremely rare circumstances where a property owner has been deprived of ***all*** reasonable use of the property. The updated Zoning Code has been drafted with the goal of encouraging community growth and continued investment in properties and businesses located in Billings. Restrictions that exist in the current zoning code which have been recurring barriers to reinvestment have been changed to reflect both current and anticipated development types in the City. While there may be individual property owners who are concerned that adopting the new Zoning Code will impact their property value, there are multiple opportunities within the regulations to address those concerns, including special review, rezoning, and updated nonconformity regulations. If there are additional concerns about the application of specific regulations to individual properties, the property owner is encouraged to reach out to the Community Development Department to explore their options.

Conclusion

Project ReCode was drafted based on Montana statutes as well as federal and state case law. Any changes are within the legal structure of the current zoning code and are based on decades of case law and practice.

Regular **5.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: Downtown Billings Partnership - Tax Increment Assistance - 2624 Montana Ave. Stone Building

PRESENTED BY: Wyeth Friday

Department: Planning & Community Services **Division:** Planning

RECOMMENDATION

The Downtown Billings Partnership Board has reviewed this TIF application and recommends the City Council approve up to a maximum reimbursement of $665,765 from Downtown Urban Renewal tax increment finance district funds to Downtown Properties, LLC (Randy Swenson). Actual reimbursement will be based upon 100% of the actual costs incurred for demolition/renovation of the applicant's property at 2624 Montana Avenue (Stone Building), subject to the following conditions:

1. The Applicant shall sign a development contract with the City of Billings and DBP within 90 days of City Council's approval.
2. This TIFD reimbursement is the maximum that can be received pending satisfactory submission of all paid invoices showing the completion of expenditures related to this project.
3. If funds are not available, reimbursement can be carried over to the next fiscal year.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The DBP staff received and reviewed this TIF Application in October. It was then reviewed and recommended by the DBP Development Committee on November 12 and the full DBP Board on November 20, 2020 (See DBP Meeting Minutes attached).

The Development Committee and Board verified/clarified several issues during review, including:

- That Board was comfortable including the building acquisition cost in the total project cost calculations for the possible TIF award since the building was acquired within the past 3 years and that is a benchmark the DBP placed in its large project applications. This total recommended award aligns with the City's TIF Policy recommendation of a 5:1 private to public investment ratio (the ratio including property acquisition is 16.6% or 5:1).
- The Board discussed and was comfortable with the fact that this request for TIF fund reimbursement is to address a second phase of the Stone Building project remodel and does not include any already expended costs for the project. The entire project cost is factored into the application, including past expenditures in the first phase.
- The Development Committee and Board were very supportive of the project and found the application was a very strong match for accessing urban renewal funds because:

  A) Existing businesses and the surrounding neighborhood on Montana Avenue and 27th Street will benefit from improved safety and security, re-occupying and rehabilitating an old historic building at a critical intersection in Downtown Billings and bringing new business to the downtown area to help serve the community.
  B) The Stone Building sits on Railroad property and has a long term ground lease.

There are stipulations in that lease, including restricting residential development of the property, so redevelopment of the property is made more challenging by this lease arrangement and its limitations.
C) The qualified expenses are related to demolition with asbestos abatement, building structural stabilization, fire sprinkler and safety systems, public accessibility, exterior improvements including windows, doors, fencing, ramps and railings, concrete patio and surface work.

The application aligns with elements/goals of the DBA Strategic Plan (may be viewed through this link https://downtownbillings.com/about/about-the-dba/), City TIF Policy, MCA, and the North 27th Street District Urban Renewal Plan (See table below and attachments) For example, the adopted Urban Renewal Plan for the North 27th Street District, contemplated TIF funding assistance for business retention in its Business Programs and Projects section.

Qualified Improvements	**DBA Strategic Plan**	**Urban Renewal Plan**	**City TIF Resolution**	**Montana Code Annotated**
Exterior demo, lighting, facade & brick restoration, signage, windows, fencing & landscaping, entrances & exits Interior demo, energy efficiency, electrical, plumbing, code, accessibility	Strong Downtown Identity – P.13 Vibrant & Connected Downtown – P.13 Diverse Economic Engine - P.13	Business Programs & Projects – P.54 Infrastructure Improvements (Entertainment Venues) – P.55	Permitted uses of TIF Funds: Private infrastructure with Public Benefit (Facades, Windows, – P.2 Financial Assistance Through TIF – P.2	7-15-4233 7-15-4288

The Downtown Properties, LLC owns the Stone Building, which is located at 2624 Montana Avenue (the Southeast corner of 27th Street and Montana Avenue - formerly known as St. Vincent de Paul). Randy Swenson, a managing member of the Downtown Properties, LLC, has been actively recruiting tenants to occupy space in the building but without a shell built, many prospective businesses have been reluctant and non-committal. Therefore, they began construction on the building in January of 2020 with the intent to fund the project privately. DBP was not accepting applications at the time because it was revamping its TIF application, review, and selection process per the City TIF Policy and the DBP's need to update its documents and processes. However, Randy's partner backed out after the consequences of COVID-19. Randy has been able to continue through Phase I of the construction but is in need of assistance for Phase II to complete the project. Currently, a second branch of Your Pie is confirmed to occupy the corner of this building. Further discussions are being had with an office upstairs and another street level business.

By restoring this historic vital corner while modernizing it, there's a unique opportunity to address many of the goals of the Downtown Billings Strategic Plan and Urban Renewal Plan. The exterior of the building is being preserved and protected to maintain its character and history. The building is being named the "Stone" building to honor its heritage dating back to the Stone Ordean & Wells Company, which was a large wholesale grocery. It was built in 1914 and the business remained until sometime in the 1930s.Improving the perception of safety around this building is significant and this will be accomplished by providing natural surveillance - updated security on ports of entry/exit, lighting, structural reinforcement - to deter undesired activities such as graffiti and loitering. Activating this corner will eliminate a blighted space and

bring new visitors to downtown. This new activity will benefit neighboring businesses by bringing more employees, more businesses, and activity in this Historic District.

Downtown Properties, LLC is requesting TIF funds to reimburse it for improvements and modifications, including demolition with asbestos abatement, building structural stabilization, fire sprinkler and safety systems, public accessibility, exterior improvements including windows, doors, fencing, ramps and railings, concrete patio and surface work. The total reimbursement requested is $700,000. If the total value of cash invested ($3,306,617) and land and buildings ($680,000) are factored into the request, the private investment is 83% and the public investment is 17%, or about a 6 to 1 ratio. If the building acquisition is removed from the total project cost, bringing the project total to $3,306,617, the private investment is about 79% and public investment is about 21%, or about a 4:1 ratio. The DBP Board in its recommendation decided to stay at the City's TIF Policy recommended ratio of 5:1 and so has recommended to Council an award not to exceed $665,765. The DBP Development Committee and the DBP Board both fully supported this application request, recognizing this project will make a significant commitment and investment in Downtown Billings, anchor and revitalize the last critical corner at 27th Street and Montana Avenue, and make the area safer, more active and more valuable in the community.

ALTERNATIVES

City Council may:

- Approve the recommendation from the DBP Board for the expenditure of these TIF funds consistent with some elements/goals of the DBA Strategic Plan, North 27th Street Urban Renewal Plan, City TIF Policy and MCA, or;
- Modify the recommendation from the DBP Board for the expenditure of these TIF funds before taking action, or;
- Disapprove the recommendation from the DBP Board for the expenditure of these TIF funds. If the Council chooses not to approve this TIF application, specific reasoning for the denial is helpful to provide further direction to the DBP Board and staff, and City staff for future applications.

FISCAL EFFECTS

The request is for up to a maximum of $665,765 to be reimbursed to Downtown Properties, LLC (Randy Swensen) for the identified building remodel work (See TIF Application Attachment). The estimated total project cost is $3,986,617, making the private to public investment ratio for this project 5:1. The funds are payable pending satisfactory submission of all paid invoices showing actual cost incurred for the project. This project may be reimbursed in phases over several fiscal years. The current FY21 project budget for the Downtown District is $310,501, so a budget amendment would be needed to cover this project if it were all reimbursed in FY21. The Downtown District has $1,343,295 in total available TIF funds in the FY21 Budget, so this project can be covered and $677,530 would be remaining for other projects or programs. If all three Downtown District projects being reviewed by the Council at this meeting were approved and expended in FY21, the Downtown District would have $131,217 remaining in its FY21 Budget.

Attachments

Stone Building Application

Stone Building Application Narrative
DBP Meeting Minutes November 2020
2008 Downtown Urban Renewal Plan
City TIF Policy
Stone Building Draft Agreement

Downtown Properties, LLC

Downtown Properties, LLC / Randy Swenson
4040 Parkhill Drive, Billings, MT 59106
406-855-9990
randy@tendernest.com

October 15, 2020

Dear Downtown Billings Partnership,

The Stone Building is a significant renovation on a very busy and high-profile building of our downtown. This project will have significant impact on our city. We currently have two existing west-end businesses that want to expand to downtown, that have plans to occupy a portion of the Stone Building. We estimate there will be 50-75 employees who will work in this building when it's fully developed.

The building is sound and will have all new components and will definitely add a "vibe" to downtown Billings. This will soon be recognized as one of the premier buildings and small business center that will attract many to spend more time, money and energy downtown.

The Billings Historical Society said "*Celebrating the historical, cultural and architectural significance of the Stone Building will provide opportunities and stability for the neighborhood. This project will be a catalyst for the area and inject new life into a building that has been underutilized for many years.*"

The former development direct, Greg Krueger said "*There are two key buildings downtown that are vital to its redevelopment. The Stone Building is one of them.*"

Recently, a local citizen that picked up some of the old windows said "*I love this building. We are so excited for this project and to see this beautiful old building be restored. I'm elated to have a piece of its history.*"

Warm regards,

Randy Swenson, Applicant

guarantees are expressed or implied by the description of, application for, or participation in the Urban Renewal Project Program. The applicant is advised to consult with licensed architects, engineers, or building contractors before proceeding with final plans or construction.

DOWNTOWN (N 27TH STREET) URBAN RENEWAL DISTRICT

N27URD

Tax Increment Financing Fund Application

APPLICANT INFORMATION			
Name: Downtown Properties, LLC, Randy Swenson / Member, Manager			
Address: 4040 Parkhill Drive			
City/State/Zip Billings, MT 59106			
Phone: 406-855-9990		E-mail: randy@tendernest.com	
If the applicant is not an individual doing business under his/her own name, the applicant has the status indicated below and is organized or operating under the laws of:			
A corporation/LLC: [X]	A non-profit or charitable institution or corporation [ ]	A partnership: Known as: [ ]	Other: [ ]
Date of Organization: November 2017			
PROJECT INFORMATION			
Building Address: 2624 Montana Avenue			
City: Billings		State: MT	ZIP Code: 59101
Legal Description: S03, T01 S, R26 E, MRL Lease #502,016; 12300 Squ. Feet (20) (IMP@I-263)			
Property Owner (if property is not owned by the Applicant, list leasehold interests and attach evidentiary materials)			
Property Owner (name or entity):			
Property Owner Contact Name:		Contact Phone:	
Lessor's Address:			
City:		State:	ZIP Code:
PROJECT ARCHITECTURAL FIRM			
Firm Name: EEC			
Address: 720 Lohwest Lane, Billings, MT 59106			
Representative: Kody Johnson			
Phone: 406-671-2473		E-mail: kody@eecmt.com	
PROJECT CONTRACTOR (OR PARTY RESPONSIBLE FOR CONSTRUCTION)			
Name/Representative: EEC			
Address: 720 Lohwest Lane, Billings, MT 59106			
Phone: 406-647-2473		E-mail: kody@eecmt.com	
PROJECT FINANCIAL LENDING INSTITUTION (leave blank if not applicable)			
Name/Representative:			
Address:			
Phone:		E-mail:	

PROJECT FINANCING

Please complete Sources of Funds detail and summarize below.

Applicant Equity

Cash Invested	(Phase1/prior demo)	$ 889,612
Land & Buildings	(Acquisition 03/14/18)	$ 680,000
Other (Specify)	(design/general)	$ 216,321
	Subtotal	$ 1,785,933

If land & building value is more than the State of Montana valuation, a current appraisal must be submitted (within 3 years).

Lender Commitments (Attach evidence i.e. Letters of Credit or other documentation)

Lender	Loan Amount	Interest	Term	Payment/Period
NA	$	%	yrs	$ /Month
NA	$	%	yrs	$ /Month
Total Loan Amount				$

TIF Request

Eligible Improvements

Phase 1: Shell Building - Initial Scope	$ 1,010,210
Phase 2: Shell Building & YP Shell Space	$ 2,296,407
Land & Building Acquisition (03/14/18)	$ 680,000
	$
TOTAL	$ 3,986,617
	$
Subtotal of TIF Funds Requested	$ 700,000

→ $3,306,617 (See EEC Budget Summary Spread Sheet for reference of Eligible TIF Improvements)

Sources of Funds Summary (Post totals from above)

Applicant Equity	$ 1,785,933
Lender Commitments	$ 0.00
TIF Funds Request	$ 700,000
Other Funds (Specify) Additional Owner funds	$ 1,500,684
Total Project Cost	$ 3,986,617

To receive maximum funding all applications must be submitted to the DBP and approved by the CITY prior to the start of the relevant phase of construction.

CERTIFICATION

I (we), RK Development, LLC / Randy Swenson (please print), the APPLICANT, certify that the statements and estimates within this Application as well as any and all documentation submitted as attachments to this Application or under separate cover are true and correct to the best of my (our) knowledge and belief.

Signature _____ Signature _____

Title Member / Manager Title _____

Address 4040 Parkhill Drive Address _____

Billings, MT 59106 _____

Date October 15, 2020 _____ Date _____

URD TIF GRANT PROGRAMS – Governing Body: City of Billings, City Council

To receive maximum funding all applications must be submitted to the DBP and approved by the CITY prior to the start of the relevant phase of construction.

EEC
720 Lohwest Lane, Billings, MT 59106
Phone: 406.839.9151 Fax: 406.839.9150

PROJECT:	**STONE BUILDING - Building Shell Improvements**
Work Type:	**BUDGET**
LOCATION:	**2624 Montana Ave**

TOTAL SITE AREA:	23,170
Basement Area:	11,250
1st Floor Area:	11,250
2nd Floor Area:	11,250
TOTAL BLD. AREA	***33,750***

11/18/2020

BUDGET SUMMARY - HISTORIC PRESERVATION & REHABILITATION BUILDING SHELL IMPROVEMENTS

DESCRIPTION - ELIGIBLE IMPROVEMENTS	TOTAL COMPLETE *TIF Funds Requested, **NOT** Allocated to Total Completed Work*	TOTAL REMAINING *TIF Funds Requested, **ONLY** Allocated to Total Remaining Work*	TOTAL MATERIAL & LABOR *Combines both Completed & Remaining Work for Refererence to Eligible Improvments*
1.0 GENERAL REQUIREMENTS / DESIGN FEES / CONSTRUCTION MANAGEMENT / RENTALS *Mob, Insurance, Construction Super, Project Managaemnt, Rentals, Design Fees, Permit & Plan Review Fees, Asbestos & LBP Testing, Soil & Concrete Testing Services	**$102,178.66**	**$315,034.11**	**$417,212.77**
2.0 DEMOLITION *Asbestos Removal, Existing Elevator/Shaft/Equip Demo, New Elevator/Stair Demo, West Entrance Stair/Lift & South Stair/Floor Demo, Concrete Demo, Exterior Demo, and Misc Demo	**$246,734.88**	**$81,581.84**	**$328,316.72**
3.0 CONCRETE / MASONRY *Masonry Demo/Salvage/Rebuild/Repoint, New Concrete Slab & Footings	**$223,554.35**	**$54,650.33**	**$278,204.68**
5.0 METAL / STEEL FABRICATION *Guardrail/Handrai at Exterioir Patio/Ramp/Stair & Interior Stairs, Northeast Canopy, South Canopy, Metal Siding at roof & patio, Metal trim, Patio Struct., Lintels, Misc. MTl. Flashing	**$14,731.77**	**$162,258.23**	**$176,990.00**
6.0 WOOD *Furout Exterior walls (Energy Code), Exterior Window Furout, New Elevator Shaft/Stairs/ Landing, Floor Struct. Infill, New Rough Sawn Lumber (Struct.), Framing & Materials	**$116,765.15**	**$69,260.69**	**$186,025.84**
7.0 THERMAL & MOISTURE *Perimeter Insulation @ 3 floors, Fire Wall Insualtion, New Stair Penthouse/Elevator Penthouse/Canopy Roof Assemebly, Energy Code Compliant Overall Roof Assembly	**$29,728.45**	**$176,456.83**	**$206,185.28**
8.0 DOORS & WINDOWS *Exterior Windows (Historic), Exterior Storefront window/door New/Replace, Door assemblies at Exterior/Fire Rated/Access	**$83,073.09**	**$81,713.77**	**$164,786.86**
9.0 FINISHES *Perimeter Gyp, Fire Rated Shaft/Stair Walls Gyp, Misc. Gyp at Fire-Draft Curtains/Roof Drains/Fire Sprinkler Furouts, Paint ceilings/columns, WD cap/Hand Rails at each stair & Patio, flooring to patch damaged, Paint Shell Doors/Misc., Flooring/Roof Protection	**$573.75**	**$272,548.83**	**$273,122.58**
10.0 SPECIALTIES *Fire Extinguishers, Occupancy Load Signs/Code Required Signage, Shell Janitor Closet Items, Restrooms 1st/2nd/Bathrrom Accessories	**$0.00**	**$86,122.50**	**$86,122.50**
14.0 ELEVATOR / PLATFORM LIFT *New Elevator & asscociated sturct. Concrete, NW Platform Lift	**$34,436.24**	**$127,459.46**	**$161,895.70**
21.0 FIRE SPRINKLERS *Demo Existing System, Supply/Install New Fire Sprinklers System	**$68,874.09**	**$10,896.51**	**$79,770.60**
22.0 PLUMBING *Demo Existing System, Supply/Install New Plumbing/Gas Lines, Restrooms 1st/2nd floor, Roof Drain/Leaders, all new below concrete sewer in basement	**$23,756.25**	**$76,356.25**	**$100,112.50**
23.0 HVAC *Temp. Tuneup on existing system, Demo Existing System, Supply/Install New HVAC System for shell space only	**$6,604.50**	**$290,887.90**	**$297,492.40**
26.0 ELECTRICAL *Demo Existing System, Supply/Install New Electrical System - Shell Lighting interior/exterior/emergency/Parking Lot	**$38,562.37**	**$148,907.63**	**$187,470.00**
27.0 LOW-VOLTAGE, COMMS. VOICE, DATA, AUDIO VISUAL *Supply/Install New Low-Voltage for Shell Space/Parking Lot	**$0.00**	**$5,460.00**	**$5,460.00**
28.0 FIRE ALARM AND SECURITY SYSTEMS *Supply/Install New Fire Alarm System, Video Surveillance, Intrusion Security, and Access Conctrol - Shell Space/Parking Lot	**$0.00**	**$41,370.00**	**$41,370.00**
31.0 SITE WORK / PATIO / EXTERIOR CONCRETE *Stone Building Exteior Concrete/Sidewalk/Patio work, Parking Lot Required Upgrades, Shell related Sidewalk/Lane Closures	**$19,179.46**	**$172,671.29**	**$191,850.75**
32.0 LANDSCAPING & FENCING *Shell/Parking Lot Replated Construction Fencing, New Perimeter Parking Lot Fencing, Trees/associated Landscaping at Parking Lot and Street	**$1,155.00**	**$20,538.00**	**$21,693.00**
33.0 UTILITIES *New Electrical Meters/Service, New Gas Meters/Service, New 2" Water Meter, New Communication Service/Equipment	**$301.88**	**$102,233.12**	**$102,535.00**

**Indicates general discription of shell related work for each division*

	TOTAL COMPLETE	TOTAL REMAINING	TOTAL MATERIAL & LABOR
TOTAL SHELL BUILDING CONSTRUCTION COSTS	**$1,010,209.89**	**$2,296,407.29**	**$3,306,617.18**
		*TIF Funds Requested **ONLY** Allocated to Total Remaining Work*	

Stone Building: Brief Project Timeline

2017 – June - Aug 2017

TIF Funding Application (Summer of 2017)

prior to purchasing the building at 2624 Montana Ave., Randy met two times with Greg Krueger, Development Director

they talked about the building, the potential purchase, ultimately the revitalization to a key corner of Downtown Billings, and discussed the North 27th Street Urban Renewal District and other potential resources available

these two meetings and the knowledge that resources were available helped guide the final acquisition of the now Stone Building

2018 – Mar

land & build acquisition

May - June

design/build team selected

as-built / existing conditions

start of pre-design

July

TIF Funding Application (07/25/18)

Randy & Kody met with Maisie Sulser, Interim Development Director, about North 27th Street Urban Renewal District and she provide paperwork to complete an application

Aug

TIF Funding Application (08/09/18)

several emails with Maisie Sulser, in-general noted to have documents to her for a September Development Committee meeting

at the time, we were on track to submit our TIF Application prior to September 2018

Aug

TIF Funding Application (08/15/18)

an email from Maisie Sulser stated, that the DOR had issued all certified taxable values for URDs across the state and "based on the value for the N27URD, we are currently pushing pause on accepting any new TIF assistance applications"

our application was now on pause

July - Oct

design & response to Big Sky EDA proposal for leased office space

shell building schematic design complete

Nov 2018

Yellowstone Historic Preservation Board voted for conditional approval

received Certificate of Appropriateness from YHPB

2019 – Jan - Oct

shell building construction documents and updated bidding complete

Your Pie shell space construction documents and updated bidding complete

Aug - Nov

City of Billings & MDT plan review & permitting

Dec 2019

TIF Funding Application (12/04/19)

Randy got in contact with Mehmet Casey, Development Director, about submitting our TIF Application (currently on pause) and discuss any other available funding/ tax credits that could be applied for prior to construction

Randy informed Mehmet that the decision was made to start construction by the middle to end of January

still not accepting applications, we continued on pause

2020 – Jan

TIF Funding Application (01/06/20)

Randy reached out to Mehmet again to discuss the potential of resurrecting our TIF Application that was on pause, he did so based on the fact construction was set to start towards the end of January

Mehmet informed Randy that still NO Applications were being accepted at the time; "there was currently a "revamp" of the application process underway"

our application was still on pause, with construction to start at the end of the month

Jan - Feb

start of construction

Apr - May

TIF Funding Application (Spring 2020)

Randy and Mehmet had several contacts throughout the Spring and it followed the March 27, approval of the "new system" for the application process, however, missing the April deadline

met several times to discuss best plan of attack to submit application going forward

July - Aug

TIF Funding Application (Summer 2020)

several contacts with Mehmet about process going forward

(08/04/20) meeting with Mehmet and Randy's Project Team to start TIF Application and prepare document submission for the August Development Committee Review

Apr - Aug

continued construction progress

July - Aug

TIF Funding Application (08/28/20)

August DBP Board Meeting did not go as planned, with the Board modifying the recommendation prepared by the Development Committee to approve our application

we felt afterwards the confusion over numbers and presentation not being presented in a clear fashion, hampered our application

99% of Construction was paused after the 8/28/20 DBP Board Meeting

Nov 2020

TIF Funding Application (November)

after our first presentation we hoped to comeback for another/more clear look

we understand the uniqueness of our project and felt it could have faired better with a more clear presentation of our current state, what our funding ask is, and where it will be allocated

our TIF Fund Request of $700,000 will ONLY be allocated to the Total Remaining Work

* Indicates a TIF Funding Application Key Item of Note/Contact

* Indicates a Key Project Item

THE STONE BUILDING – 2624 MONTANA AVENUE, BILLINGS MT 59101

A complete renovation project of this 100 year old, nearly 40,000 square foot building located in downtown Billings.

OWNER; RANDY SWENSON, DOWNTOWN PROPERTIES, LLC

CONTACT INFO; 406-855-9990

PROJECT FIRM; EEC

MANAGER; KODY JOHNSON

EMAIL; randy@tendernest.com

CONTACT INFO; 406-671-2473

EMAIL; kody@eecmt.com

PROJECT TIMELINE;

Purchased building; August 2018

Began Renovation; January 2020

Projected Completion; Summer 2021

EXTERIOR – SHELL RENOVATION

Windows; August 2020

Dock (footings); August 2020

Brick; September 2020

Roof caps; September 2020

Roof replacement; Spring 2021

INTERIOR RENOVATION

Fire suppression system; Spring 2020

Basement Concrete; Summer 2020

Plumbing; September 2020

Elevator and Lift; November 2020

Flooring; March 2021

MECHANICAL – UTILITIES

Electrical; September 2020

Heat; Spring 2020

HVAC; February 2021

Internet-Fiber optics; Spring 2021

PARKING LOT - LANDSCAPING

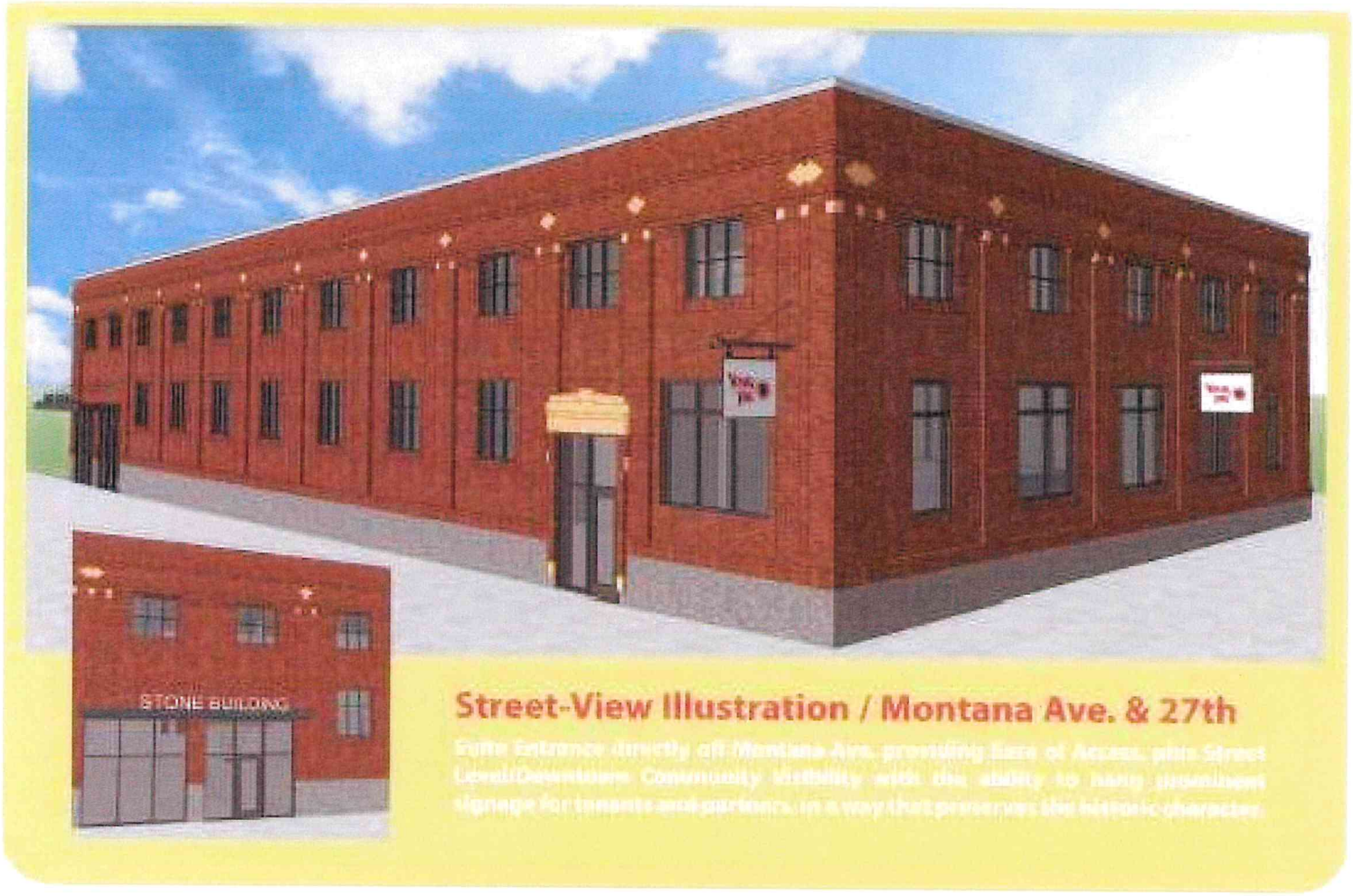
Resurfacing, security, cameras, lighting, fencing; Fall 2020

Landscaping; Spring 2021

Signage; Spring 2021

ADDITIONAL INFORMATION

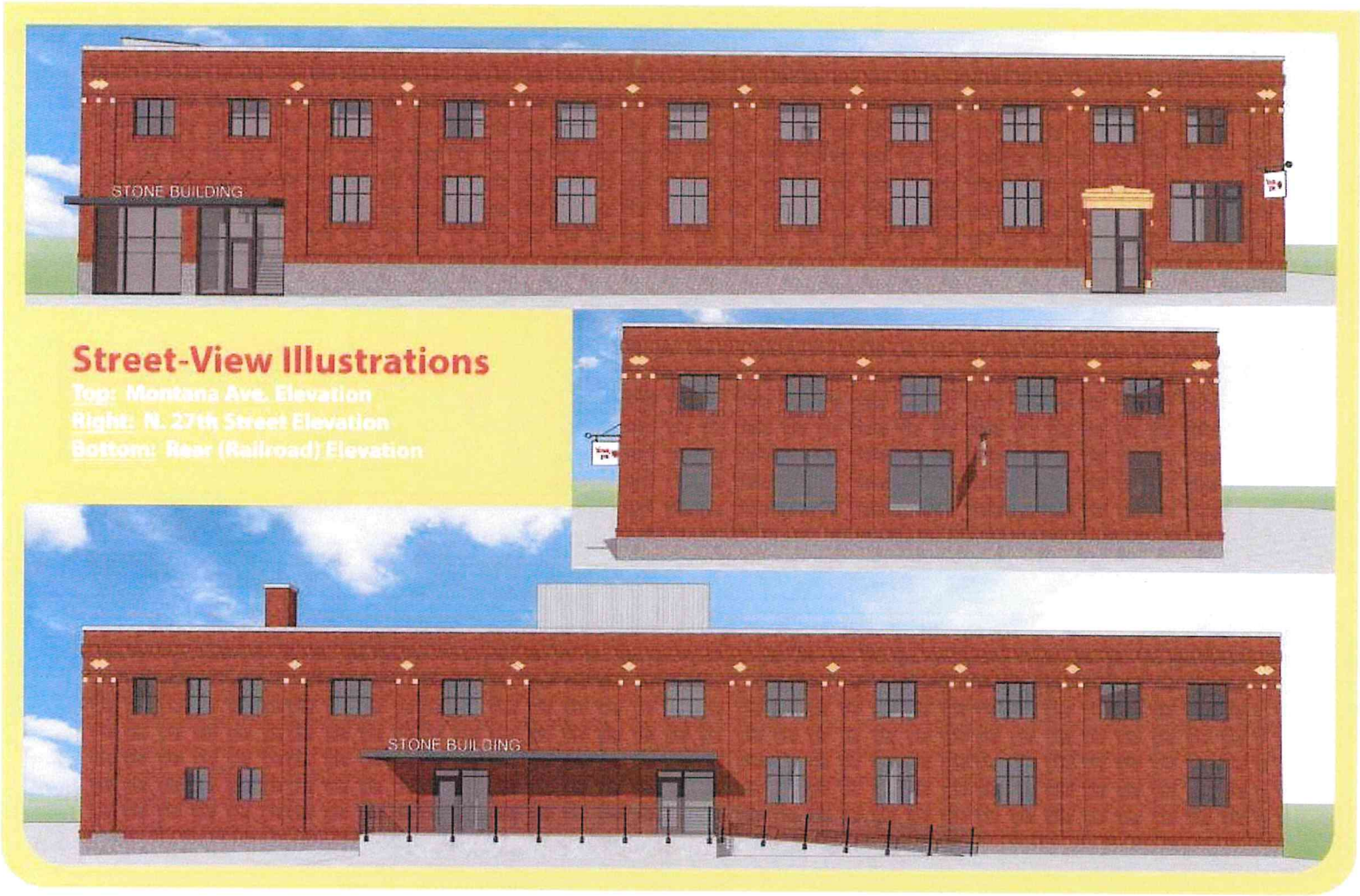
STREET-VIEW ILLUSTRATIONS



Street-View Illustration / Montana Ave. & 27th

Suite Entrance directly off Montana Ave. providing Ease of Access, plus Street Level Convenience. Community Visibility with the ability to hang appropriate signage for tenants and partners, in a way that preserves the historic character.

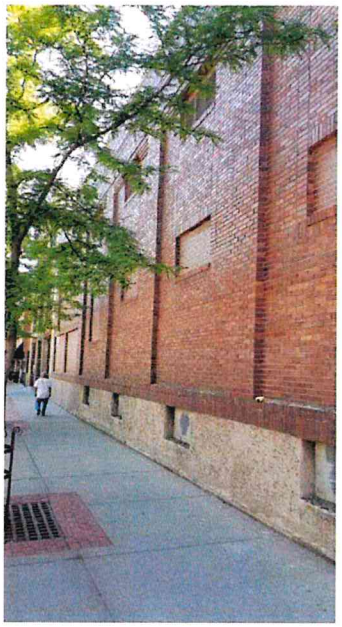
STREET-VIEW ILLUSTRATIONS



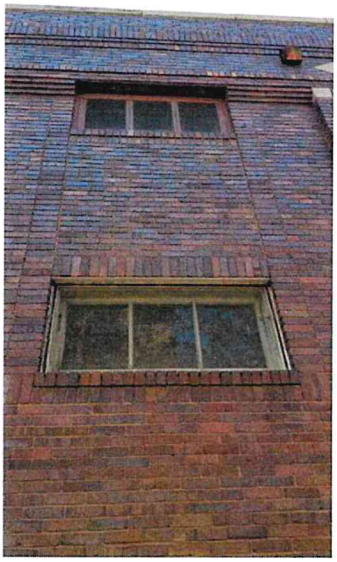
CURRENT PHOTOS











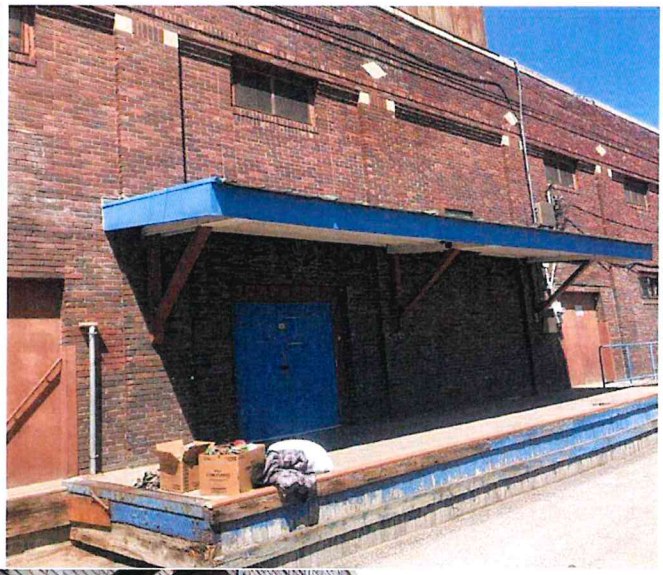
CURRENT PHOTOS – CONTINUED

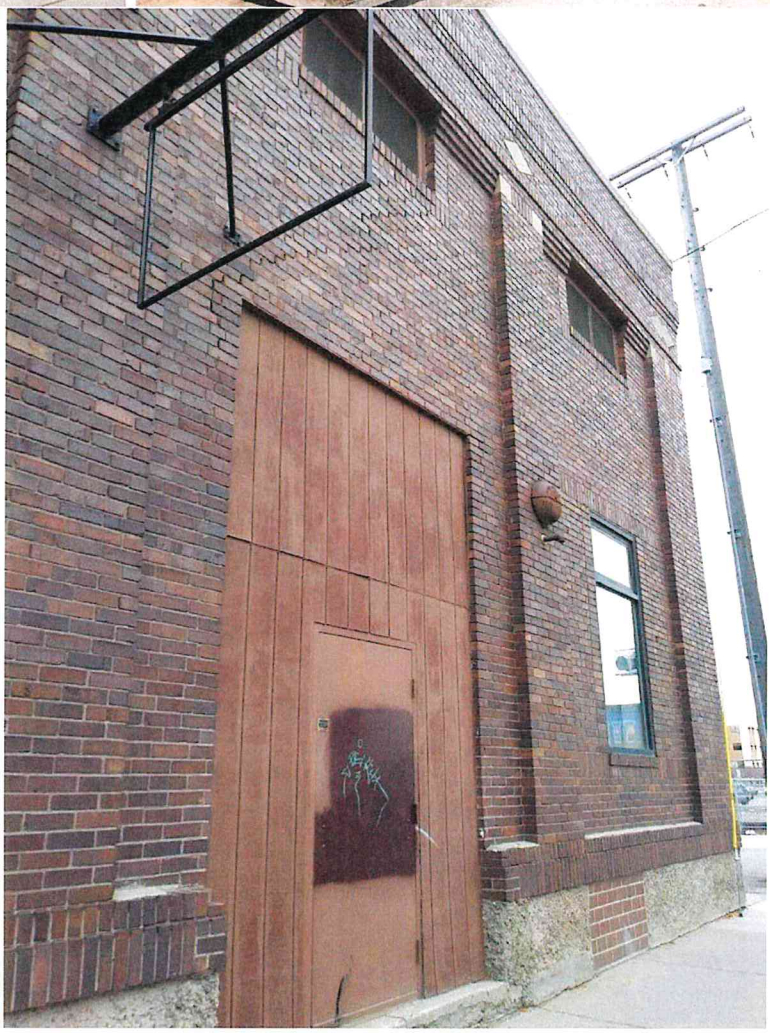




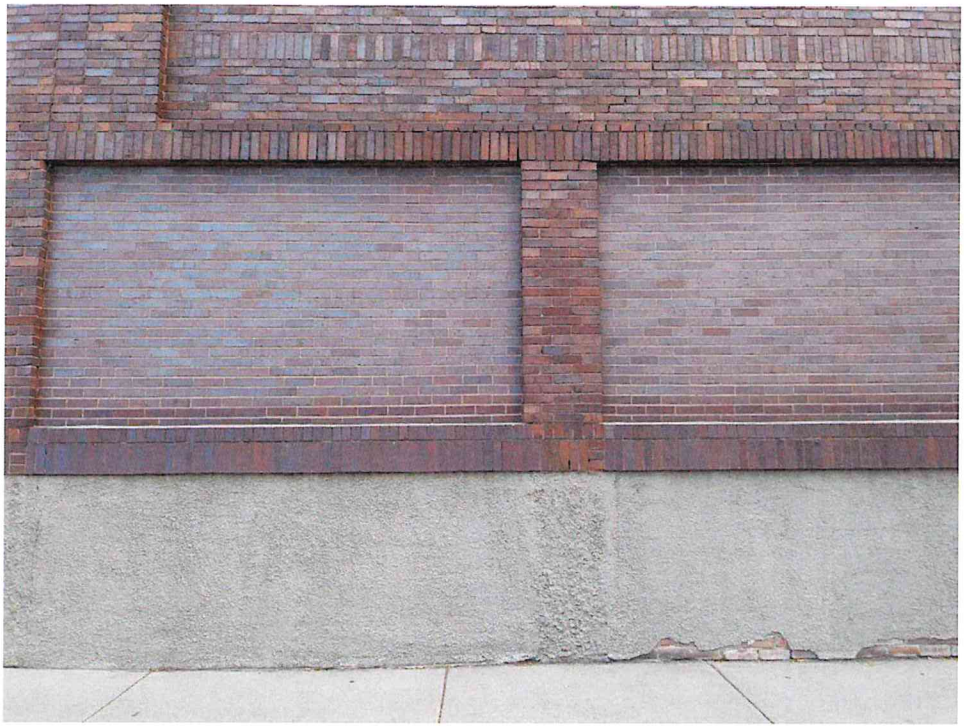
CURRENT PHOTOS – CONTINUED

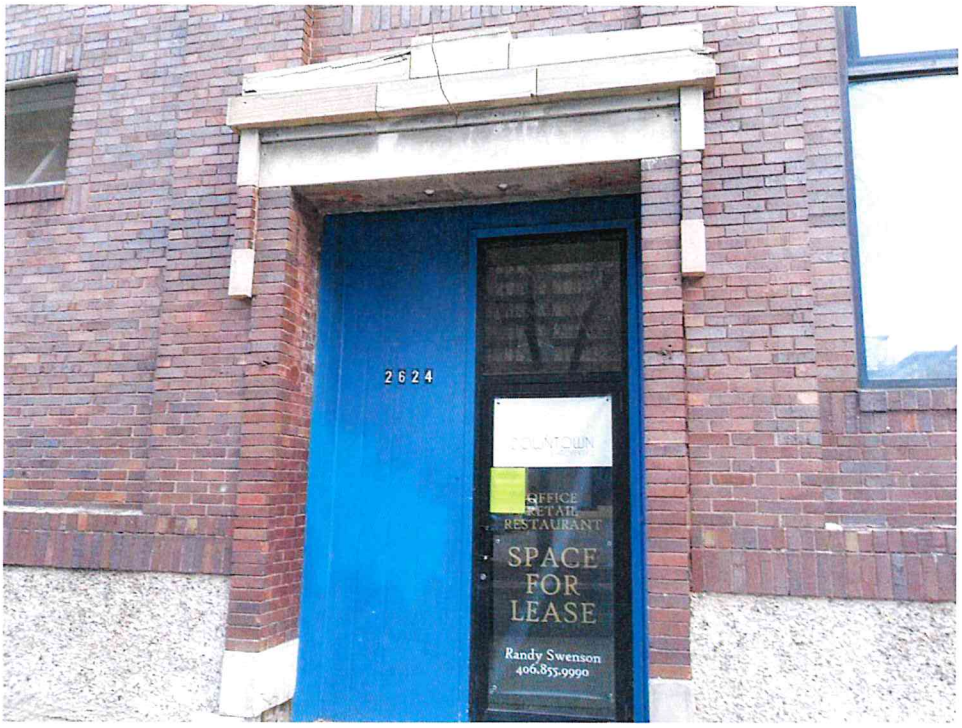






CURRENT PHOTOS – CONTINUED





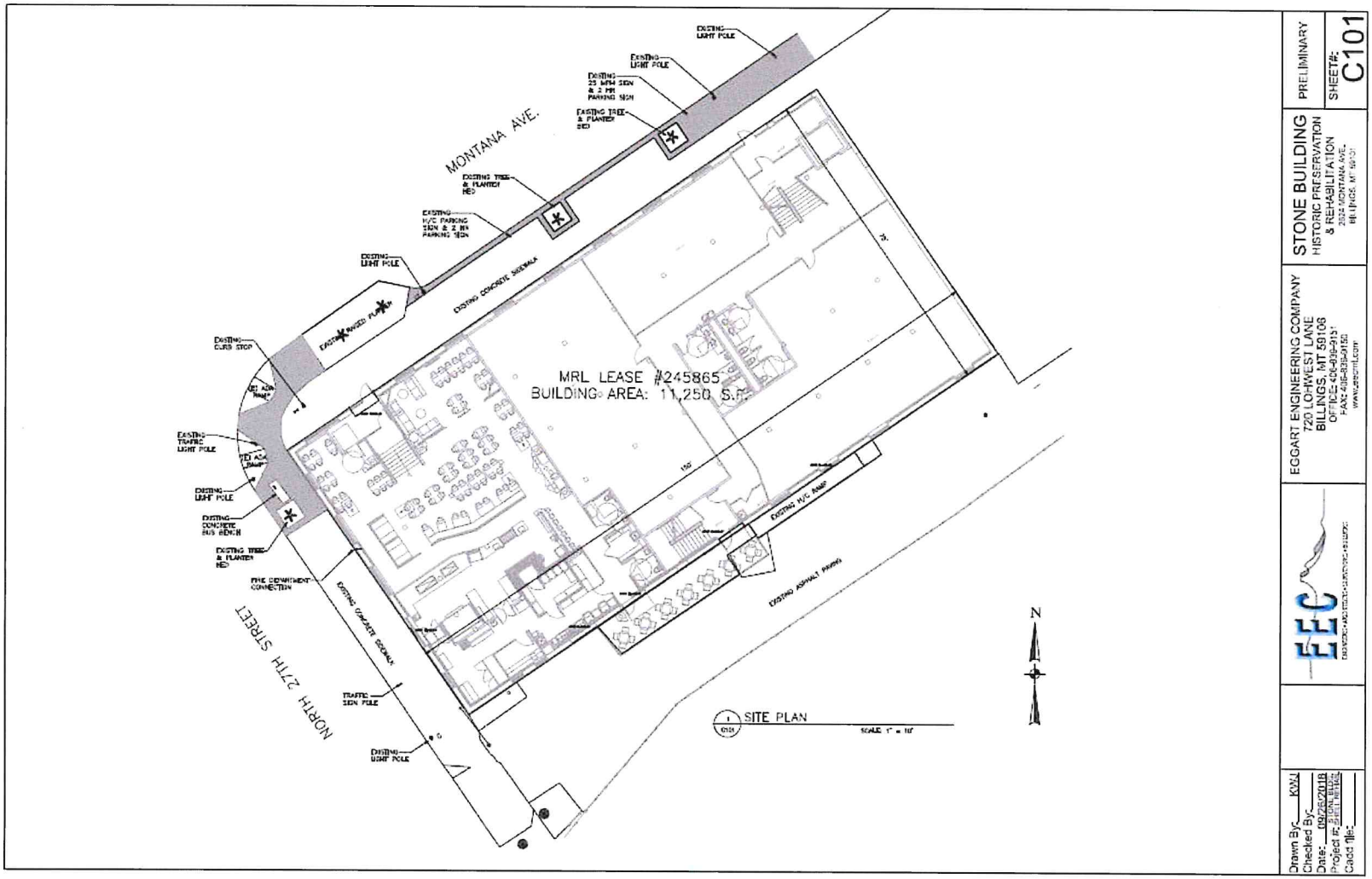
Strong Identity		
Creative painting of crosswalks and intersections can have dual benefits of adding to the visual appeal of downtown while also improving safety by alerting drivers to areas with heavier pedestrian traffic. Two way street networks provide lower vehicle moving capacities but can serve trips at a higher rate. Two way traffic, enhanced sidewalk spaces, and a narrower street attracts new and vibrant businesses.		
Does the project support increased visitation?	Examples include large spaces which could host concerts or other gatherings, spaces which could be occupied by destination businesses such as restaurants or boutique retail.	0 1 2 3 4 5
Does the project improve the overall design/aesthetic?	Examples include improvements to the façade, signage, historic preservation, alleyscapes.	0 1 2 3 4 5
Does the project provide an improved pedestrian/visitor experience?	Examples include seasonal décor, seasonal event opportunity, ambiance lighting, safety improvements, additional trees or landscaping, public seating, etc.	0 1 2 3 4 5
Does the project add public art?	Examples include large murals, sculptures, interactive installations.	0 1 2 3 4 5
Diverse Economy & Sustainability		
Downtown Billings has the opportunity to implement large scale development in the Downtown area. Such development should create new jobs and engage the existing workforce as well as provide meaningful economic and fiscal impacts to the city, county, and state.		
Does the project promote the creation of jobs?	Will potential tenants create new jobs? How many employees?	0 1 2 3 4 5
Does the project promote economic growth?	Current taxable value vs. projected value	0 1 2 3 4 5
Does the project include energy efficient components?	Examples include doors, windows, roofing, HVAC, plumbing, recycled products, etc.	0 1 2 3 4 5
Does the project encourage business development?	Will the project assist in business recruitment (new business), retention (expansion of existing business), diversification (add new industry/retail/etc.)	0 1 2 3 4 5
Benefit to the Public		
Project should include appropriate wayfinding signage to direct drivers to existing parking and then on foot to their destination. Where possible, the project should also delineate future employee parking on higher floors of parking garages.		
Does the project add public parking?	Underground? Ground? Higher floors?	0 1 2 3 4 5
Does the project support public safety	Will the project incorporate CPTED evaluation and standards? Will the project improve an existing public safety challenge?	0 1 2 3 4 5
Does the project reinforce safe pedestrian crossing and promote traffic calming?	Examples include installation of pedlets, widening of sidewalks	0 1 2 3 4 5
Additional/Bonus		
Convention Center		0 1 2 3 4 5
Infrastructure		0 1 2 3 4 5

Grading Criteria:

The purpose of this program is to provide financial and practical assistance to develop or redevelop buildings within the boundaries of the Expanded North 27th Street Urban Renewal District (URD) in downtown Billings. This program will: - Assist in the economic revitalization and stabilization of the URD; - Attract and retain a stable clientele population within the URD; - Stimulate private investment within the URD; - Generate additional property tax revenues within the URD; and - Encourage and facilitate in the remodeling and restoration of historically significant structures within the URD.	Out of a total of 85 points, each item to be scored 0-5: • 55 to be considered • 65 to be strongly considered • 75 to be of highest priority

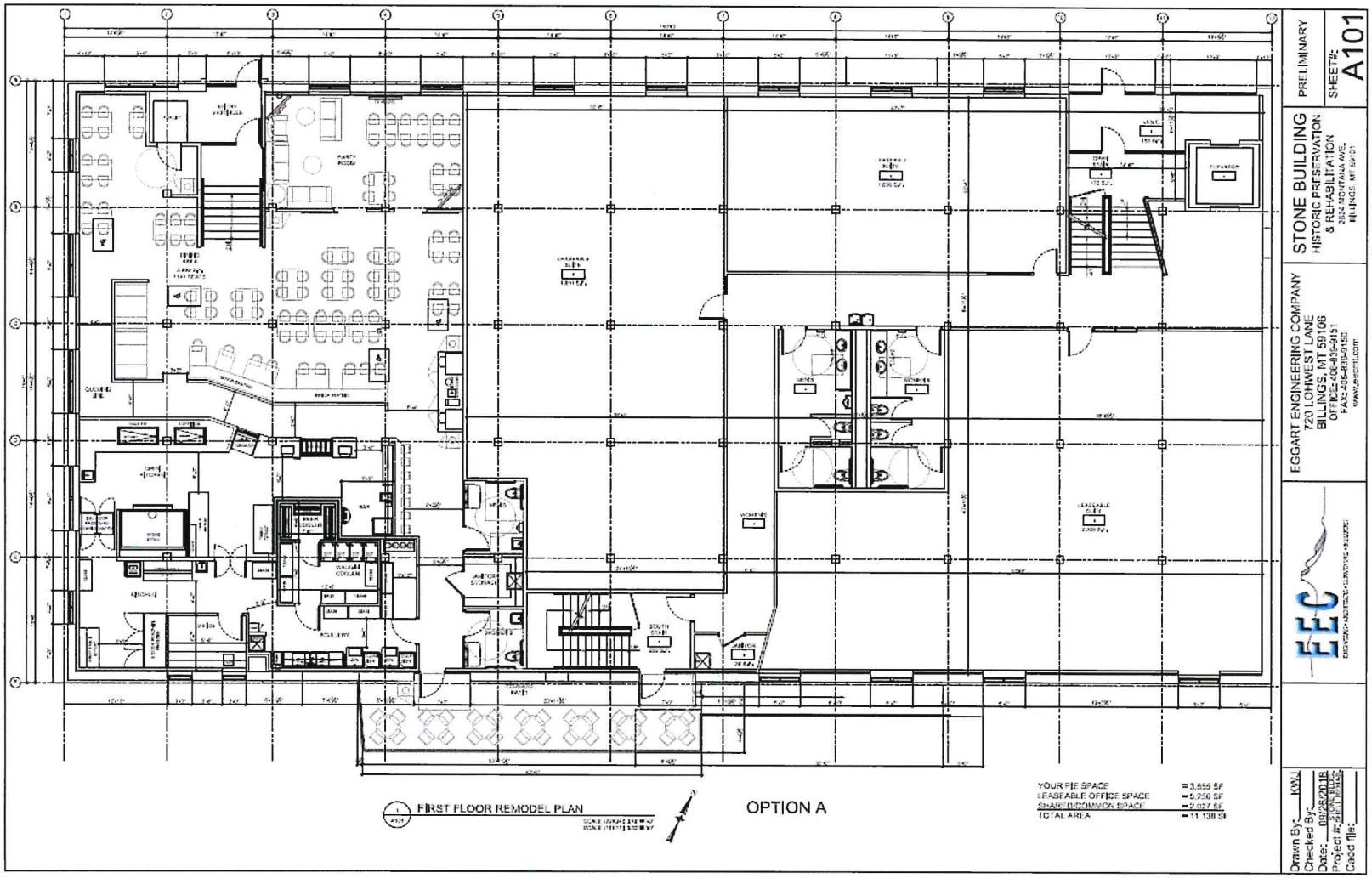
Vibrancy & Connectedness		
Some of the resistance to walking from a parking facility to a destination in the downtown area can be overcome if the walk itself offers the visitor a pleasant, unique, fun, or informative experience. Promotion of upper floor housing and new housing development projects for downtown and prioritization of model housing development projects that test the market, establish a price floor, and prove viability.		
Does the project eliminate blight?	Blight may include but is not limited to conditions which represent a risk to public health, morals, safety, and welfare in its present condition. Examples range from physical dilapidation to improper or inefficient layout. For a more complete list of factors, refer to MCA 7-15-4206	0 1 2 3 4 5
Does the project add or improve housing opportunities?	Construction or rehabilitation of housing is a priority in the downtown area. Quantity, quality, and projected rental or sale rates of units are to be considered.	0 1 2 3 4 5
Does the project add, maintain, and/or enhance landscaping?	Addition of significant and sustainable landscaping where appropriate is encouraged.	0 1 2 3 4 5
Does the project activate an inactive building or space?	Vacant buildings can be considered blighted. Consideration is to be given to current AND expected duration of vacancy based on all currently available information.	0 1 2 3 4 5
Does the project connect and/or improve walkways, parks, or parking options?	Does it widen sidewalks and calm car traffic? Does it provide weather protection with trees or awnings? Are any or all improvements aesthetically pleasing (painted in interesting ways or otherwise include public art)?	0 1 2 3 4 5
Does the project add or improve green space or public space?	Examples include urban parks, micro parks, and parklets.	0 1 2 3 4 5

PROPOSED SITE PLAN



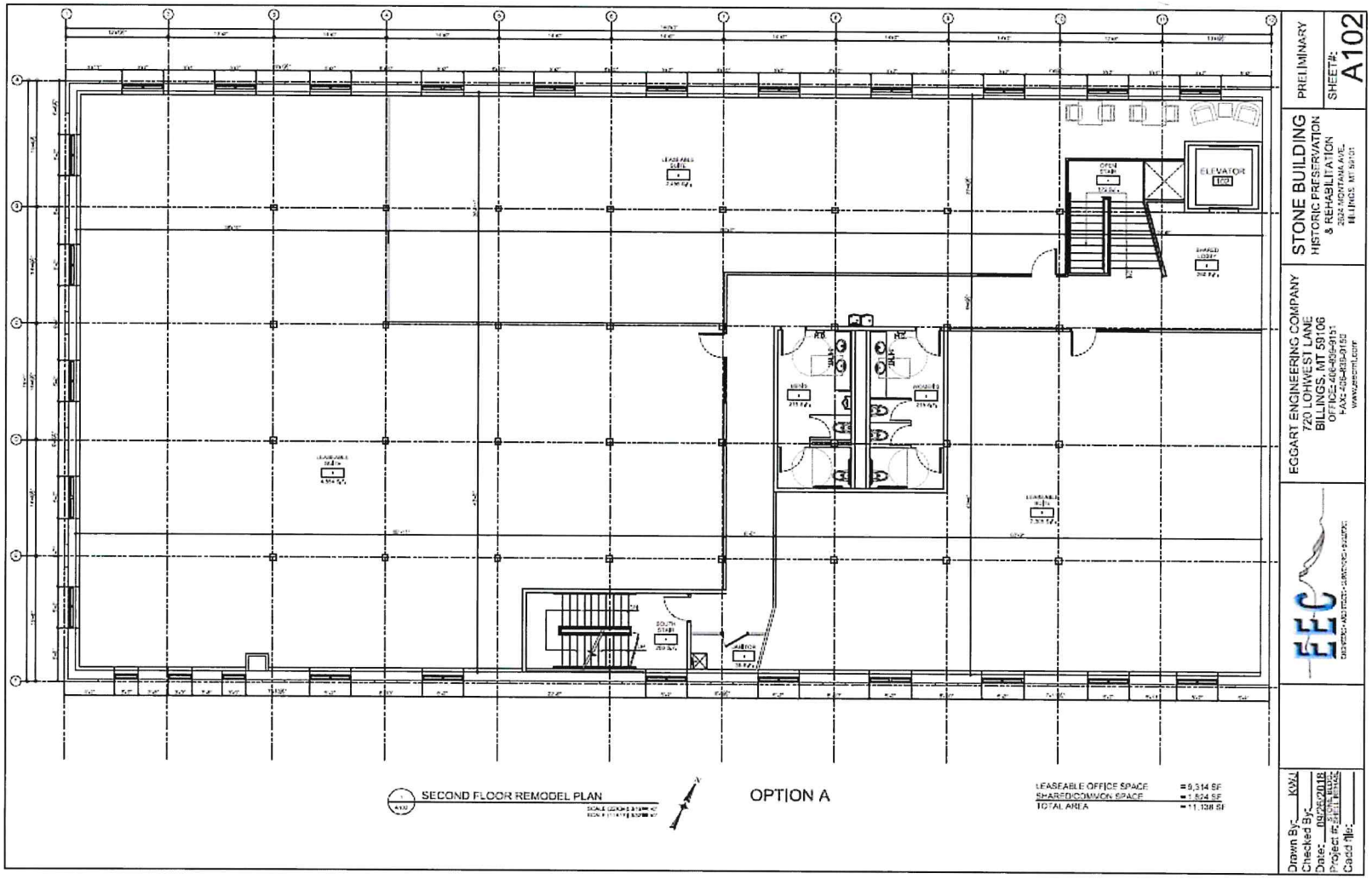
PROJECT SCHEMATICS

First Floor

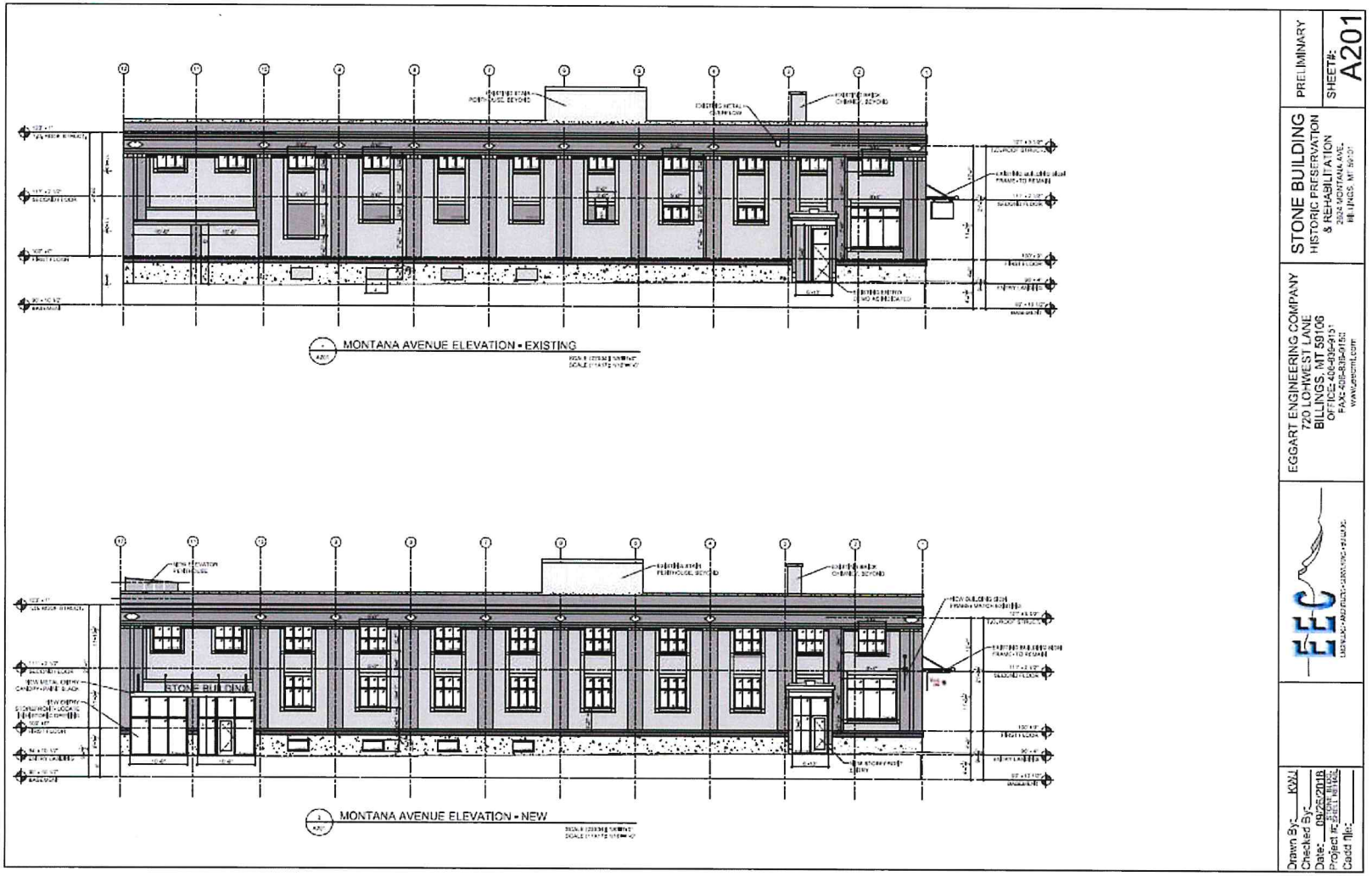


PROJECT SCHEMATICS

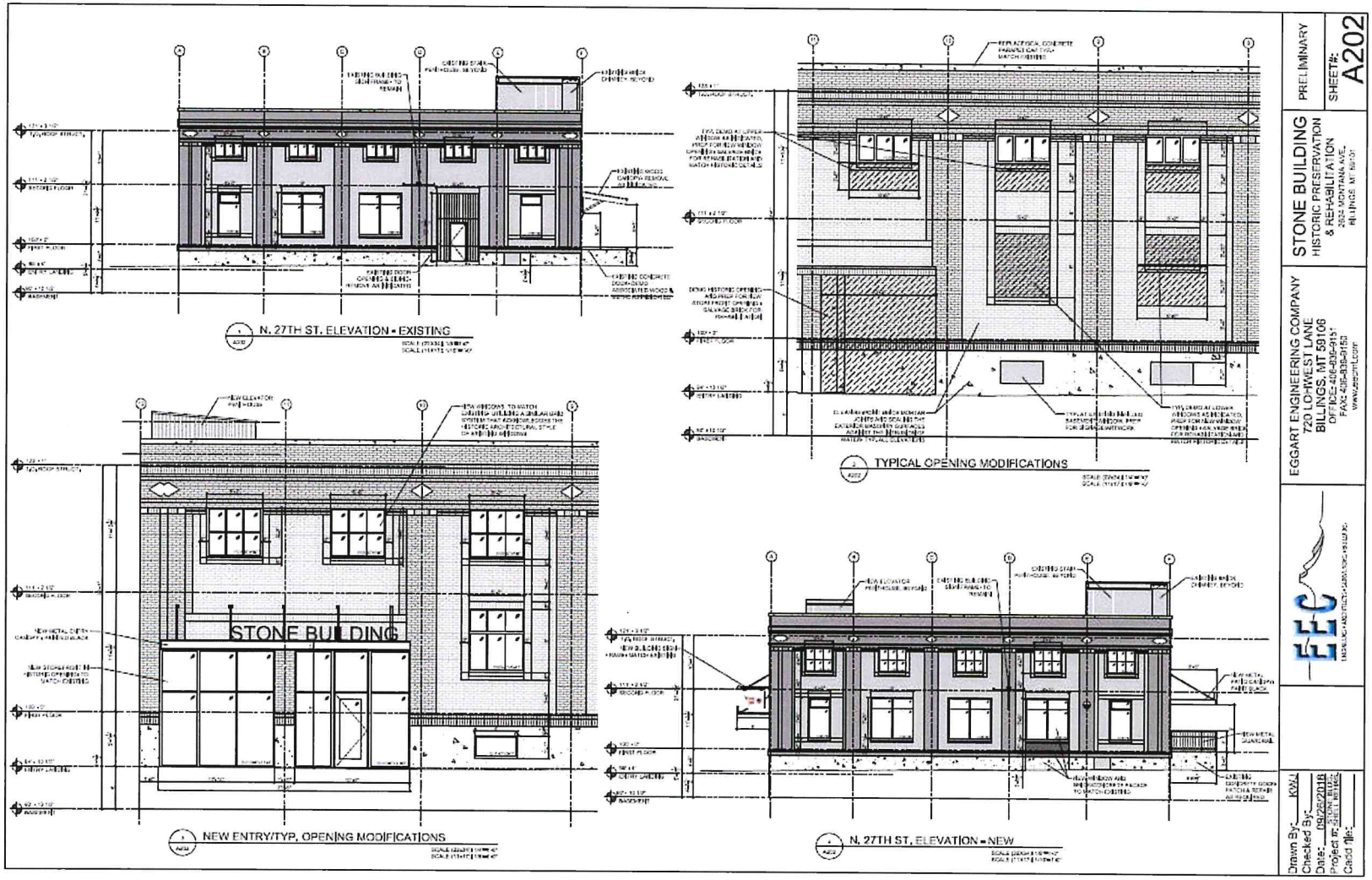
Second Floor



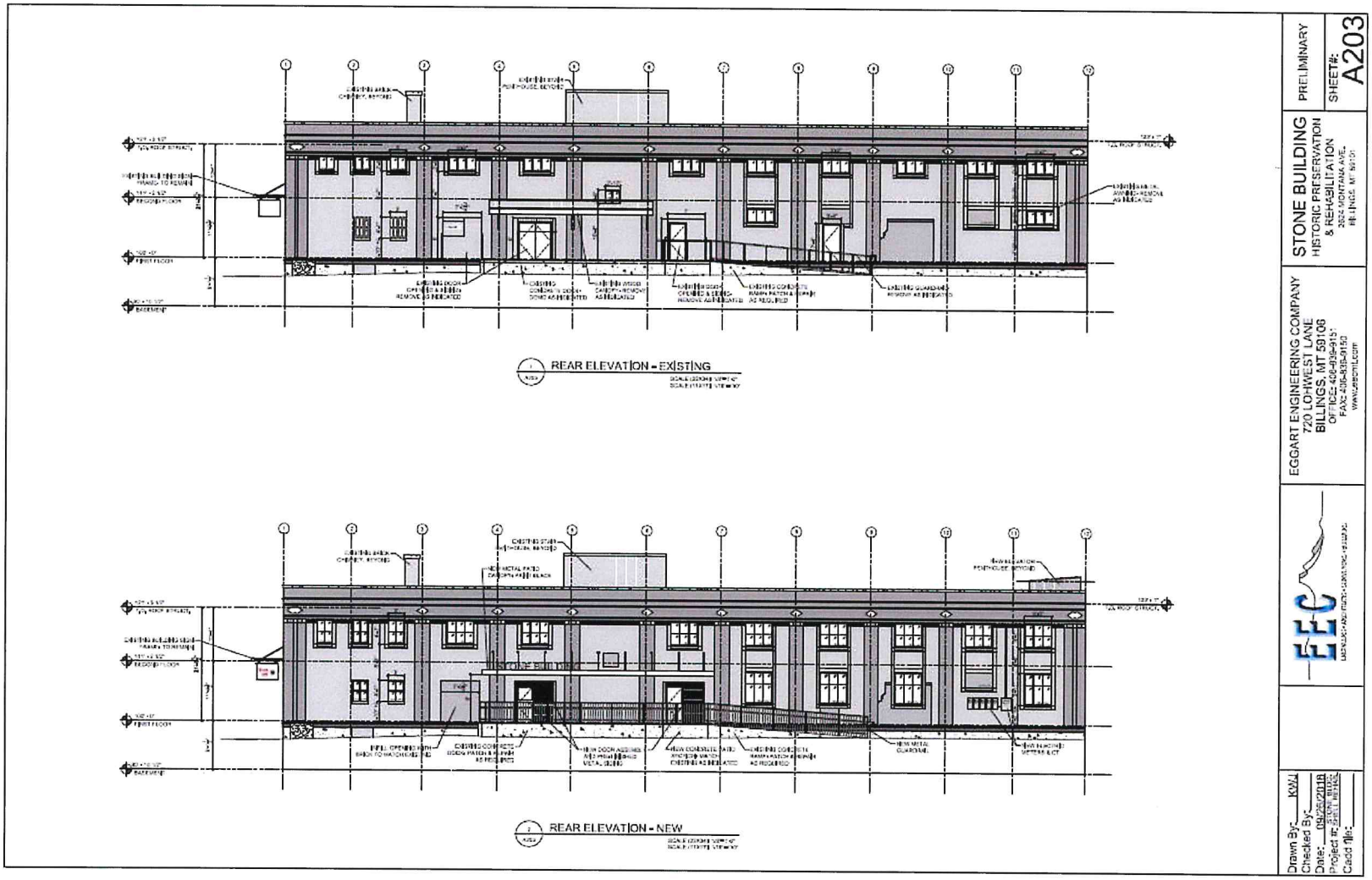
ELEVATION VIEW



ELEVATION VIEW



ELEVATION VIEW



Development Committee Action Item **Agenda Item 4-c**

Meeting Date: Friday, November 20, 2020, 7:30 am

Location: Remotely via Zoom

RE: downtown Properties LLC TIFD Assistance

Proposal:

The Downtown Properties LLC owns the Stone Building, which is located at 2624 Montana Avenue (the Southeast corner of 27th Street and Montana Avenue - formerly known as St. Vincent de Paul). Randy Swenson, a managing member of the Downtown Properties LLC, has been actively recruiting tenants to occupy space in the building but without a shell built, all prospective businesses have been reluctant and non-committal. Between trying to obtain enough financial assistance and needing to incentivize future tenants to occupy the building, Randy and partners started construction on the building in January, 2020. Soon after, circumstances changed locally and globally, which led to Downtown Properties LLC submitting an application for TIF assistance in the July cycle. Due to discrepancies in numbers and details, the Board modified and approved the grant. However, in order to do our due diligence and fairly consider the merits of the projects, a second application was submitted through the current cycle (Oct-Dec). Hence the Committee recommendation before you. The Committee sees the value and potential of this project but also understands the challenging components of this property. Having a property on a rail line is a challenge in and of itself but this challenge is amplified even more during a pandemic and a year of record high hurricanes in the south, which are events that continue to impact the speed and cost of construction and materials. Those variables also don't bode well with financial institutions when courting for loans to fund this project.

Nevertheless, this vital and large corner will impact our downtown positively when it is repurposed and revitalized. It has been vacant since 2018 and prior to that, it was owned by a nonprofit. The TIF increment alone is going to be positively impactful let alone a building of this size bustling with movement. Not to mention this kind of activity would only help the surrounding buildings and neighbors leading to future potential projects and business. There's a unique opportunity to address many of the goals of the Downtown Billings Strategic Plan and Urban Renewal Plan. Improving the perception of safety around this building is significant, which will be accomplished by providing natural surveillance - updated security on ports of entry/exit, lighting, structural reinforcement - to deter undesired activities such as graffiti, loitering, or break ins. Activating this corner will eliminate a blighted space and bring new visitors to our downtown. Most importantly, this project is not leveling the building and instead building upon the existing infrastructure to restore the health and vitality to an unoccupied or neglected corner for the benefit of downtown life and vibrancy.

In terms of tenants, a second branch of Your Pie is currently confirmed to occupy the northwest corner of this building. Further discussions are being had with an office upstairs and another street level business. Moreover, the Downtown Properties LLC has already been an actively engaged landlord in the downtown community by staying plugged in and joining the ongoing discussions. The building is being named the "Stone Building" building to honor its heritage dating back to the Stone Ordean & Wells Company, which was a large wholesale grocery store between 1914 and the 1930s.

The Downtown Properties LLC is requesting TIFD assistance in the amount of $700,00 dollars. While the request deviates ever so slightly from the 5:1 preferred matching threshold, their project is projected to cost $3,986,617. Keeping in mind that this project will only bring the building to a shell, meaning that further investments will be made privately by the landlord or tenants. If approved, this TIFD assistance request will be subject to available Fund 203 cash and will only be applied to qualified expenditures.

Financial Breakdown Details

Private Investment	**TIF Request**	**Ratio %**
Acquisition = $680,000 (March 14, 2018)		
Construction = $3,306,617 ($1,010,210 complete/$2,296,407 to go)		
Total = $3,986,617	$700,000	18%

Financials

If approved, reimbursement funds are available in the fiscal year following the year of project completion.

DBP Development Committee recommends approval of this project by the Board of Directors with the following contingencies:

1. The Applicant shall sign a development contract with the City of Billings and DBP within 90 days of City Council's approval.
2. This TIFD reimbursement is the maximum that can be received pending satisfactory submission of all paid invoices showing the completion of expenditures related to this project.
3. If funds are not available, reimbursement can be carried over to the next fiscal year.

DBP board of directors has authority to approve, modify and approve, or disapprove the recommendation prepared by the Development Committee.

Motion to approve: I make a motion to approve the recommendation of the Development Committee to award this applicant a reimbursement grant not to exceed $700,000 so long conditions above are met.

Motion to disapprove: I make a motion to disapprove the recommendation of the Development Committee in awarding this applicant a reimbursement grant of up to $700,000.

Motion to modify: I make a motion to modify the Committee's recommendation...



Street-View Illustration / Montana Ave. & 27th

Suite Entrance directly off Montana Ave. providing Ease of Access, plus Street Level/Downtown Community Visibility with the ability to hang prominent signage for tenants and partners, in a way that preserves the historic character.



Street-View Illustrations

Top: Montana Ave. Elevation
Right: N. 27th Street Elevation
Bottom: Rear (Railroad) Elevation

Development Committee Action Item **Agenda Item 4-c**

Meeting Date: Friday, November 20, 2020, 7:30 am

Location: Remotely via Zoom

RE: downtown Properties LLC TIFD Assistance

Proposal:

The Downtown Properties LLC owns the Stone Building, which is located at 2624 Montana Avenue (the Southeast corner of 27th Street and Montana Avenue - formerly known as St. Vincent de Paul). Randy Swenson, a managing member of the Downtown Properties LLC, has been actively recruiting tenants to occupy space in the building but without a shell built, all prospective businesses have been reluctant and non-committal. Between trying to obtain enough financial assistance and needing to incentivize future tenants to occupy the building, Randy and partners started construction on the building in January, 2020. Soon after, circumstances changed locally and globally, which led to Downtown Properties LLC submitting an application for TIF assistance in the July cycle. Due to discrepancies in numbers and details, the Board modified and approved the grant. However, in order to do our due diligence and fairly consider the merits of the projects, a second application was submitted through the current cycle (Oct-Dec). Hence the Committee recommendation before you. The Committee sees the value and potential of this project but also understands the challenging components of this property. Having a property located on land that's owned by the railroad greatly complicates the redevelopment of the site and that challenge is amplified even more during a pandemic and a year of record high hurricanes in the south, which are events that continue to impact the speed and cost of construction and materials. Those variables also do not bode well with financial institutions when courting for loans to fund this project.

Nevertheless, this vital and large corner will impact our downtown positively when it is repurposed and revitalized. It has been vacant since 2018 and prior to that, it was owned by a nonprofit. The TIF increment alone is going to be positively impactful let alone a building of this size bustling with movement. Not to mention this kind of activity would only help the surrounding buildings and neighbors leading to future potential projects and business. There's a unique opportunity to address many of the goals of the Downtown Billings Strategic Plan and Urban Renewal Plan. Improving the perception of safety around this building is significant, which will be accomplished by providing natural surveillance - updated security on ports of entry/exit, lighting, structural reinforcement - to deter undesired activities such as graffiti, loitering, or break ins. Activating this corner will eliminate a blighted space and bring new visitors to our downtown. Most importantly, this project is not leveling the building and instead building upon the existing infrastructure to restore the health and vitality to an unoccupied or neglected corner for the benefit of downtown life and vibrancy.

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to the Stone Ordean & Wells Company, which was a large wholesale grocery store between 1914 and the 1930s.

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Street-View Illustrations

Top: Montana Ave. Elevation
Right: N. 27th Street Elevation
Bottom: Rear (Railroad) Elevation

DBP Board Meeting
November 20, 2020 – 7:30 am
Remote via Zoom

ATTENDED:	Andy Patten	Steve Tostenrud	Norman Miller	Denis Pitman
Sam Merrick	Dave Fishbaugh	Marguerite Jodry	Wyeth Friday	Ethan Kanning
Sean Lynch	Penny Ronning	Steve Arveschoug	Chris Montague	Jenny Ross
Joni Harman	Katy Easton	Mehmet Casey	James Chandler	Janna Hafer
GUESTS:	Pam Purinton	Randy Swenson & Kody Johnson	Jeremiah Young	The Burger Dive Team
Zack Terakedis				
ABSENT:	Steve Wahrlich	Kim Olsen	Ignacio Barron Viela	Jock West

1. **Call to Order** – Mr. Patten brought the meeting to order at 7:29 am.
2. **Regular Agenda**
    a. **Minutes** – October 23, 2020 –Patten motioned to approve the minutes and Mr. Montague approved, Mr. Fishbaugh seconded the motion and approved by all.

2. Presentations

1. Mr. Brad Halsten and Mrs. Halsten from The Burger Dive, they have been in business for 10 years and are working on purchasing and looking to expand greatly and bring revitalization to Minnesota Ave. They are working on purchasing the 3 vacant properties, expanding indoor seating by twice the amount, adding outdoor seating, a rental retail opportunity and eight apartments for housing. They feel like they could make this area a destination place and feel like The Burger Dive is a destination restaurant and have received funding by a bank.
    1. Mr. Casey opened the conversation to questions. Mr. Arveschoug commended the Halsten's and especially their area. Mr. Arveschoug brought up the concern about opening during a pandemic. The Halstens were recently forced to go to take out only and their business has stayed profitable during this time; they were able to keep all employees and have expanded into a dinner service and that has created 50% more jobs. Oct 2019 they were at $72k in gross sales in Oct 2020 they have increased by 50% in gross sales due to the addition of dinner service. On average, 30% of sales are from the dinner service and there has been social media and word of mouth advertising done, with no additional advertising. New restaurant capacity will be about two and half times what their current restaurant is and they are confident that their numbers will continue to remain high. If approved, they would not relocate for at least nine months to a year and believe that Covid could likely work in their favor for this. They are also looking at adding a beer and wine license as well which they anticipate to add 20-25% to their gross sales.

2. Mr. Casey introduced Jeremiah Young from Kibler and Kirch, who owns the Stapleton building and Kibler & Kirch. They have been in the process of relocating their furniture and home store that will complement their design business. Their desire is to keep the historical character and put good businesses in the building. They are working to finish occupying the 2nd floor and the ground level storefront that have been vacant for quite some time. They closed their store in Red Lodge and are wanting to bring their retail store to Downtown Billings. They are hoping to become a Staple like they were in Red Lodge. They are going to do a relatively small store front, recreate the original staircase from 1904, and continue to recreate and restore the building to what it once was. They desire to bring a sense of history back to downtown, and while on the surface it doesn't seem like they need assistance, there has been huge empty space within the building and they believe this is a novel way to finish the rest of their building. They project to be spending around 1 million dollars on this project and hope to bring affluent people downtown to shop, eat in local restaurants and spend dollars downtown. Based on research and polling their clients, they were overwhelmed with the response and encouragement for Billings.
    1. Mr. Patten opened the conversation. Mr. Montague thanked Mr. Young for being downtown.

b. **DBP Staff Update**:
    1.

c. Financials
    1.

3. **Old Business –**
    a.

4. **New Business –**
    a.

5. **Action Items –**

a. Large Project Incentive Grant -Burger Dive Committee Recommendations - Ms. Hafer recused herself for The Burger Dive presentation. Mr. Casey - provided a presentation on the Burger Dive - The acquisition for the building is currently ongoing and they are waiting on the appraisal ($239,579) and the projected total cost of construction is about $2,879,918 for not yet started construction and seek TIF approval for $466,373. Inclusive of interior rehabilitation and exterior restoration of the brick and facade to try to bring back as much original character to the building, in addition to work upstairs for the apartments and in the back for the patio. The building's Total estimated cost for the project is $3.1 Million. Mr. Casey also opened this up to the group for questions.

1. My. Lynch stated that he greatly supports this project and believes that Downtown has been searching for a business to revitalize MN Ave, he believes that there is all blight over there and couldn’t think of a better business for this and is the first to motion for approval on this project.

2. Mr. Montague seconded the motion. All were in favor and Mr. Patten moved into motion, all agreed and the motion carried.

b. Kibler and Kirch - Large Project Incentive Grant- Total project costs are anticipated to be $861,838, qualified expenses are $478,681 and TIF ask is for $143,927, however, committee recommends $79,940 out of the qualified expenses ($478,681). The committee sees value in this project but the reason for the reduction, more success has been seen historically in terms of approval, when the exterior of the site is visibly blighted and while there are pockets that are vacant, the perceived notion is that the Stapleton building is thriving, they decided for the 5:1 reimbursement ratio off of qualified expenses instead of total project costs.

1. Mr. Patten asked to clarify the ground floor purpose. Mr. Young clarified that the storefront is a little more than 700 sq ft and will present as a retail store front and it will be apparent that it is a store, but the bulk of the space will be on the second floor with the staircase and elevator on the first floor. Ms. Hafer recommended approval for this, and believes this will add to the aesthetics downtown, she believes in Mr.Young's ability to attract consumers in and would like to have it there, this is the first motion to approve. This was seconded by Ms. Jodry. Mr. Lynch likes this as a way to help get people to explore different ways to use downtown buildings and encourages people to tour the building to help open up ideas to the public to provide the opportunity to think outside of the box. Ms. Haman is excited to see retail come downtown, she believes in this downtown project and asked about the timeline on this. Mr. Young already has his plans approved by the city and contracted with an architect and hopes to have this complete by June - July of 2021. Mr. Patten moved for a motion to approve, all approved and motion carried.

c. The Stone Building - Large Project Incentive Grant- This was presented back in August but due to discrepancies in numbers and dates it was misrepresented; thus, needed to be revisited. Acquisition was on March 14, 2018 for $680,000. This is within the three year expectation for private investment. Phase I expenditure came about to be $1,010, 21 and Phase II expenditures are expected to be around $2.3 Million which have not yet started, the project is estimated to cost $3,986,617, the developer is asking for $700,000 which is about $34,235 over the 5:1 ratio at almost 18% instead of 16% and will only be reimbursed for the remaining expenses in Phase II. The committee still recommends this for approval because of the added value of this project to the district despite the site’s challenges. This property is a bit difficult as the land where the property sits is owned by the railroad and the building owner leases the land from them, in addition to the pandemic, banks don’t often like to see these variables that present many risks.

1. Mr. Patten asked about what was accomplished during Phase I? Kody shared a general outline of the Phase I expenses, he stated that the majority of the expenses were done with Masonry, corners were falling off, windows, they have had a fair amount of demo, the basement had concrete slab issues, they had to pull about 70% of the concrete slab, had to stabilize the soil, re-pour the concrete, rebuild 2 staircases, moved the elevator entrance to the N entrance, and additional extensive structural repairs. On the NW corner, an additional entrance on the ground floor, and fire suppression is about 90% complete, added a 2 inch water service, demoed and rebuilt the dock and canopy structure in the back.

2. Mr. Montague asked about what's changed since the last meeting. Mr. Casey clarified that the year of acquisition was in question and reviewed the history of issues of the application process.
3. Mr. Arveschoug asked about the deadline set in the project, Mr. Casey clarified that the deadline is June 30, 2021. Randy, the developer clarified current issues of funding needed and shared that they intended to sell additional buildings to gap the finances that will not be required by the bank. Mr. Arveschoug asked for clarification and justification about going past the 5:1 ratio for this particular project and wants to know if it's because of the challenge because the property is owned by the railroad. Mr. Casey confirmed that this is the reason for the property land being owned by the railroad as well as the pandemic and to try to consider occasional exceptions for projects like this that provide heavily blighted buildings that have these types of challenges. Mr. Kanning mentioned that this is one of the first buildings you see when you come downtown and the size of the building (33,000 sq ft.) is of significance. Ms. Easton shared that it is important to consider the public safety and this is a high call volume for complaints about this building and area. Ms. Easton mentioned that an occupied and lit building is a safer building. Randy mentioned that safety downtown is key, the parking lot south of the tracks is part of it and they are putting up LED lights and fencing it up, security is of utmost importance for them. Ms. Hafer commented that she supports this project, but thinks we open up a can of worms if we do not stick to the 5:1 ratio. Mr. Patten asked for comments. Norman asked if anyone has asked the railroad if anyone is going to approve this development. Mr.Casey shared that the only opposition that the railroad has is putting in residential units. He also shared that the increments added to the district from the new ownership and future improvements of the building are going to add benefits, which is another valid reason to entertain the potential of making an exception to the 5:1.
4. Mr. Arveschoug stated to make a motion to accept the recommendation that the development committee put together without disrespecting Ms. Hafer's concerns because he shares the same concern about going past the 5:1 ratio. He believes that in this particular case that we need to have an open mind with all of the previously mentioned factors and the importance of this corner that he thinks it needs to get moving and get developed. He suggested one caveat to his motion which is not to push the deadline to try to meet financing and wants to see if this project can be a go. Ms. Harman seconded the motion. Mr. Patten moved the motion for approval with the committee's recommendation and with the exception to the hard deadline of June 30th, 2021. Commissioner Pitman stated that he'd like to make an amendment to the recommendation and he believes that sticking to the ratio on the policies is very important. He understands the reasons why deviation in this instance is desired but separating it out as an amendment to the motion is what he'd like to see. Ms. Hafer seconded the amended motion. The amendment to the motion is to keep the 5:1 reimbursement

ratio. My Lunch agreed with the amendment. Mr. Arveschoug requested clarification on the 5:1 was adopted by the board in agreement with the city and the context is not urban renewal legislation. Ms. Easton confirmed that he was correct and Mr. Casey confirmed that this is the preferred threshold but allows for room for deviance. Mr. Patten moved a motion to amend the motion to limit the TIF funding to the 5:1 ratio. Most were in favor, there were three nays. Mr. Patten believed the motion to carry. Mr. Patten then put into vote to move to the motion to carry with the amendment of the 5:1 ratio with the hard financial deadline of June 30th, 2021. All were in favor and the motion carried.

6. **Partner Reports –**
    a. City of Billings
        1. Mr. Friday - is reminding a public safety survey has gone out and wants to make sure it gets sent out far and wide with a deadline of Dec 2nd to be pushed across the whole city. The city council will be revisiting their capital improvement plan with a more in depth conversation on Dec 7th. Ms. Ronning reminded everyone that clients for Project Re:code with any objection or support with very specific recommendations to call in during this meeting.
    b. Yellowstone County
        1. Commissioner Pitman - asked for questions from the group - working on establishing the connection between Metra Park and downtown and the improvements at MetraPark
    c. SD#2
        1. Ms. Hafer - School is still in session, they are doing all they can to keep them open because they believe it benefits the students. They still have a small portion who is remote by choice or necessity, a decision has not yet been made on indoor sporting events for winter sports, and the State football championships are tonight, Mr. Kanning asked about an expectation on when the decision is going to be made on indoor winter supports but Ms. Hafer clarified the process and is unknown until otherwise heard.
    d. Big Sky Economic Development (BSED)
        1. Mr. Arveschoug , shared about the healthcare appreciation day and 9,000 $10 gift cards and a gift with a link from the Billings Symphony to watch their holiday program online went to 9,000 healthcare workers in Billings.They gave City Council an update on downtown a good overview on One Big Sky and catalyst projects and identifying common elements and objects over various plans and layers and believe it to have been well received and their design work continues on The Montana Building downtown redevelopment, Mr. Arveschoug asked for about 10 minutes in the December or future meeting to present this to the board, the Economic response and recovery team continue to meet every thursday. Dec 10th at 3:15 is hosting a progress report to the community, asking us to save the date and participate in the meeting from various community members.

e. Downtown Billings Association
    1. Ms. Easton - Gift Card program - launched due to healthcare appreciation day. We sent out 1,500 cards in $15,000 dollars on these cards which spurred additional interest of an additional 2,500 cards purchased totaling $50,000 dollars coming downtown. Ms. Easton shared statistics and the excitement for dollars headed to downtown. She also encouraged people to shop local and that if people need help with a gift guide this year, to contact the DBA because we believe that you can find most things locally.

f. Business Improvement District -
    1. Mr. Lynch shared that the team is ready early due to early snow - CPTED certification program going on at the Pubstation in December. Ms. Easton shared that holiday decorations are going up this weekend.

g. Billings Cultural Partners – Not present

h. Parking Advisory Board – Mr. Fishbaugh - working on an application process for pedlets - a sub committee is going to work with Mehmet and are going to touch base with Great Falls as they have been doing this for awhile, the application will eventually be turned over to public works and they will be meeting again in January. Mr. Casey, was incontact with a reporter with a bunch of news pieces and Joan from Great Falls BID.

i. Downtown Billings Property Owners Association – Ms. Hafer provided an update and elected new officers and they will be having another meeting in December and are looking for more members. Property owners decided on a vote not to support the 27th street options or endeavors.

Mr. Casey asked if there was interest for a meeting in December, Mr. Lynch asked about pending TIF application, Mr. Casey confirmed no at the moment, but could come up for CPTED and signage. Mr. Lynch said we move to not have a meeting unless something comes up to where we need to call the meeting to order.

Meeting Adjourned at 8:58 AM

NOTE: SUPPORTING DOCUMENTS FOLLOW AGENDA

CITY OF BILLINGS

CITY OF BILLINGS' VISION STATEMENT:

"THE MAGIC CITY – A VIBRANT, WELCOMING PLACE WHERE PEOPLE FLOURISH AND BUSINESS THRIVES"

AGENDA

COUNCIL CHAMBERS December 8, 2008 6:30 P.M.

CALL TO ORDER – Mayor Tussing
PLEDGE OF ALLEGIANCE – Mayor Tussing
INVOCATION – Councilmember McCall
ROLL CALL
MINUTES – November 13, 2008, Special Meeting
November 24, 2008
COURTESIES – Presentation to Al Winegardner and family in appreciation of donation in memory of Jayne Winegardner
PROCLAMATIONS
ADMINISTRATOR REPORTS – Tina Volek

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Item: 1 ONLY. Speaker sign-in required. (Comments offered here are limited to 1 minute per speaker. Please sign up on the clipboard located at the podium. Comment on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item.)
(NOTE: For Items not on this agenda, public comment will be taken at the end of the agenda. Please sign up on the clipboard located at the back of the room.)

CONSENT AGENDA:

1. A. Change Order #3, W.O. 08-09, Waste Water Treatment Plant Primary Effluent Pipe Replacement and Sludge Drying Bed Expansion, Western Municipal, $20,468.65, and **increase** the City Administrator's change order authority by $50,000.

B. Approval of compensation agreement for Private Contract No. 599, Emmanuel Baptist Church Sanitary Sewer Extension project, $325,360.

C. **Approval** of amended Purchase and Sale Agreement with School District Two for ten acres within Cottonwood Park for $200,000, and **authorization** for the Mayor to execute associated documents to consummate the sale and transfer of ownership of the property.

D. **Approval** of grant application submittal to Safe Route to School Program for the Elementary School Traffic Plan, $50,000.

E. **Resolution** relating to financing of proposed Zone 3 Storage, Zone 4 Reservoir project and Water Rehabilitation project; establishing compliance with reimbursement bond regulations under the Internal Revenue Code for the purpose of reimbursing the City with bond sale proceeds for financing water projects prior to the availability of funds.

F. **Resolution** relating to financing of a proposed Wastewater treatment plant disinfection system project; establishing compliance with reimbursement bond regulations under the Internal Revenue Code for the purpose of reimbursing the City with bond sale proceeds for financing sewer projects prior to the availability of funds.

G. **Second/Final reading** ordinance expanding the North 27th Street Urban Renewal Area – 2008.

H. **Second/Final reading** ordinance modifying the South Billings Boulevard Urban Renewal District.

I. **Exempt Amended Plat** of Tract 1 of Certificate of Survey 1815.

J. **Bills and Payroll**
(1) November 7, 2008
(2) November 14, 2008

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION GRANTING NEW OR EXPANDING INDUSTRY TAX INCENTIVES FOR BIG SKY ECONOMIC DEVELOPMENT AUTHORITY/GENERAL ELECTRIC CAPITAL CORPORATION** for a new building at 3333 Hesper Road. Staff recommends approval. (**Action**: approval or disapproval of staff recommendation).

3. **PUBLIC HEARING AND RESOLUTION GRANTING NEW OR EXPANDING INDUSTRY TAX INCENTIVES FOR DALCO INDUSTRIES DBA TETON STEEL** for property improvements at Gabel Road and South 29th Street. Staff

recommends approval. (**Action**: approval or disapproval of staff recommendation).

4. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR REVISIONS TO BOARDS AND COMMISSIONS:** Revisions that provide consistency in procedural areas for advisory boards, commissions and committees, and reorganizes ordinances into one Article of the Code. Staff recommends approval. (**Action**: approval or disapproval of staff recommendation).

5. **PUBLIC HEARING FOR EXTENSION OF INTERIM ZONING ORDINANCE:** A proposed one-year extension of the Interim Zoning Ordinance that amends Section 27-611, Sexually Oriented Businesses, and allows the interim zoning ordinance to be effective until December 23, 2009. Staff recommends approval. (**Action**: approval or disapproval of staff recommendation).

6. **DOWNTOWN BILLINGS PARKING STUDY.** Delayed from 11/24/08. Staff recommends approval of contract with Rich and Associates, Inc. for $68,500. (**Action**: approval or disapproval of staff recommendation).

7. **PUBLIC COMMENT on <u>Non-Agenda</u> Items --** <u>Speaker sign-in required.</u> *(Restricted to <u>ONLY</u> items not on this printed agenda; comments limited to 3 minutes per speaker. Please sign up on the clipboard located at the back of the Council Chambers.)*

(Action: approval or disapproval of Consent Agenda.)

ADJOURN

(NOTE: Additional information on any of these items is available in the City Clerk's Office)

Visit our Web site at:
http://ci.billings.mt.us

ATTACMENT A

ORDINANCE NO. _____

AN ORDINANCE MODIFYING THE URBAN RENEWAL PLAN OF THE NORTH 27TH STREET DISTRICT URBAN RENEWAL AREA; MODIFYING THE BOUNDARIES OF THE DISTRICT; ADOPTING A MODIFIED URBAN RENEWAL PLAN INCLUDING A TAX INCREMENT PROVISION; APPROVING URBAN RENEWAL PROJECTS THEREIN AND AUTHORIZING THE ISSUANCE OF TAX INCREMENT URBAN RENEWAL REVENUE BONDS OF THE CITY TO FINANCE COSTS THEREOF

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

WHEREAS, on July 11, 2005 the City Council adopted Ordinance No. 05-5333, which created the North 27th Street District Urban Renewal Area (hereafter "North 27th Street District") and adopted the Urban Renewal Plan of the North 27th Street District Urban Renewal Area ("N. 27th Street Plan") that included a tax increment provision and endorsed urban renewal projects.

WHEREAS, on November 13, 2006 the City Council adopted Ordinance No. 06-5394 which expanded the boundaries and amended the N. 27th Street Plan to create the Extended N. 27th Street District that included a tax increment provision and endorsed urban renewal projects.

WHEREAS, it has been determined that the Extended North 27th Street District and the N. 27th Street Plan should be modified to include additional property contiguous to the Extended North 27th Street District.

WHEREAS, this Council on November 24, 2008, conducted a public hearing on a proposal to modify the N. 27th Street Plan by adopting the Urban Renewal Plan of the Expanded North 27th Street District Urban Renewal Area - 2008, thereby establishing a modified urban renewal area to be formally designated as the Expanded North 27th Street District Urban Renewal Area - 2008 (the "Expanded North 27th Street District - 2008" or "the Property"), and to undertake urban renewal projects therein, all as authorized by Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the "Act").

WHEREAS, the Expanded North 27th Street District - 2008 is depicted on Attachment 1 (depicting the relationship of the Expanded North 27th District – 2008 to the Extended N. 27th Street District) and which is hereby incorporated herein and made a part hereof. Pursuant to this Ordinance, the boundaries of the Redevelopment Area are modified to reflect the addition of the Property depicted on the map on Attachment 1. The Redevelopment Area, as modified, is depicted on Attachment 1 and legally described on Attachment 2 (the "Resulting Redevelopment Area") (each of which is hereby incorporated herein and made a part hereof). The Resulting Redevelopment Area is contiguous.

WHEREAS, opportunities have been presented to the City that makes it desirable for the City to consider urban renewal projects within the Expanded North 27th Street District - 2008 consisting of demolishing certain blighted structures within the district; improving such properties with new construction, landscaping, utilities, and other similar improvements; and making the properties so improved available for private redevelopment in accordance with the Act (the "Projects"). Development proposals to be considered for funding include mixed use projects, building renovations, services for the District and the construction or expansion of City owned parking structures within the District.

WHEREAS, the proposed modified urban renewal plan titled the Urban Renewal Plan of the Expanded North 27th Street District - 2008 is attached hereto as Attachment 3 (which is hereby incorporated herein and made a part hereof) (the "Modified Plan"). The Modified Plan contains a tax increment provision and will govern the operation and administration of the Expanded North 27th Street District - 2008.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Billings, Montana, as follows:

1. Findings. This Council hereby finds, determines and declares, based on the comments received at the public hearing and other studies and information available to this Council, that:

a. The Property presently contains structures and improvements that are in a state of substantial deterioration, are obsolete or defective, pose unsanitary or unsafe conditions, are vacant and unused, and have inappropriate uses. The present condition of the Property substantially impairs the sound functioning of the downtown area of the City and its environs, is conducive to juvenile delinquency and crime, poses the threat of vandalism or mischief and fire or loss, constitutes an economic and social liability, and is a menace to the public health, safety, and welfare of the residents of the City. Accordingly, the Council reaffirms its previous findings that the Property is a blighted area within the meaning of Section 7-15-4210 of the Act. This Council finds that the rehabilitation, redevelopment or a combination thereof of the Property is necessary and in the interest of the health, safety, morals or welfare of the residents of the City. This Council finds that undertaking measures to eradicate or diminish the blight affecting the Property will help to foster a more dynamic, livable, and vibrant downtown.

b. If Projects require relocation of displaced persons, a detailed relocation plan is required and will be prepared.

c. The Modified Plan conforms to the 2003 Billings and Yellowstone County Growth Policy and the City's Downtown Framework Plan.

d. The Modified Plan will afford maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the District by private enterprise.

e. A sound and adequate financial program is required for the financing of Projects, which program includes substantial private investment and financing and the sale and issuance by the City of Tax Increment Bonds in proportions yet to be determined, for the purpose of financing a portion of the costs of the Projects as set forth above.

f. Approved Projects will constitute urban renewal projects within the meaning of the Act and are authorized to be undertaken by the City.

2. Plan Adoption. The Modified Plan is hereby adopted and approved in all respects, including without limitation, the segregation and application of tax increments as provided in Sections 7-15-4282 through 7-15-4293 of the Act as provided therein. For purposes of allocating taxes according to the Act, the "prior assessed value" of taxable property within the Expanded North 27th Street District - 2008 is that value shown on the assessment rolls as of January 1, 2008.

3. Project Approval. Authorized Projects are hereby approved.

4. Bonds. This Council approves financing the costs of Urban Renewal Projects, or a portion thereof, with proceeds of the Bonds. The City is hereby authorized and directed to undertake activities and analysis ordinarily prerequisite to the issuance of tax increment urban renewal revenue bonds in a principal amount not to exceed $10 million for financing of the costs of Urban Renewal Projects or a portion thereof.

5. Conditional Commitment. The adoption of the Plan does not constitute a guarantee or a firm commitment that the City will issue the Bonds or undertake Projects. If, based on comments or information made available to or obtained by the City, it appears that the issuance of the Bonds or Projects is not in the public interest or consistent with the purposes of the Act, the City reserves the right not to issue the Bonds or undertake the Project.

7. Repealer. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

8. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

9. Effective Date. This Ordinance shall be in full force and effect from and after the date that is 30 calendar days after the date set forth below.

ADOPTED by the City Council of the City of Billings, Montana, on second reading this 8th day of December, 2008.

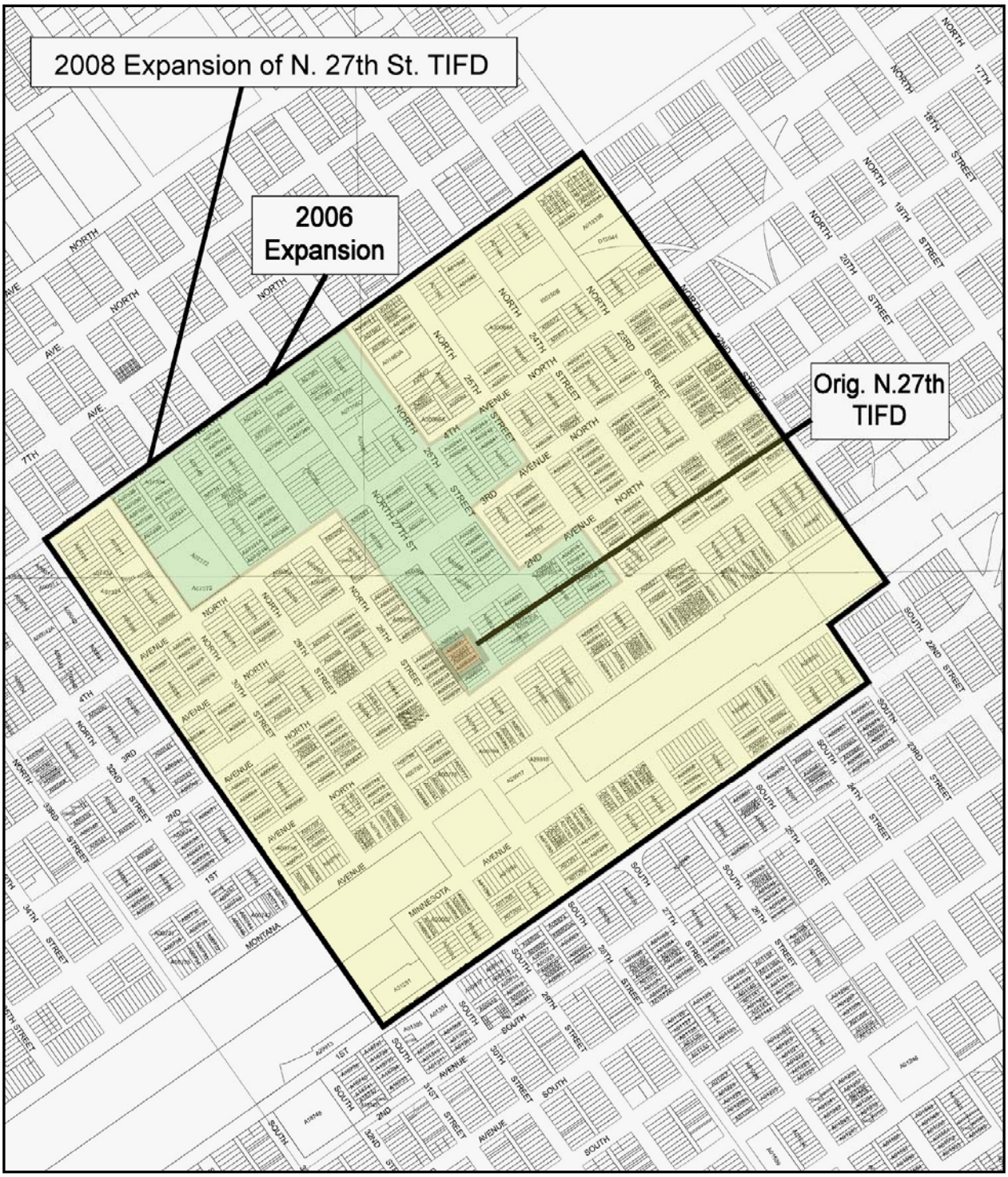
_____
Ron Tussing, Mayor

ATTEST:

_____
Cari Martin, City Clerk

ATTACHMENT 1

Expanded North 27th Street Urban Renewal District – 2008 Boundaries, Boundaries of the Extended N. 27th Street District (2006) and the Boundaries of the N. 27th Street District (2005)



ATTACHMENT 2

Expanded North 27th Street Urban Renewal District – 2008
Boundary Description

Beginning at a point at the intersection of the centerlines of 6th Avenue North and North 31st St. proceeding east along the centerline of 6th Ave. North to a point at the intersection of the centerlines of 6th Avenue North and N. 22nd Street proceeding south along the centerline of North 22nd Street, crossing the centrally assessed Burlington Northern Railroad property, to a point at the intersection of South 22nd Street and Minnesota Avenue proceeding west along the centerline of Minnesota Avenue to a point at the intersection of Minnesota Avenue and South 23rd Street proceeding south along the centerline of South 23rd Street to a point at the intersection of South 23rd Street and 1st Avenue South proceeding west along the centerline of 1st Avenue South to a point at the intersection of the centerlines of 1st Avenue South and South 31st Street proceeding north along the centerline of South 31st Street, crossing the centrally assessed Burlington Northern Railroad property, to the starting point at the intersection North 31st Street and 6th Avenue North encompassing all parcels and tax codes therein.

ATTACHMENT 3
Expanded North 27th Street Urban Renewal Area – 2008
Modified Plan

EXPANSION OF THE BILLINGS, MONTANA NORTH 27TH STREET URBAN RENEWAL AREA, WITH TAX INCREMENT, AND AMENDMENT TO THE URBAN RENEWAL PLAN

FOR CITY OF BILLINGS AND PLANNING REVIEW
October 14, 2008

Prepared by

Downtown Billings Partnership, Inc
2815 2nd Ave. North – Billings, MT 59101 – gregk@downtownbillings.com

SECTION 1 – INTRODUCTION

On July 11, 2005, the City Council adopted an ordinance that (a) created the North 27th Street District Urban Renewal Area ("North 27th Street District") and (b) adopted an urban renewal plan for the district. On November 13, 2006 the City Council adopted an ordinance that (a) expanded the North 27th Street District and (b) modified the urban renewal plan for the district. For reasons discussed in this Amendment to the Urban Renewal Plan of the North 27th Street District ("Plan"), it has been determined that the North 27th Street District should be expanded again to include other contiguous blighted properties in need of redevelopment. Further, it has been determined that this area, known as the Central Business District of Billings, has been and is in need of expanded public parking, enhanced pedestrian connections and experiences, improved public safety, and infrastructure improvements to public and private properties that will lead to increased taxable values. The existing urban renewal plan may be modified by ordinance in accordance with the procedure described in M.C.A. § 7-15-4221. The Urban Renewal Plan of the North 27th Street District approved by the City Council on July 11, 2005 and modified on November 13, 2006 is hereby included by reference as part of this amended Plan and shall remain applicable hereto except to the extent the original plan is explicitly or impliedly amended by this Plan. It is recognized as part of this Plan that the basic vision of the document known as Downtown Billings Framework Plan, adopted by the Billings City Council on December 22, 1997 and by the Yellowstone County Commissioners on December 23, 1997, is still valid and should be considered a part hereof. The terms defined in "Part I – DEFINITIONS" of the North 27th Street District Plan shall have the same meanings in this Plan unless a contrary meaning is expressed herein. The expanded district proposed in this Plan is hereafter referred to as the Expanded North 27th Street District - 2008 or the "District."

SECTION 2 – BACKGROUND

The original Downtown Redevelopment District, a downtown tax increment finance district, was created on December 20, 1975 by a resolution which cited hazardous conditions existing in the district due to overhead utility wires, inefficient land use, problems of access and circulation, physical constraints to development, random location of mixed uses and deteriorated building

conditions, and found that rehabilitation and redevelopment of the District would be in the public interest. That original district (hereafter "1975 District") comprised one hundred and twenty four (124) blocks in the city center after the 1985 south expansion and the 2004 east expansion. The 1975 District expired March 1, 2008 but the Urban Renewal Plan and the Framework Plan used for that district, in many parts and in relation to this District remain valid.

Because the 1975 District has terminated, but many of the undesirable conditions continue to exist, it was determined that it would be in the best interest of the City to expand the North 27th Tax Increment District to assist the construction of public improvements, stabilize and grow the tax base, increase the parking inventory, increase the inventory of downtown residential property, stimulate multi-use development ("Multi-Use Facility Projects"), fill street level vacancies, provide expanded security, develop safe event locations with appropriate traffic control devices, expand the Business Improvement District, make modifications to street and intersection lighting, increase traffic calming and reduce the noise in the district through Quiet Zone management and further implement the vision of the Downtown Framework Plan.

Currently, there is a need to expand the North 27th Street District to encompass development needs on the North 27th Street corridor, the North Broadway corridor, the Old Town Neighborhood and the Montana Avenue Historic District (including expansion of the Historic District to include areas south of the railroad tracks), the Civic District, areas adjacent to the Medical Corridor, adjacent to the East Billings Urban Renewal Area and other underutilized properties within the Central Business District of Billings. Although there has been significant improvement in the valuation of property in much of the 1975 District, the area defined by this proposed expanded tax increment district has major properties that have been neglected for many years and continue to show signs of serious blight and tax base decline. Many parcels have been removed from the tax rolls and/or are delinquent on payments of taxes and fees. The Expanded North 27th Street District creates an opportunity to continue redevelopment of the center of downtown with a mixture of public and private investment in a roughly seventy-one-square-

block district (just over half of the size of the 1975 expanded district) encompassing the existing North 27th Street District.

The area has several pockets of low taxable value, with several lots of the land being owned by government and other non-profit entities and several buildings that are over 50% vacant.

The creation of the Expanded North 27th Street District is essential to any planned development at 4th Avenue North and North Broadway, redevelopment of the vacant Northern Hotel, improving security and expanding the clean safe and vibrant programs of the Business Improvement District, continuing redevelopment of the Civic Plaza area, developing the boundary areas of the Medical Corridor and the East Billings Urban Renewal Area, and expanding the Historic District. It could also assist with the essential remodeling of the Northern Hotel, the Babcock Theatre, the Westwood Building, the Lincoln Hotel Building. Public infrastructure construction within this expanded District could assist with the renovation and/or relocation of various City facilities, such as the public library. It is currently expected that the expanded North 27th Street District may help fund the following projects:

I. Business Programs and Projects

a. Business Retention
    i. Targeted assistance and review of existing street level businesses
    ii. Retail market survey
b. Business Recruitment
    i. Development of a "chainlet" network
    ii. Business plan development assistance
    iii. Association networking
    iv. Business Improvement District support
    v. Business cluster analysis
    vi. Pedestrian study
        1. demographics
        2. directions
        3. linkages
        4. destinations
        5. wayfinding

II. Parking and Transportation

a. Increase use of public transit
b. Parking structures to support current and future needs

c. Explore parking linkages to adjacent destinations
d. Explore parking management practices and programs
    i. Off street parking
    ii. On street parking

III. Crime Prevention and Public Safety

a. Cooperative Security Program
b. Business Watch Program
c. Crime and Fraud prevention programs
    i. Geared towards street level businesses

IV. Management, Implementation and Maintenance

a. Downtown Billings Partnership, Inc. or its successor, management agreement
    i. Project development
    ii. Public awareness
    iii. Advocacy and liaison between public and private sectors
b. Business Improvement District expansion and development
    i. Cooperative work agreements with PMDs
    ii. Development and promotion of Conference Corridor
    iii. BID expansion
    iv. "Green" Management
        1. Recycling programs
        2. Tree management

V. Infrastructure Improvements

a. Public
    i. Expansion of Historic District
    ii. New Library
    iii. New Planning Department Offices
    iv. Public Parking and Greenspace
    v. Intersection Lighting by Public Works
    vi. New SILMDs for mid-block lighting
    vii. Streetscapes and traffic calming plans
    viii. Sidewalks, curbs and gutter improvements
        1. stabilization of vaults
    ix. Relocation of public and private utility lines
b. Public infrastructure improvements that would support the following development projects/programs
    i. Workforce housing development
    ii. Loft and Condo development
    iii. Lodging development
    iv. Conference Facilities

v. Entertainment venues

SECTION 3 – SUMMARY OF BLIGHT FINDINGS

The area in the proposed expansion of the North 27th Street District contains a great deal of blight. Within the district there is substantial structural deterioration, long-term land vacancy, a railroad spur line that has been abandoned and a major rail line that continues to divide the Central Business District. Several of the commercial buildings in the district are deteriorated and/or vacant and need demolition or renovation. Many of the storefronts and upper floors are vacant or under-occupied. Sidewalks are cracked; alleys are deteriorated, and, in general, much of the area is below accepted standards. In contrast to the above, there are certain properties within the district in good repair but included in the district to allow for a contiguous block of land within the district and because pockets of revitalization cannot be sustained if areas of neglect and blight surround them. Over time, without continued managed urban renewal, even these success stories will once again decline in taxable value. Most of the district falls into the blighted, neglected and under-utilized categories.

SECTION 4 – DESCRIPTION OF BLIGHTED AREA

The expanded urban renewal area described in this amended Plan incorporates most of the Central Business District. Within the district there are several older, single-story structures that have been retrofitted for offices and warehousing, numerous surface parking lots, and several vacant structures. Many of these structures are unsuited to their current uses because of age obsolescence and physical deterioration.

Montana‘s Urban Renewal Law (Montana Code Annotated Title 7, Chapter 15, Parts 42 and 43) provides the authority to declare the existence of blighted areas and to target them for improvements. “Blighted area” is defined in Section 7-15-4206(2), M.C.A., as follows:

> *[A]n area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs or arrests the sound growth of the city or its environs; retards the provision of housing accommodations; or constitutes an economic or social liability or is detrimental*

or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use, by reason of:

- *(a) the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential;*
- *(b) inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;*
- *(c) inappropriate or mixed uses of land or buildings;*
- *(d) high density of population and overcrowding;*
- *(e) defective or inadequate street layout;*
- *(f) faulty lot layout in relation to size, adequacy, accessibility, or usefulness;*
- *(g) excessive land coverage;*
- *(h) unsanitary or unsafe conditions;*
- *(i) deterioration of site;*
- *(j) diversity of ownership;*
- *(k) tax or special assessment delinquency exceeding the fair vale of the land;*
- *(l) defective or unusual conditions of title;*
- *(m) improper subdivision or obsolete platting;*
- *(n) the existence of conditions that endanger life or property by fire or other causes; or*
- *(o) any combination of the factors listed in this subsection (2).*

The land being added to the Plan area includes 405 (Exhibit A) property tax codes plus a segment of centrally assessed BN Railroad property. The complete, expanded Urban Renewal Area will have 481 property tax codes plus the segment of BN Railroad property. Within that total area, and as noted in the 2006 approved Urban Renewal Plan, there are many "target areas" that should be immediately considered for redevelopment. The properties on N. Broadway between 4th Avenue North and 6th Avenue North will need additional parking to facilitate the construction of a Stockman Bank facility. The area adjacent to the Northern Hotel on North Broadway is in need of parking due to the closure of the privately owned parking structure in that area due to unsafe and blighted conditions of the structure. The area east of the Yellowstone County Courthouse Lawn is targeted for a new federal courthouse and will need additional parking and green spaces. The area between the new MET transit facility on N. 25th Street and to the east boundary of the East Billings Urban Renewal Area (N. 22nd Street) is in need of redevelopment that could include workforce housing and parking. The status of the Battin Federal Courthouse is still unclear. The facility is contaminated with asbestos and is destined to become vacant with the completion of a new federal courthouse and office building. This

vacancy will present a redevelopment opportunity in the near future. The area surrounding City of Billings Park IV contains many surface parking lots that could be developed if Park IV is sold to a private developer. This area lacks high-rise housing with mixed use occupancy on the first floor. The future use of the Lincoln Center is unclear and it could be a redevelopment opportunity if the school district ceases its administrative and continuing education functions in the building. The properties on 1st Ave. S. and Minnesota Avenue are not currently in a Historic District and values remain stagnant as compared to the Montana Avenue area. The redevelopment of the south side of the railroad tracks has not kept up with the redevelopment north of the tracks and should be a target area. Several properties located between Montana Avenue and 1st Avenue North are severely underutilized and in need of redevelopment. Without attention to some of this blight, over time, the value of the Montana Avenue redevelopment will most likely be negatively impacted.

SECTION 5 – DETERMINATION OF BLIGHT

The proposed expansion area of the North 27th Street District contains a number of underdeveloped properties. The Council previously determined that the property included in the North 27th Street District was "blighted" within the meaning of the Act in Resolution 05-18276 adopted June 13, 2005 and Resolution 06-18488, adopted September 25, 2006. The Redevelopment Area, including the portion that is to be expanded to form the Expanded North 27th Street District - 2008, was previously determined to be blighted and an appropriate area for an urban renewal project in Resolution No. 12107 dated January 5, 1976. Deficiencies in public and private properties located in the district lead to a determination that the area continues to be blighted, as defined by state statute. Specific areas of blight on the site are listed below:

Deficient Structures in Expanded Area

There are several buildings that are over 50 years in age and do not qualify as being historically significant. Many are in poor repair and may contain potentially hazardous asbestos and lead paint.

Deficient Public Facilities in Extended Area

The streets, curbs, gutters and sidewalks in much of the area are in satisfactory repair. However, sewer and water utilities in the area are aging and have required frequent repairs in recent years. Several parking lots generally do not meet code requirements for paving, striping and landscaping. Many of them are cracked and crumbling. The city owned parking ramps within the area, except for Park IV have extensive "waiting lists" and public parking for adjacent office and commercial structures continues to be inadequate. Demand for parking will continue and additional and expanded parking structures will be required to accommodate commercial growth.

Deficient Land Use in Extended Area

In general, the area is under-utilized due to the significant amount of surface parking areas and a large number of single-story structures. The taxable value of this district must be stabilized and encouraged to grow.

SECTION 6 – THE SITE AND ITS RELATIONSHIP TO THE CITY

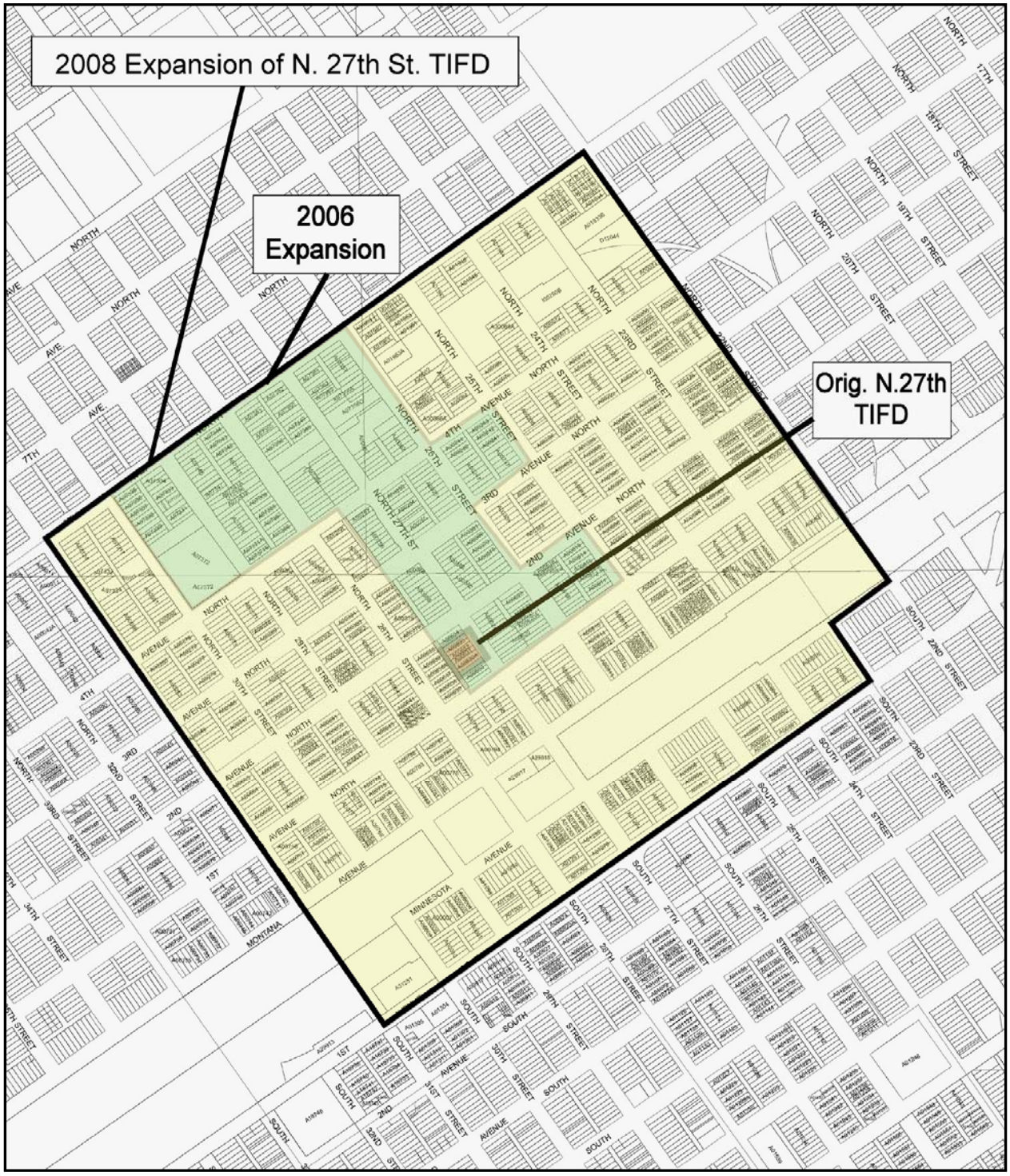
As noted, the expanded North 27th Street Urban Renewal Area comprises most of the Central Business District (CBD) of the City of Billings.

SECTION 7 – LEGAL DESCRIPTION

The legal description of the proposed Expanded North 27th Street District – 2008 is as follows:

Beginning at a point at the intersection of the centerlines of 6th Avenue North and North 31st St. proceeding east along the centerline of 6th Ave. North to a point at the intersection of the centerlines of 6th Avenue North and N. 22nd Street proceeding south along the centerline of North 22nd Street, crossing the centrally assessed Burlington Northern Railroad property, to a point at the intersection of South 22nd Street and Minnesota Avenue proceeding west along the centerline of Minnesota Avenue to a point at the intersection of Minnesota Avenue and South 23rd Street proceeding south along the centerline of South 23rd Street to a point at the intersection of South 23rd Street and 1st Avenue South proceeding west along the centerline of 1st Avenue South to a point at the intersection of the centerlines of 1st Avenue South and South 31st Street proceeding north along the centerline of South 31st Street, crossing the centrally assessed Burlington Northern Railroad property, to the starting point at the intersection North 31st Street and 6th Avenue North encompassing all parcels and tax codes therein, all inclusive.

Map of entire Expanded N. 27th District



SECTION 8 – PROPERTY DEVELOPERS

New development in the proposed tax increment district will also be accomplished through the implementation of the Downtown Framework Plan. These Projects are described in Section 2 of this plan.

SECTION 9 – PROJECT RELATIONSHIP TO THE FRAMEWORK PLAN

The proposed urban renewal area and expanded tax increment district is located generally in the center of the City and encompasses most of the "districts" as defined by the Billings Framework Plan ("Framework Plan"). One goal of the Framework Plan was to remove barriers to downtown circulation and development created by 4th Avenue North and 6th Avenue North and establish the area between the avenues as both a discreet district and a recognized extension of the CBD, thereby allowing potential ties to the medical corridor and MSU-Billings from the CBD. Generally, the Framework Plan stressed the downtown's ability to make a positive impact on the entire city. The Framework Plan also recommended a private non-profit organization to assist the City of Billings with the management of the Tax Increment District through an annual work plan and contract. This Expanded N 27th Street District may be managed in a similar manner and could make use of the redevelopment and facilitation established through that management entity.

Framework Plan Recommendation: Housing

The Framework Plan states that housing should be a top priority and that the City should continue to work with builders and developers to encourage downtown housing through various methods. Specifically, the plan states that high-rise housing is to be located in the east transition zone and portions of the north transition zone.

The formation of an expanded tax increment district will help to raise funds that can be used for construction or rehabilitation of public infrastructure necessary to attract and retain housing in the area.

Framework Plan Recommendation: Priorities

The top priorities identified in the Framework Plan include the following:

- Development incentives, including business retention and recruitment
- Housing – demonstration projects
- Streetscape Kit of Parts – expand kit to include Minnesota Avenue
- Events Kit of Parts – Modern and safer traffic control devices may be needed
- Paring configuration adjustments – several one-way streets could be converted to 2-way
- 5th Avenue North Corridor preservation and enhancement

This amendment to the Plan and the urban renewal projects that it contemplates specifically address all six of these priorities.

SECTION 10 – CONFORMANCE TO THE GROWTH POLICY

One of the requirements of Montana's Urban Renewal Law (Title 7, Chapter 15, Parts 42 and 43) is that the urban renewal plan must conform to the community's growth policy. The Yellowstone County and City of Billings Growth Policy ("Growth Policy") refers to and promotes downtown redevelopment in a variety of ways. This amendment to the Plan is consistent with the current Growth Policy.

SECTION 11 – CERTAIN PLAN FEATURES AND FINANCIAL MATTERS

Section 7-15-4217, M.C.A., of the Act requires cities to make certain findings when they adopt an urban renewal plan and approve Urban Renewal Projects. These are addressed below:

1. Most of the District contains no existing dwelling units or housing, and planned projects would not displace any persons from housing. Accordingly, there is no need to have a workable and feasible plan for substitute housing until and unless such a project is developed in the future.

2. This amended Plan conforms to the Growth Policy for the City as a whole and to the

Framework Plan.

3. This Modified Plan affords maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the Expanded North 27th Street District by private enterprise. It is unreasonable to expect that the district will be remain stabilized and/or redeveloped without substantial public support. Numerous properties within the area are dilapidated. As presently constituted, property in the district is not conducive to any sort of uniform or integrated development and, as presently existing, cannot compete with other areas of the City for substantial developments, particularly areas at the outskirts of the City. Experience has validated the foregoing facts and observations. This amended Plan is intended to facilitate the identification and construction of significant Urban Renewal Projects, which would not be possible without this Plan.

4. A sound and adequate financial program exists for financing projects, which include the sale and issuance by the City of the Bonds in an amount not to exceed the costs of the project, including administration costs and costs of issuance of the Bonds. Any approved Development Project will require commitments of substantial private financing that will provide the primary means for funding construction of the improvements.

5. This Expanded N. 27th Street District - 2008 may be modified at any time by the City Council as necessary to eliminate and prevent the development or spread of blighted areas, and encourage urban rehabilitation. The process for plan modification shall follow the procedures set forth in 7-15-4212 through 7-15-4219 MCA, with respect to initial adoption of this plan. For purposes of urban renewal district boundary changes only, the notice of public hearing, as described in 7-15-4215 MCA, may be mailed only to those owners whose properties are situated within the area of expansion or contraction of the Urban Renewal District boundaries. In cases where the boundaries are not modified, but the contents of the urban renewal plan are substantially modified, notification shall be mailed to all owners of property within the Urban Renewal District area.

SECTION 12 – TAX INCREMENT

Tax increment financing is necessary to encourage private reinvestment within the District, which will further encourage economic growth in the District and Downtown Billings, create substantial employment opportunities, and increase the tax base of the City and other taxing jurisdictions. The expanded North 27th Street District is hereby established as a tax increment financing urban renewal area within the meaning of the Act, and, in particular, Section 7-15-4282 through 7-15-4293 of the Act. This Section constitutes a tax increment provision within the meaning of the Act. In connection therewith:

1. For the purpose of calculating the incremental taxable value each year for the life of the district, the base taxable value shall be calculated as current base taxable value of the district plus the base taxable value of all real and personal property added to the district by this amended plan and as show in Exhibit B as of **January 1, 2008.**

2. The City is hereby authorized to segregate the tax increment derived in the district and use and deposit such increment into the tax increment fund of the district for use as authorized by the Act and as authorized herein from time to time, including, without limitation, pledging the tax increment to repayment of Bonds.

3. The tax increment received from the district may be used to pay directly costs of an approved Development Project as may from time to time be approved by the Council. The Council also hereby authorizes the use of tax increment in the district to pay debt service on Bonds issued to finance a portion of the costs of these Development Projects, and costs associated with the sale and security of such Bonds in compliance with the Act, subject to any limitations imposed by the Montana Constitution and federal law.

4. The tax increment provision of the district will terminate upon the latter of:
   a. The fifteenth (15th) year following the original creation of the district; or
   b. The payment or provision for payment in full or discharge of all Bonds, and the payment of interest thereon, for which the tax increment has been pledged.

After termination of the tax increment provision, all taxes shall continue to be levied upon the actual taxable value of the taxable property in the district, but shall be paid into funds of the taxing bodies levying taxes within the district.

SECTION 13 – CONCLUSIONS

The creation of this expanded North 27th Street Urban Renewal District will have a positive impact on Downtown Billings and no impact on the total taxable value flowing to the taxing entities from the now expired 1975 Urban Renewal District.

Expansion of the North 27th Street District is an essential first-step in completing what may be a number of urban renewal projects. If completed, mixed use projects approved within the first two years could stimulate over $30 million in new construction, and possibly as much as $15 million in re-sales and redevelopment. Approximately 500 new employees and new downtown residents could be located on the commercial and upper floors of possible mixed use projects. Thus, expansion of the district, in addition to further stabilizing the tax base, eliminating blight and providing renaissance to the CBD, will also bring new employees and residents to the CBD.

Mixed use development within the Expanded District ties in favorably with and actually stimulates the remodeling plans that are currently underway for several downtown properties. Additionally, like any major new development, the anticipated Stockman Bank construction at 4th Avenue North and North Broadway will have a stimulating effect on the surrounding area. Specific examples of this are:

1. It will tie the CBD to the medical corridor located immediately to the north of the development.
2. The Billings Clinic has purchased the Underriner property to the north and west of the Library. The Clinic's plans at this point have not been determined; however, the development proposed in this amended Plan will enhance and encourage future development by this group.

3. The Framework Plan encourages the development of the 5th Avenue North corridor. An enhanced Library, as accomplished by projects described in this Plan, will provide an excellent entrance to this corridor.
4. Future redevelopment and revitalization of structures like the Northern Hotel and the Babcock Theatre Building are enabled by this district.
5. This expanded district may assist with the completion of and continued modernization of City owned downtown parking structures.

In conclusion, expansion of the North 27th Street Urban Renewal District to include the property described in this amended Plan will have a positive effect on the CBD and the City.

RESOLUTION NO. 18-10750

A RESOLUTION OF THE CITY OF BILLINGS FORMING A POLICY FOR THE ADMINISTRATION OF URBAN RENEWAL AREAS OR DISTRICTS (URD) IN THE CITY.

WHEREAS, MCA, Title 7, Chapter 15, Part 42, Section 51 declares: General powers of municipalities in connection with urban renewal. Every municipality shall have all the power necessary or convenient:

(1) To carry out and effectuate the purposes and provisions of this part and part 43;

(2) To undertake and carry out urban renewal projects within the municipality, to make and execute contracts and other instruments necessary or convenient to the exercise of its powers under this part and part 43, and to disseminate blight clearance and urban renewal information;

(3) To organize, coordinate, and direct, within the municipality, the administration of the provisions of this part and part 43 as they apply to such municipality in order that the objective of remedying blighted areas and preventing the causes thereof within such municipality may be most effectively promoted and achieved and to establish such new office or offices of the municipality or to reorganize existing offices in order to carry out such purpose most effectively;

(4) To exercise all or any part or combination of powers granted in this part or part 43; and

WHEREAS, the City of Billings reviews and adopts Urban Renewal Plans for each of its Urban Renewal Districts, and those Plans specify goals for each Urban Renewal District; and

WHEREAS, the City of Billings may establish local policies that guide the establishment, operations, funding and governance of urban renewal districts; and

WHEREAS, development of TIF (Tax Increment Financing) Policies would be in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

That the City Council now makes and adopts the following TIF Policy:

CITY OF BILLINGS TAX INCREMENT FINANCE POLICY

1. PERMITTED USES OF TIF FUNDS. TIF funds may be used for costs outlined in MCA, Title 7, Chapter 15, Part 42, Section 88. Urban Renewal Plans adopted by the City may limit what TIF funds may be spent on in any Urban Renewal District. Eligible costs may include, but are not limited to:
   a. Land acquisition and assemblage, demolition and removal of structures, relocation of occupants, analysis to determine needs of an urban renewal area, administrative cost for redevelopment activities.
   b. Public infrastructure, including, but not limited to: streets, storm drains, parking, public buildings, water and sewer lines, sidewalks, utility connections.
   c. Private infrastructure with public benefit, including, but not limited to, building façades, windows, doors, fire suppression or alarm systems, storm drainage, environmental remediation, parking, and ADA access.

2. FINANCIAL ASSISTANCE THROUGH TIF. All financial assistance must be approved by the City Council prior to any activity receiving funding. Financial assistance should be requested prior to beginning construction. All activity (design and construction) must be completed prior to issuance of TIF funds from the City Finance Department. Financial thresholds and assistance tools are as follows:
   a. A minimum of $\geq$ $5 of private investment for every $1 of public investment is the preferred threshold to be met for each TIF application. The City Council reserves the right to approve any application that does not meet this minimum. The City Council also may make exceptions for projects of less than $100,000, and for publicly owned projects, properties or facilities.
   b. Grants may be made for uses listed in Part 1 above benefitting any government owned-land or buildings and for profit and non-profit businesses.
   c. Bonding may be available at the discretion of the City Council.
   d. All TIF grants will be formalized by a development agreement that must be signed by the grantee before the City will reimburse eligible expenses.

3. URD MANAGEMENT. Each URD in the City of Billings will be managed as follows:
   a. Each URD should maintain a non-profit advisory board to make recommendations to the City Council regarding TIF expenditures. Unless specifically authorized by a Memorandum of Understanding (MOU) referenced in 3(b) below, a majority of board members must own or lease property within the district, or must represent such owner or lessee, and may include representation from residential or commercial property owners or lessees. Advisory Boards must carry insurance for their members and provide proof of insurance to the City.
   b. A MOU must be executed between the advisory board and the City Council that defines the board's roles, responsibilities, authority, and processes, including for hiring and maintaining board support staff. The MOU must

contain language addressing conflict of interest situations for board members whose property may directly benefit from a TIF expenditure and for board support staff. The MOU also must include language that if there is the appearance of a conflict of interest the issue will be reviewed by City legal staff before moving forward.

c. Training for all URD advisory boards will be conducted biannually in coordination with City staff and URD support staff. The training must include, but is not limited to: review of URD and TIF laws, Administrative Rules, ethics, conflicts of interest, meeting management, and maintenance of minutes and records.

d. URD financial reporting will be consistent across all URDs and be set by coordination between the City Finance Director and the Planning and Community Services Director, and URD support staff.

e. TIF application review and City Council staff report preparation will be conducted by the Planning and Community Services Department Director, in coordination with the Assistant City Administrator, Finance Director, and URD support staff.

PASSED by the City Council and APPROVED this 9th day of July, 2018.

CITY OF BILLINGS

BY: William A Cole
William A. Cole, Mayor

CITY OF BILLINGS SEAL YELLOWSTONE COUNTY, MONTANA

ATTEST

BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk

STONE BUILDING

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is entered into as of_____, 2020 by and between the Downtown Billings Partnership, Inc., an I.R.C. S501(c)(4) Montana nonprofit corporation ("DBP"), The City of Billings, Montana, a municipality of the State of Montana ("City"), and Downtown Properties, LLC, a Montana limited liability company ("Developer"). DBP, the City and Developer shall each be referred to herein as a "party" and shall collectively be referred to as the "parties."

RECITALS

WHEREAS, DBP is the entity responsible for administration of Tax Increment Financing ("TIF") funds for the City; and

WHEREAS, on or about October 15, 2020, Developer submitted a Funding Application (defined below) to DBP requesting a TIF grant for a project to renovate, rehab, and remodel property located at 2624 Montana Avenue (formerly known as St. Vincent de Paul) in downtown Billings (the "Property" as further defined below); and

WHEREAS, on or about November 20, 2020, DBP's Board of Directors approved the Application for a TIF grant; and

WHEREAS, on December 14, 2020, the City of Billings City Council approved a reimbursement grant using TIF funds to Developer in an amount of up to $665,765 (the "TIF Grant") to be dedicated to qualified expenditures for the Project (defined below) and to be disbursed as described in this Agreement; and

WHEREAS, the parties wish to enter into a development agreement, in accordance with DBP's TIF Funding Criteria (defined below), to establish the terms and conditions under which DBP will allocate the TIF Grant funds to Developer from the City in accordance with the DBP agreement with the City regarding urban renewal in Downtown Billings,

NOW, THEREFORE, the parties agree as follows:

SECTION 1
SUBJECT OF AGREEMENT AND DEFINITIONS

1.1 Effect of Recitals. The foregoing Recitals are true and correct and are incorporated into the terms and conditions of this Agreement.

1.2 Purpose of Agreement. The purpose of this Agreement is to set forth the terms and conditions of the TIF Grant to Developer to effectuate the urban renewal project for certain real property located at 2624 Montana Avenue in Billings, Montana, and legally described on the attached Exhibit A (the "Property"). This Project will eliminate blight and compliment and further the objectives of the Expanded North 27th Street Urban Renewal District and Urban Renewal Plan.

1.3 The Funding Application. The DBP and the City have approved the TIF Grant

based on Developer's Downtown Tax Increment Financing Application attached hereto as Exhibit B ("Funding Application"), subject to the terms and conditions of this Agreement. The Funding Application includes a preliminary estimated cost of construction of Developer's Improvements (the "Preliminary Developer's Budget")

1.4 TIF Grant Funding Criteria. The term “TIF Funding Criteria” shall mean the Tax Increment Financial Assistance Program criteria for urban renewal projects in the Expanded North 27" Street Urban Renewal District as set forth in the attached Exhibit C.

1.5 Developer's Improvements. The term "Developer's Improvements” shall mean the improvements described on Exhibit B to be constructed by Developer on the Property pursuant to this Agreement and as described in Section 5.

1.6 Conceptual Design Drawings. The term "Conceptual Design Drawings" shall mean the conceptual preliminary depictions of the Developer's Improvements attached hereto as Exhibit B.

1.7 Project. The term "Project" shall mean the Property as improved by the Developer's Improvements.

1.8 Definitive Documents. The term "Definitive Documents' shall mean this Agreement and all Exhibits attached or to be attached hereto.

SECTION 2
PROPERTY

2.1 Ownership. The Property, described on Exhibit A, is currently owned by Downtown Properties, LLC.

SECTION 3
CONDITIONS PRECEDENT

3.1 Conditions Precedent. The DBP's and the City's obligation to be bound by this Agreement with Developer is subject to satisfaction or written waiver of each of the following conditions to the reasonable satisfaction of DBP ("Conditions Precedent“):

a) Developer has presented DBP proof of ownership of the Property by proof of title insurance reflecting Developer as the fee owner of the Property, subject only to liens and encumbrances satisfactory to DBP.

b) Developer has obtained financing and provided the DBP with proof of financing in the form of commitment letters or loan documents, for the construction of Developer's Improvements in accordance with the Funding Application within the time period set forth in the Performance Schedule (as defined in Section 6).

c) Developer has prepared and submitted a detailed budget setting forth the final estimated cost of construction of Developer's Improvements ("Developer's Budget"). When completed, the Developer's Budget will be made a part of this Agreement and

will be appended as Exhibit E.

d) Developer has prepared and submitted final design drawings ("Design Drawings") and construction documents for the Developer's Improvements (collectively, the "Final Plans") in accordance with the terms of this Agreement and the Final Plans have been reviewed and approved by DBP and the City and the estimated cost of the approved design is within Developer's Budget. When completed and approved, the Final Plans will be made a part of this Agreement and will be attached as Exhibit F.

e) Developer has provided DBP with proof of zoning compliance and approval by any necessary governmental entities.

f) Developer has executed the Agreement no later than 90 days following the City Council's approval.

3.2 Satisfaction of Conditions. DBP and DBP's representatives, agents and consultants will work with the Developer to obtain satisfaction of the Conditions Precedent.

3.3 Termination for Failure of Conditions. If the Conditions Precedent are not satisfied or waived within 90 days of the date of this Agreement, then any party may terminate the Definitive Documents by written notice to the others and upon such termination the parties shall have no further liability to one another, however, Developer shall remain responsible for indemnifying DBP and the City in accordance with Section 5.12.

SECTION 4:
GRANT AND RELEASE OF FUNDS

4.1 Use of TIF Grant Funds. The TIF Grant funds which are the subject of this Agreement shall be used only for urban renewal activities, including the renovation and rehabilitation of the Property, in accordance with the Definitive Documents and the Urban Renewal Law of the State of Montana, §§7-15-420l., et seq., Mont. Code Ann.

4.2 Grant of Funds. City, as recommended by DBP, agrees to grant to Developer the TIF Grant in an amount of up to $665,765 from funds in the City's Fund 203 account, release of which shall be conditioned upon satisfaction of the conditions precedent set forth in Section 3.1 above, the conditions set forth in this Section 4, and the Developer's obligations, covenants and warranties set forth in this Agreement and the Definitive Documents.

4.3 Availability of TIF Grant Funds. TIF funds are not available to be encumbered (committed) to the Project by the City until they are received as unencumbered TIF funds.

a) Subject to the availability of unencumbered TIF funds, City agrees that, starting the January 1st after the Project is complete, it will encumber TIF funds to reimburse Developer for the Project during the fiscal years following completion of the Project according to the requirements of this Agreement. Reimbursements will not be greater than $665,765 in total. During the reimbursement period, three disbursements of $221,922 will occur in FY 23, 24, and 25. The deadline for the reimbursement period to start is July 1, 2022.

(In the event unencumbered TIF funds are not available to the City to meet the foregoing schedule, the City may continue to fully encumber, in its sole discretion, to the Project available unencumbered TIF funds until the full TIF Grant is encumbered to the Project.)

b) Developer reimbursements shall be limited to only those funds that have been encumbered to Project by the City. Notwithstanding anything to the contrary, the payment of the Developer reimbursements is hereby expressly made subordinate in all respects to any and all bonds issued by the City pursuant to the Resolution No. [20-10878] adopted by the City Council of Billings on [June 22, 2020], as amended and supplemented, and the Development reimbursements are a Subordinate Obligation thereunder.

c) Reimbursements will be made to Developer as explained in Section 4.2 and restricted to TIF funds that have to date been encumbered to the Project.

4.4 Release of Funds following Project Completion. DBP will release the TIF Grant funds approved by the City to the Developer upon the Developer's completion of Developer's Improvements and the Project, determined as follows:

a) Developer has substantially completed construction of Developer's Improvements in accordance with the Funding Application, as supplemented by the Budget and Design Drawings, and the deadline set forth in Section 6.

b) Developer has submitted all paid invoices showing the completion and lien-free status of all expenditures related to this Project and Property, including evidence that all construction liens have been satisfied and/or released.

c) Project costs shall be paid and proof of payment shall be provided in an amount consistent with the Funding Application, as supplemented by the Budget, and this Agreement.

d) The Project satisfies the public benefit provisions of the Funding Application and the TIF Funding Criteria.

e) Developer has received a Certificate of Occupancy from the City for the Project.

f) Developer has received from DBP a Certificate of Satisfaction as defined in Section 5.8 below.

g) Reimbursement cannot begin before the January 1st following the completion of the Project, as defined in Sections 3, 4, 5, and 6 of this Agreement.

4.5 Satisfaction of Project Completion Conditions. DBP and DBP's representatives, agents and consultants may assist the Developer to obtain satisfaction of the conditions for completion of the Project set forth in Section 4.4 (where applicable).

4.6 Extent of Commitment. DBP and the City shall have no obligation for any costs associated with the Project which exceed the amount of the TIF Grant funds approved in accordance with this Agreement.

SECTION 5:
DEVELOPERS IMPROVEMENTS AND COVENANTS

5.1 Construction of Developer's Improvements. Developer agrees to construct and develop the Developer's Improvements, at its sole cost and expense, consistent with the Design Drawings and the other Definitive Documents.

5.2 Architects and Contractors. Developer will have the right to select its architects, contractor and other subcontractors and consultants in its sole discretion. Developer will require all architects, engineers, or other professional consultants to maintain professional liability insurance in an insurable amount not less than $1,000,000 combined single limit, covering all professional activities performed by them in connection with the Developer's Improvements. Further, Developer shall require its contractor to maintain broad form commercial general liability insurance in an insurable amount of not less than $1,000,000 combined single limit, covering all work performed by contractor in connection with the Developer's Improvements. Developer shall demonstrate proof of coverage to DBP upon request by providing a Certificate of Insurance.

5.3 Insurance. Developer shall maintain fire and casualty insurance covering the Project and the Developer's Improvements in an amount commensurate with the replacement cost of the Project during development and construction of the Project and until issuance of the Certificate of Satisfaction. DBP may, in its sole discretion, recommit funds for reconstruction of the Project in the event Developer determines to reconstruct the Project.

5.4 DBP Access. DBP and DBP’s representatives, agents and designees will have the right, at reasonable times and upon reasonable notice to the Developer, to enter upon the Property, in connection with inspection of construction of Developer's Improvements. Upon reasonable notice and request, DBP shall have access to all records and contracts pertaining to the Project. Developer shall keep and maintain accounting records for the Project, and shall make the same available to DBP upon request, including but not limited to all purchase orders, invoices, statements, payment documents, and journals and ledgers related to the Project.

5.5 Governmental Permits. Before commencement of construction of Developer's Improvements, Developer shall obtain all necessary land use, building and other governmental permits. Developer shall maintain all necessary land use, building and other governmental permits during construction of the Project.

5.6 Local, State and Federal Laws. Developer shall carry out the construction of the Developer's Improvements in conformity with all applicable local, state and federal laws.

5.7 Prohibition Against Transfer. Prior to the issuance by DBP of the Certificate of Satisfaction, Developer shall not, except as permitted by this Agreement, without the prior approval of DBP, transfer its interest in the Property or the buildings or structures on the Property. Notwithstanding the foregoing, this prohibition shall not apply to:

a) The transfer of the Property effective after issuance of the Certificate of Satisfaction; or

b) Transfers of property involving transactions in place prior to the date of this Agreement; or

c) The leasing of space in the Developer's Improvements.

5.8 Certificate of Satisfaction. After substantial completion of Developer's Improvements as determined by DBP, DBP shall furnish Developer with a Certificate of Satisfaction of this Agreement upon written request therefore by the Developer, substantially in the form of Exhibit H. Upon issuance of the Certificate of Satisfaction, Developer and the Property shall be fully relieved of all obligations and restrictions under this Agreement, excluding the obligations to indemnify City and DBP in Sections 4.6, 5.12, 5.13 and 5.14. DBP shall not unreasonably withhold, condition or delay the Certificate of Satisfaction. Such Certificate of Satisfaction shall be a conclusive determination of satisfactory completion of the construction of the Developer's Improvements required by this Agreement as to the Property and such Certificate shall so state. No Certificate of Satisfaction shall constitute a Certificate of Occupancy or evidence thereof under the building permit or codes of the City of Billings.

5.9 No Speculation. Developer represents that its interest in the Property is for redevelopment and not for speculation in land holding.

5.10 Environmental History. To the best of Developer's knowledge, the Property does not contain any hazardous substances found in violation of applicable laws and all mandatory requirements of applicable law with respect to environmental hazards or hazardous substances have been complied with by Developer.

5.11 Compliance with Definitive Documents. Developer has received, reviewed, and approved the Definitive Documents and shall be bound by the terms of the Definitive Documents.

5.12 Control/Indemnification. Developer shall have sole control and responsibility for the construction of the Project. Developer will indemnify, defend and hold the DBP, the City, and their directors, officers, officials, employees and agents harmless for, from and against any and all claims, damages, costs, liabilities and losses arising out of or related in any way to the use, condition, construction or development of the Property, the Project, or the Developer's Improvements, including without limitation to any claims for personal injury, property damage, or for liability to any contractor or its subcontractors, agents or employees.

5.13 Taxes/Assessments. Developer shall pay all applicable taxes, special assessments, and other assessments on the Property and the Developer's Improvements, if any, when due.

5.14 No Tax Protest. Developer shall not protest, or attempt in any way to avoid or dispute, any property taxes, special improvement district assessments, and other assessments on the Property for three (3) years from the date on the Certificate of Occupancy, without prior written consent of DBP, which consent shall not be unreasonably withheld. In the event Developer believes that a property tax or other assessment of the Project is unreasonable, it may request DBP's written consent to protest such assessment to the appropriate authority.

SECTION 6:

SCHEDULE OF PERFORMANCE

6.1 Deadline. A Schedule of Performance of construction of Developer's Improvements is attached as Exhibit G and incorporated herein (the "Performance Schedule"). Developer shall proceed expeditiously to complete construction of the Project in accordance with the Performance Schedule. All construction work for the Project shall be completed by the completion date set forth in the Performance Schedule of June 30, 2021. Developer will be excused for delays resulting from the following circumstances: an act of God or public enemy, fire; storm; wind; flood; earthquake; epidemic; explosion; lightning; continuous loss of power of other utilities for more than thirty days; nuclear radiation; geological or archeological condition; quarantine restrictions; riot or public discord; act of terrorism; Criminal damage; the suspension of the national or state banking system due to financial crises; a union strike, unanticipated pre-existing but undiscovered conditions; or appeal of governmental permits.

SECTION 7:

WARRANTIES

7.1 Developer Representations and Warranties. Developer Warrants and represents that the information and documentation provided pursuant to Sections 3.1 and 5 are accurate and complete and that Developer will promptly notify DBP of any changes in such information and documentation.

7.2 Joint Representations and Warranties. The following representations and Warranties are made by each party to the others as of the date hereof:

a) Authority. Each party has the legal power, right and authority to enter into this Agreement and the instruments referenced herein, and to consummate this transaction.

b) Actions. All requisite action has been taken by each party in connection with the entering into of this Agreement, the instruments referenced herein, and the consummation of this transaction. No further consent of any partner, shareholder, creditor, investor, judicial or administrative body, governmental authority or other party is required.

c) Due Execution. The individuals executing this Agreement and the instruments referenced herein on behalf of each party and the partners, officers or trustees of each party, if any, have the legal power, right, and actual authority to bind each party to the terms and conditions of those documents.

SECTION 8:

DEFAULTS AND REMEDIES

8.1 Default/General. Subject to the extensions of time set forth in Section 6, and subject to the notice and opportunity to cure provisions contained in this Agreement, the failure or delay by any party to perform any term or provision of this Agreement constitutes a default; however, if the defaulting party commences to cure such default within 60 days after receipt of a notice specifying the default, and thereafter diligently prosecutes such cure to completion, then such party shall not be deemed to be in default. The injured party shall give written notice of default to the defaulting party, specifying the default. The injured party may not institute proceedings, whether

judicial or otherwise, against the party in default until 60 days after giving such notice. Any failure or delay by any party in asserting any of its rights or remedies as to any default shall not operate as a waiver of any default or of any rights or remedies or deprive such party of its rights to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

8.2 Rights and Remedies. Subject to the provisions of Section 8.1 hereof, in addition to its other rights or remedies, if Developer fails to cure a default or withdraws from the Project for any reason, DBP and City shall have no obligation to release grant funds to Developer. If the Developer fails to cure a default, or withdraws from the Project for any reason, after funds have been released for the Project, Developer shall repay City the amount of any funds released to Developer for the Project. Either party may seek any legal or equitable remedy to cure, correct or remedy any default, to recover any damages for any default, or to obtain any other remedy consistent with the purpose of this Agreement in accordance with the terms of this Section 8.

8.3 Rights and Remedies Not Cumulative. Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are not cumulative, and the exercise by any party remedies provided in this Section 8 shall preclude the exercise by it, at a different time, of any other rights or remedies for the same default.

8.4 Dispute Resolution. In the event a dispute arises, whether due to a default or the interpretation of any term of this Development Agreement, the complaining party shall deliver notice of the matter in dispute to the other party at the address and in the manner provided for in Section 9.1 hereof. Each party shall within 7 calendar days thereafter designate a representative to address the matter, which representatives shall attempt, in good faith, to resolve the disputed matter within 7 calendar days of the last designation of a representative.

In the event the designated representatives are unable, despite their good faith efforts, to timely resolve the disputed matter within fourteen calendar days of the initial notice thereof, then, and in that event, either any party may request in writing that the matter be resolved through informal mediation. Informal mediation must be completed within 14 calendar days of the request.

If the matter remains unresolved after mediation, or if the mediation is not timely completed - either party may demand binding arbitration in accordance with § 8.5. A complaining party who refused or failed to timely participate in the informal mediation (i) may not seek binding arbitration (ii) waives any demand, claim, or relief from the other party, and (iii) releases the other party from the complaining party's demand, claim, or relief.

8.5 Arbitration. In the event of any dispute arising between the parties to this Agreement, and the conditions of § 8.4 have been met, any such dispute shall be submitted to binding arbitration as provided herein. The parties shall select an independent and unbiased arbitrator who is not affiliated directly or indirectly with either party within ten days after any party demands arbitration. If the parties fail to select, or cannot agree upon, an arbitrator within this time, then either party may apply to the District Court of Yellowstone County pursuant to §27-5-211 et seq. of the Montana Uniform Arbitration Act for an order appointing an arbitrator. Such applications may be made at any time after the ten-day period has expired. Upon application to the

court for an arbitrator, the Court shall select a single arbitrator, who shall render his/her decision no later than 60 days after his/her appointment. If the arbitrator requests a hearing prior to rendering his/her decision, such hearing shall be held in Yellowstone County, Montana within 30 days of the arbitrator's appointment. The arbitrator's decision shall be binding on both parties. Each party shall bear its own expenses associated with the arbitration but shall share equally the costs of the arbitrator.

8.6 Authorized mediators/arbitrators. Any formal mediation or arbitration shall select one of the following as the mediator and/or arbitrator unless all are either conflicted or unable to serve: (i) Charles Cashmore (CCashlaw@aol.com); (ii) Russell Fagg (rfagg@icloud.com); (iii) Greg Murphy (greg.murphy10@gmail.com); (iv) Mike Anderson (manderson@a-llaw.com).

8.7 Waiver. Upon written agreement of both parties, any provision of this Section 8 may be waived. Unless waived, the terms of this Section 8 shall be strictly applicable to any dispute between the parties hereto.

SECTION 9:
GENERAL PROVISIONS

9.1 Notices. All notices or other communications required or permitted hereunder must be in writing, and must be personally delivered (including by a professional messenger service) or sent by overnight courier, or sent by registered or certified mail, postage prepaid, return receipt requested to the addresses set forth below. All notices sent by mail will be deemed received 2 (two) days after the date of mailing and all notices sent by other means permitted herein shall be deemed received on the date delivered. Notices will be sent as follows:

Developer: Downtown Properties, LLC
Attn: Randy Swenson
Address: 2624 Montana Avenue
Billings, MT 59101
Telephone: (406) 655-9100
Email: randy@tendernest.com

City: The City of Billings, Montana
Attn: Brent Brooks, City Attorney
Address: 20 North 27th Street
Billings, MT 59101
Telephone; (406) 657-8202
Email: BrooksB@ci.billings.mt.us

DBP: Downtown Billings Partnership, Inc.
Attn: Mehmet Casey
Address: 116 N 29th Street Suite A
Billings, MT 59101
Telephone (406) 294-5060
Email: mehmetc@downtownbillings.com

9.2 Nonliability of Officials and Employees. No director, officer, member, official, employee or agent of Developer, DBP or the City shall be personally liable to any party or any successor-in-interest thereto, in the event of any default or breach by any party or for any amount which may become due to any party or its successor, or any obligations under the terms of this Agreement.

9.3 Headings. Any title of the several parts and sections of this Agreement are inserted for convenience or reference only and shall be disregarded in construing or interpreting any of its provisions.

9.4 Time of Essence. Time is of the essence of this Agreement. All obligations of the parties to one another shall be due at the time specified by the Agreement, or as the same may be extended by mutual agreement of the parties in writing.

9.5 Construction/Governing Law, and Venue. The parties and their respective advisors believe that this Agreement is the product of all of their efforts, that it expresses their agreement and that it should not be interpreted in favor of or against any party. The parties further agree that this Agreement will be construed to effectuate the normal and reasonable expectations of sophisticated parties. The parties hereto expressly agree that this Agreement will be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of Montana. Any action in law or equity, or judicial proceeding for the enforcement of this Agreement or any of the provisions contained herein, shall be instituted and maintained only in Thirteenth Judicial District Court for Yellowstone County, Montana.

9.6 Severability. If any clause, sentence or any other portion of the terms and conditions of this Agreement become illegal, null or void for any reason, or held by any court of competent jurisdiction to be so, the remaining portion will remain in full force and effect.

9.7 No Partnership. Neither anything in this Agreement nor any acts of the parties hereto shall be deemed or construed by the parties hereto, or any of them, or by any third person, to create the relationship of principal and agent, or of partnership, or of joint venture, or of any association between any of the parties to this Agreement.

9.8 Government Rights. Except as provided herein, by making this Agreement, DBP and the City are not obligating themselves or any other agency with respect to any discretionary action relating to the development of the Property or development, operation and use of the improvements to be constructed on the Property, including but not limited to, condemnation, comprehensive planning, re-zoning, variances, environmental clearances or any other governmental agency approvals which are or may be required.

9.9 Non-Waivers. No Waiver of any breach of any covenant or provision contained herein will be deemed a Waiver of any preceding or succeeding breach thereof, or of any other covenant or provision contained herein. No extension of time for performance of any obligation or act will be deemed an extension of the time for performance of any other obligation or act except those of the waiving party, which will be extended by a period of time equal to the period of the delay.

9.10 Entire Agreement/Counterparts. This Agreement, together with the Definitive Documents, integrates all of the terms and conditions mentioned herein or incidental hereto and supersedes all negotiations or previous agreements between the parties or the predecessors in interest with respect to all or any part of the subject matter hereof. This Agreement may be signed by counterparts.

9.11 Successors. This Agreement shall be binding upon and inure the benefit of the parties, their successors and assigns.

DOWNTOWN BILLINGS PARTNERSHIP ("DBP")

By: _____

Its: President

STATE OF MONTANA)
:
County of Yellowstone)

This record was acknowledged before me on _____, 2020 by _____, as President of Downtown Billings Partnership.

_____
Notary Public for the State of Montana

THE CITY OF BILLINGS, MONTANA ("CITY")

By: _____
Its: Mayor

By: _____
Its: City Clerk

STATE OF MONTANA)
:
County of Yellowstone)

This record was acknowledged before me on _____, 2020 by _____ and _____ as Mayor and City Clerk of the City of Billings, Montana.

_____
Notary Public for the State of Montana

DOWNTOWN PROPERTIES, LLC, a Montana limited liability company ("DEVELOPER")

By: _____

Its: _____

STATE OF MONTANA)
:
County of Yellowstone)

This record was acknowledged before me on _____, 2020 by _____ as _____ of Downtown Properties, LLC, a Montana limited liability company.

_____
Notary Public for the State of Montana

Regular **6.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: Downtown Billings Partnership - Tax Increment Assistance - Kibler & Kirch, Stapleton Building, 2807 1st Avenue North

PRESENTED BY: Wyeth Friday

Department: Planning & Community Services **Division:** Planning

RECOMMENDATION

The Downtown Billings Partnership Board has reviewed this TIF application and recommends the City Council approve up to a maximum reimbursement of $79,940 from Downtown Urban Renewal tax increment finance district funds to Kibler & Kirch. Actual reimbursement will be based on 100% of the actual costs incurred for renovation of space in the Stapleton Building at 2807 1st Avenue North, subject to the following conditions:

1. The Applicant shall sign a development contract with the City of Billings and DBP within 90 days of City Council's approval.
2. This TIFD reimbursement is the maximum that can be received pending satisfactory submission of all paid invoices showing the completion of expenditures related to this project.
3. If funds are not available, reimbursement can be carried over to the next fiscal year.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The DBP staff received and reviewed this TIF Application in October. It was then reviewed and recommended by the DBP Development Committee on November 12 and the full DBP Board on November 20, 2020 (See DBP Meeting Minutes attached).

The Development Committee and Board verified/clarified several issues during review, including:

- That the Stapleton Building has undergone significant rehabilitation and renovation already and the space that Kibler & Kirch is occupying is the remaining vacant space in the building for a commercial use that will complete recent improvements and full occupation of the south side of the building.
- The Development Committee and the Board's recommendation was less than the applicant's original request of $143,927 because both bodies found that while there were strong reasons to support the application and there were qualifying expenses, the public benefits of the project were less visible given the great condition of the Stapleton Building and the limited public facing improvements of the store frontage and entry area along the south side of the Building. The recommended award is almost an 11:1 private to public investment ratio given the total project cost of $861,838. The Development Committee and the Board supported the project and found:

  A) Businesses and the surrounding neighborhood will benefit in a variety of ways, including retaining a retail business in downtown Billings, filling a last vacancy in the street level of the building, and bringing more activity and business traffic to this area of downtown.
  B) The qualified expenses are mostly related to demolition and exterior improvements

that will be enjoyed by the public.

The application aligns with elements/goals of the DBA Strategic Plan (may be viewed through this link https://downtownbillings.com/about/about-the-dba/), City TIF Policy, MCA, and the North 27th Street District Urban Renewal Plan (See table below and attachments) For example, the adopted Urban Renewal Plan for the North 27th Street District, contemplated TIF funding assistance for business retention in its Business Programs and Projects section.

Qualified Improvements	DBA Strategic Plan	Urban Renewal Plan	City TIF Resolution	Montana Code Annotated
Exterior demo, lighting, signage, awning, glass, storefront, metal & ironwork Interior demo, energy efficiency, electrical, plumbing, code, utilities, accessibility	Strong Downtown Identity – P.13 Vibrant & Connected Downtown – P.13 Diverse Economic Engine - P.13	Business Programs & Projects – P.54 Infrastructure Improvements (Entertainment Venues) – P.55	Permitted uses of TIF Funds: Private infrastructure with Public Benefit (Facades, Windows, – P.2 Financial Assistance Through TIF – P.2	7-15-4233 7-15-4288

Kibler & Kirch is a design and retail store of more than 30 years and its retail store was in Red Lodge until September 2019 when the business decided to relocate to Billings. The Design portion of the business has been in the Stapleton building for six years and the business decided to relocate the entire operation to the single location in the Historic Stapleton Building. While there has been major private investment in rehabilitating the Stapleton Building over the course of many years, there's an underutilized abandoned space on the south side of the building that is planned to capture a new vision of the retail store of nearly 6,000 square feet. Kibler & Kirch will occupy a long-vacant, 2nd floor space as well as ground floor storefront between Rockets Gourmet Wraps and Le Fournil French Bakery. Inside that small footprint, it will recreate the building's original stairway, install an elevator shrouded by decorative ironwork, and connect the ground floor and 2nd floor via a large opening. By creating access to this 2nd floor space, the intent is to create an architecturally interesting space for pedestrians and traffic on 1st Avenue North. The new store/front entrance will have new lighting, signage, awnings, and other storefront elements.

Kibler & Kirch is requesting TIF funds to reimburse it for improvements and modifications, including some design and demolition, new exterior lighting, new exterior awnings, facade and window work. The total reimbursement recommended is $79,940. If the total cost of the project invested ($861,838) is factored into the request, the private investment is 90% and the public investment is 9%, or about a 10 to 1 ratio. The DBP Development Committee and the DBP Board both supported this application request, recognizing Kibler & Kirch is making a significant commitment and investment in Downtown Billings that will complete revitalization of the Stapleton Building street level retail occupancy while continuing to make the building a viable and valuable contributor to the downtown area.

ALTERNATIVES

City Council may:

- Approve the recommendation from the DBP Board for the expenditure of these TIF funds consistent with some elements/goals of the DBA Strategic Plan, North 27th Street Urban Renewal Plan, City TIF Policy and MCA, or;
- Modify the recommendation from the DBP Board for the expenditure of these TIF funds before taking action, or;
- Disapprove the recommendation from the DBP Board for the expenditure of these TIF funds. If the Council chooses not to approve this TIF application, specific reasoning for the denial is helpful to provide further direction to the DBP Board and staff, and City staff for future applications.

FISCAL EFFECTS

The request is for up to a maximum of $79,940 to be reimbursed to Kibler & Kirch for the identified building remodeling and exterior improvements (See TIF Application Attachment). The estimated total project cost is $861,838, making the private to public investment ratio for this project about 10:1. The funds are payable pending satisfactory submission of all paid invoices showing actual cost incurred for the project. The current FY21 project budget for the Downtown District is $310,501, so a budget amendment would not be needed to cover this project if it were all reimbursed in FY21. The Downtown District has $1,343,295 in total available TIF funds in the FY21 Budget, so this project can be covered and $1,263,355 would be remaining for other projects or programs. If all three Downtown District projects being reviewed by the Council at this meeting were approved and expended in FY21, the Downtown District would have $131,217 remaining in its FY21 Budget.

Attachments

Kibler & Kirch Application
Kibler & Kirch Application Narrative
DBP Meeting Minutes November 2020
2008 CC Adopted Downtown Urban Renewal Plan
City TIF Policy
Kibler & Kirch Draft Agreement

DOWNTOWN (N 27TH STREET) URBAN RENEWAL DISTRICT
N27URD
Tax Increment Financing Fund Application

APPLICANT INFORMATION

Name: Kibler & Kirch

Address: 104 North Broadway, Suite 201

City/State/Zip Billings, Montana 59101

Phone: 406.446.2226 E-mail: info@kiblerandkirch.com

If the applicant is not an individual doing business under his/her own name, the applicant has the status indicated below and is organized or operating under the laws of:

A corporation/LLC: X ☐ A non-profit or charitable institution or corporation ☐ A partnership: Known as: ☐ Other: ☐

Date of Organization: October 1990

PROJECT INFORMATION

Building Address: 2807 1st Avenue N.

City: Billings State: Montana ZIP Code: 59101

Legal Description: STAPLETON BUILDING, S03, T01 S, R26 E

Property Owner (if property is not owned by the Applicant, list leasehold interests and attach evidentiary materials)

Property Owner (name or entity): Stapleton Property Investments

Property Owner Contact Name: Richard McComish Contact Phone: 406.672.5307

Lessor's Address: 104 North Broadway, Suite 201

City: Billings State: Montana ZIP Code: 59101

PROJECT ARCHITECTURAL FIRM

Firm Name: 2 North Architects

Address: [redacted]

Representative: Dennis Deppmeier

Phone: 406.855.1529 E-mail: blueboy@bresnan.net

PROJECT CONTRACTOR (OR PARTY RESPONSIBLE FOR CONSTRUCTION)

Name/Representative: Yellowstone Basin Construction (YBC)

Address: 3970 Avenue D, Suite A, Billings, Montana 59101

Phone: 406.969.5444 E-mail: jake@ybconstruction.com

PROJECT FINANCIAL LENDING INSTITUTION (leave blank if not applicable)

Name/Representative:

Address:

Phone: E-mail:

PROJECT INFORMATION

See attached

Description of Project

Attach a narrative explanation and any other design information. Use this section to pitch your project and explain how it will eliminate blight and/or benefit the public.

Rehabilitation Plans:

Attach schematic design drawings and/or completed construction document plans - including site, landscaping, and other engineering design information.

Project Schedule:

Attach a timeline or schedule through completion.

To receive maximum funding all applications must be submitted to the DBP and approved by the CITY prior to the start of the relevant phase of construction.

PROJECT FINANCING

Please complete Sources of Funds detail and summarize below.

Applicant Equity

Cash Invested	$816,838
Land & Buildings	$N/A
Other (Specify) _____	$N/A
Subtotal	$816,838

If land & building value is more than the State of Montana valuation, a current appraisal must be submitted (within 3 years).

Lender Commitments (Attach evidence i.e. Letters of Credit or other documentation)

Lender	Loan Amount	Interest	Term	Payment/Period
N/A	$_____	____%	____yrs	$_____/Month
_____	$_____	____%	____yrs	$_____/Month
Total Loan Amount				$_____

TIF Request

Eligible Improvements

A&E Services / Permits / Insurance	$54,622
Demo / Disposal	$27,965
Structural Framing / Millwork / Casework	$250,395
Sprinklers / HVAC / Electrical	$98,243
Drywall / Taping	$19,376
Glass / Storefront / Signage / Awning	$28,080
Subtotal of TIF Funds Requested	$478,681

Sources of Funds Summary (Post totals from above)

Applicant Equity	$816,838
Lender Commitments	$N/A
TIF Funds Request	$143,927
Other Funds (Specify)_____	$N/A
Total Project Cost	$861,838

To receive maximum funding all applications must be submitted to the DBP and approved by the CITY prior to the start of the relevant phase of construction.

CERTIFICATION

I (we), Jeremiah Young (please print), the APPLICANT, certify that the statements and estimates within this Application as well as any and all documentation submitted as attachments to this Application or under separate cover are true and correct to the best of my (our) knowledge and belief.

Signature _____ Signature _____

Title Owner/ Creative Director Title _____

Address 1744 Songbird Drive Address _____

Billings, Montana 59101 _____

Date 10/15/2020 Date _____

URD TIF GRANT PROGRAMS – Governing Body: City of Billings, City Council

To receive maximum funding all applications must be submitted to the DBP and approved by the CITY prior to the start of the relevant phase of construction.

KIBLER & KIRCH

October 15th, 2020

Re: Description of Project, Rehabilitation Plans, and Project Schedule

Dear Partnership,
We are pleased to request your assistance relocating our retail store of more than 30 years to Downtown Billings--into the historic Stapleton Building--to make the best possible use of the adjacent space to our thriving interior design studio and our art gallery, Stapleton Gallery. While we have worked to rehabilitate the building over the course of many years and add other quality businesses, the enclosed plan is a fresh rethink of a retail store--capturing and making the most of a completely under-utilized, abandoned space. Our plan, in short, is to work within the architectural spirit of the building and create a completely unique, metropolitan retail store of nearly 6000 square feet.

The enclosed plans show our intent to occupy a long-vacant, ground floor storefront between Rocket's and Le Fournil. Inside that small (and difficult to use) footprint, we will recreate the building's original stairway to exacting detail, install an elevator shrouded by decorative ironwork, and connect two floors via a large opening. By creating access to this amazing 2nd floor space, we will make one of the most architecturally interesting spaces in Billings, Montana. Likewise, we will add vibrancy and life to the street level--both for pedestrians and for traffic on 1st Avenue North--installing lights, signage, awnings, and new storefront elements.

We have done a thoughtful analysis of our customers and how to serve them best--as well as the significant legwork of designing and submitting our plans for city approval. Best estimates for our buildout and completion are 5 to 6 months. We are ready to start immediately and plan to open in late Spring 2021.

If our past experience of drawing customers to our Red Lodge location from a large geographical area holds true as we make a new store here, we anticipate adding significantly to the retail foot traffic of Downtown. Our store will be a world-class destination and shopping experience. It will bolster our professional design services--thereby creating well-paying retail *and* professional jobs. Other retail stores and restaurants will benefit from the visitors we bring. The Stapleton Building was once an epicenter of shopping and we hope to bring something of that back.

This sizable, private investment will generate a healthy increase in the tax value of the Stapleton Building--one of the most important turn-of-the-century structures in Downtown. It will also add richness to the fabric of our community. Kibler & Kirch has a long history of great design and quality home furnishings. We hope that you will help us create opportunities for growth. We are passionate and dedicated to the history of Downtown and about enriching our surroundings. Please consider helping us create something very special for Billings.

Thank you for your help--



Jeremiah Young
Owner/Creative Director, Kibler & Kirch



ARCHITECTURAL ABBREVIATIONS

AB	ANCHOR BOLT
ABV	ABOVE
A/C	AIR CONDITIONING
ACT	ACOUSTICAL CEILING TILE
AD	AREA DRAIN
ADDL	ADDITIONAL
ADJ	ADJUSTABLE
AFF	ABOVE FINISH FLOOR
ALT	ALTERNATE
ALUM	ALUMINUM
ARCH	ARCHITECT(URAL)
AWN	AWNING
	BOTTOM OF
BD	BOARD
BLDG	BUILDING
BLKG	BLOCKING
BM	BEAM OR BENCHMARK
BRG	BEARING
BTWN	BETWEEN
BUR	BUILT-UP ROOF
CAB	CABINET
	CONTROL JOINT
CL	CENTERLINE
CLG	CEILING
CMU	CONCRETE MASONRY UNIT
CO	CLEAN OUT
COL	COLUMN
CONC	CONCRETE
CONT	CONTINUOUS
CONST	CONSTRUCTION
CG	CORNERGUARD
CPT	CARPET
CSMT	CASEMENT
CT	CERAMIC TILE
	DEEP
DF	DRINKING FOUNTAIN
DH	DOUBLE HUNG
DIM(S)	DIMENSIONS
DISP	DISPENSER
DN	DOWN
DR	DOOR
DS	DOWNSPOUT
DTL	DETAIL
DWG	DRAWING
	EAST
EA	EACH
EC	EXISTING COLUMN
	EXPANSION JOINT
ELEC	ELECTRICAL
	ELEVATION
ELEV	ELEVATOR
EQ	EQUAL
EQUIP	EQUIPMENT
EWC	ELECTRIC WATER COOLER
EXH	EXHAUST
EXIST	EXISTING
EXP	EXPANSION OR EXPOSED
EXT	EXTERIOR
FACP	FIRE ALARM CONTROL PANEL
FD	FLOOR DRAIN
	FIRE EXTINGUISHER
FEC	FIRE EXTINGUISHER CABINET
FIN	FINISH
FIXT	FIXTURE
LR	FLOOR
FND	FOUNDATION
FR	FRAME
FT	FEET/FOOT OR FIRE TREATED
FTNG	FOOTING
GA	GAUGEOR GAGE
GALV	GALVANIZED
GB	GYPSUM BOARD
GC	GENERAL CONTRACTOR
GL	GLASS, GLAZING
GWB	GYPSUM WALL BOARD
GYP	GYPSUM
HC	HANDICAP
HDR	HEADER
HDW	HARDWARE
HM	HOLLOW METAL
HORIZ	HORIZONTAL
HR	HOUR
HT	HEIGHT
HTD	HEATED
HVAC	HEATING/VENTILATION & AIR CONDITIONING
ID	INSIDE DIAMETER
INFO	INFORMATION
ISO	ISOCYANURATE
INSUL	INSULATE / INSULATED / INSULATION
INT	INTERIOR
INV	INVERT
JT	JOINT
KIT	KITCHEN
L	LONG / LENGTH
LAM	LAMINATE(D)
LAV	LAVATORY
LF	LINEAR FEET
LP	LOW POINT
LT	LIGHT
MAS	MASONRY
MATL	MATERIAL
MAX	MAXIMUM
MECH	MECHANIC(AL)
MEZZ	MEZZANINE
MFR	MANUFACTURER
MH	MANHOLE
MIN	MINIMUM
MISC	MISCELLANEOUS
MO	MASONRY OPENING
MTL	METAL
N	NORTH
NIC	NOT IN CONTRACT
NOM	NOMINAL
NTS	NOT TO SCALE
OC	ON CENTER
OD	OUTSIDE DIAMETER OR OVERFLOW DRAIN
OPNG	OPENING
OPP	OPPOSITE
OVHD	OVERHEAD
PL	PLATE
PLAM	PLASTIC LAMINATE
PLYWD	PLYWOOD
PNL	PANEL
PNT	PAINT
POLY	POLYESTER OR POLYOLEFIN
PSF	POUNDS PER SQUARE FOOT
PSI	POUNDS PER SQUARE INCH
PT	PRESSURE TREATED OR POINT
PVMT	PAVEMENT
QTR	QUARTER
QTY	QUANTITY
R	RADIUS
RA	RETURN AIR
RB	RUBBER BASE
RD	ROOF DRAIN
RECY	RECYCLE(D)
REF	REFERENCE
REFRIG	REFRIGERATOR OR REFRIGERATION
REINF	REINFORCE
REQD	REQUIRED
RM	ROOM
RO	ROUGH OPENING
ROW	RIGHT OF WAY
S	SOUTH
SC	SOLID CORE
SCHED	SCHEDULE
SECT	SECTION
SFRM	SPRAY APPLIED FIRE RESISTIVE MATERIAL
SGL	SINGLE
SHT	SHEET
SIM	SIMILAR
SPECS	SPECIFICATIONS
SOD	SLAB ON DECK
SOG	SLAB ON GRADE
SOH	SAME OPPOSITE HAND
SS	STAINLESS STEEL
ST	STONE TILE
STND	STANDARD
STL	STEEL
STRUCT	STRUCTURAL
TEMP	TEMPERED
THK	THICK
THRESH	THRESHOLD
T.O.	TOP OF
TOBM	TOP OF BEAM
T.O.P.	TOP OF PLATE
T.O.S.	TOP OF STEEL
T/	TOP OF
T&G	TONGUE AND GROOVE
TEL	TELEPHONE
THK	THICK
TRANS	TRANSOM
TV	TELEVISION
TYP	TYPICAL
UL	UNDERWRITERS LABORATORY
UNO	UNLESS NOTED OTHERWISE
VB	VINYL BASE
VCT	VINYL COMPOSITION TILE
VERT	VERTICAL
VEST	VESTIBULE
VIF	VERIFY IN FIELD
VP	VENEER PLASTER
VR	VAPOR RETARDER
VT	VINYL TILE
VWC	VINYL WALL TILE
W	WIDE OR WEST
W/	WITH
WC	WATER CLOSET
WD	WOOD
WDW	WINDOW
WG	WALL GUARD
WH	WATER HEATER
W/IN	WITHIN
W/O	WITHOUT
WP	WATERPROOF
WR	WATER RESISTANT
WT	WEIGHT
WWF	WELDED WIRE FABRIC
#	NUMBER OR POUND
@	AT

PROJECT SUMMARY:

THE PROJECT CONSISTS OF A INTERIOR REMODEL TO A PORTION OF THE MAIN AND SECOND LEVELS OF THE HISTORIC STAPLETON BUILDING, LOCATED AT 104 NORTH BROADWAY, BILLINGS, MONTANA INTO A FURNITURE RETAIL STORE. THE REMODEL WILL ADD A CONNECTING COMMUNICATING STAIR BETWEEN THE MAIN AND SECOND LEVELS, AND A NEW MATERIAL LIFT. THE WORK WILL INCLUDE MINOR FACADE IMPROVEMENTS TO THE STOREFRONT ALONG FIRST AVENUE NORTH TO ENHANCE THE PRIMARY ENTRANCE TO THE NEW RETAIL SPACE. THE OCCUPANCY CLASSIFICATIONS FOR BOTH LEVELS REMAIN AS B OCCUPANCIESTHE WORK CONSTITUTES A CHANGE OF USE. THE EXISTING BUILDING IS FULLY SPRINKLED.

THE STAPLETON BUILDING CONSTRUCTION CLASSIFICATION IS ASSUMED TO BE TYPE III-B CONSTRUCTION.

CODE SUMMARY: 2018 INTERNATIONAL BUILDING CODE

REMODEL FLOOR AREAS:
MAIN LEVEL: 652. S.F.
SECOND LEVEL: 5,122 S.F.

OCCUPANCY AND USE DESIGNATION: MERCANTILE GROUP M

OCCUPANT LOAD (FACTOR PER TABLE 1004.5): 1 PERSON/60 S.F.
1 PERSON/300 S.F. (STORAGE, STOCK, SHIPPING)
MAIN LEVEL: 9 PERSONS
SECOND LEVEL: 76 PERSONS
TOTAL: 85 PERSONS

NUMBER OF EXITS REQUIRED:
MAIN LEVEL: >49 OCCUPANT LOAD: ONLY 1 EXIT REQUIRED (2 PROVIDED) OK
SECOND LEVEL: <49 OCCUPANT LOAD: 2 EXITS REQUIRED (2 PROVIDED) OK

REQUIRED EXIT CAPACITY BASED UPON OCCUPANT LOAD:
MAIN LEVEL: 9 X .2 = 1.8" REQUIRED (72" PROVIDED) OK
SECOND LEVEL: 76 X .2 = 15.2" REQUIRED (72" PROVIDED) OK

SECOND LEVEL EXIT SEPARATION: MAXIMUM DIAGONAL DIMENSION IS 144'-6¾" (1,734.75")
1,734.75" X ⅓ = 578" REQUIRED (979" PROVIDED) OK

GENERAL PROJECT NOTES:

1. DRAWINGS CONTAINED WITHIN THESE DOCUMENTS ARE ABBREVIATED IN NATURE. CONTRACTOR IS EXPECTED TO USE QUALITY, ACCEPTABLE STANDARD CONSTRUCTION PRACTICES & TECHNIQUES.
2. CONTRACTOR TO SUBMIT SHOP DRAWINGS, PRODUCT & FIXTURE EXAMPLES / LITERATURE, MATERIALS SAMPLES & FINISH SAMPLES TO THE ARCHITECT FOR WRITTEN CONFIRMATION OF APPROVAL BEFORE ORDERING / INSTALLATION. ALTERNATIVES ARE ACCEPTABLE ON ARCHITECTS APPROVAL.
3. DO NOT SCALE FROM DRAWINGS. IF A DIMENSION DOES NOT EXIST OR IS IN ERROR, CONTACT THE ARCHITECT IMMEDIATELY FOR WRITTEN CLARIFICATION.
4. CONTRACTOR(S) SHALL GUARANTEE THEIR WORK FOR A PERIOD OF NO LESS THAN ONE YEAR FROM THE DATE SUBSTANTIAL COMPLETION. CONTRACTOR(S) SHALL REPLACE ALL DEFECTIVE PARTS & SUPPLIES AT THEIR COST.
5. CONTRACTOR SHALL SUPPLY ALL PARTS, MATERIALS & LABOR ASSOCIATED WITH COMPLETING THIS PROJECT, UNLESS OTHERWISE NOTED.

KIBLER & KIRCH

104 NORTH BROADWAY
BILLINGS, MONTANA

INFORMATIONAL DRAWINGS
COVER SHEET

ARCHITECTURAL DRAWINGS

D2.1 MAIN LEVEL DEMOLITION FLOOR PLAN
D2.2 SECOND LEVEL DEMOLITION FLOOR PLAN
D7.1 MAIN LEVEL DEMOLITION REFLECTED CEILING PLAN
D7.2 SECOND LEVEL DEMOLITION REFLECTED CEILING PLAN
A2.1 MAIN LEVEL FLOOR PLAN
A2.2 SECOND LEVEL FLOOR PLAN
A3.1 ENLARGED FLOOR PLANS
A4.1 PARTIAL SOUTH EXTERIOR ELEVATION
A5.1 SECTIONS
A5.2 SECTIONS
A6.1 INTERIOR ELEVATIONS
A6.2 INTERIOR ELEVATIONS
A6.3 INTERIOR ELEVATIONS
A6.4 INTERIOR ELEVATIONS
A6.5 INTERIOR ELEVATIONS
A6.6 INTERIOR ELEVATIONS
A6.7 INTERIOR ELEVATIONS
A6.8 DETAILS
A6.9 DETAILS
A6.10 DETAILS
A7.1 MAIN LEVEL REFLECTED CEILING PLAN
A7.2 SECOND LEVEL REFLECTED CEILING PLAN
A9.1 SCHEDULES

STRUCTURAL DRAWINGS

S1.0 FRAMING PLANS
S2.0 FRAMING SECTIONS
S3.0 STRUCTURAL NOTES

MEP DRAWINGS

M1.1 MECHANICAL HVAC PLAN
E1.0 ELECTRICAL SPEC & SHEDULES
E1.1 ELECTRICAL LIGHTING PLAN
E2.1 ELECTRICAL POWER PLAN

PROJECT TEAM:

OWNER
KIBLER & KIRCH
104 NORTH BROADWAY
BILLINGS, MT 59101
p. 406.446.2226
c. 406.690.7602

ARCHITECT
2NORTH
128 CLARK AVENUE
BILLINGS, MT 59101
p. 406.254-7328
c. 406.855-1529

STRUCTURAL
KRIVONEN STRUCTURAL ENGINEERS
1004 DIVISION STREET
BILLINGS, MT 59101
p. 406.259.1184
c. 406.671.2704

MECH./ELEC.
SIMPLICITY Ced, LLC
P.O. BOX 51272
BILLINGS, MT 59105
p. 406.254.7157
c. 406.861.1205

STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
1656
MONTANA
LICENSED ARCHITECT

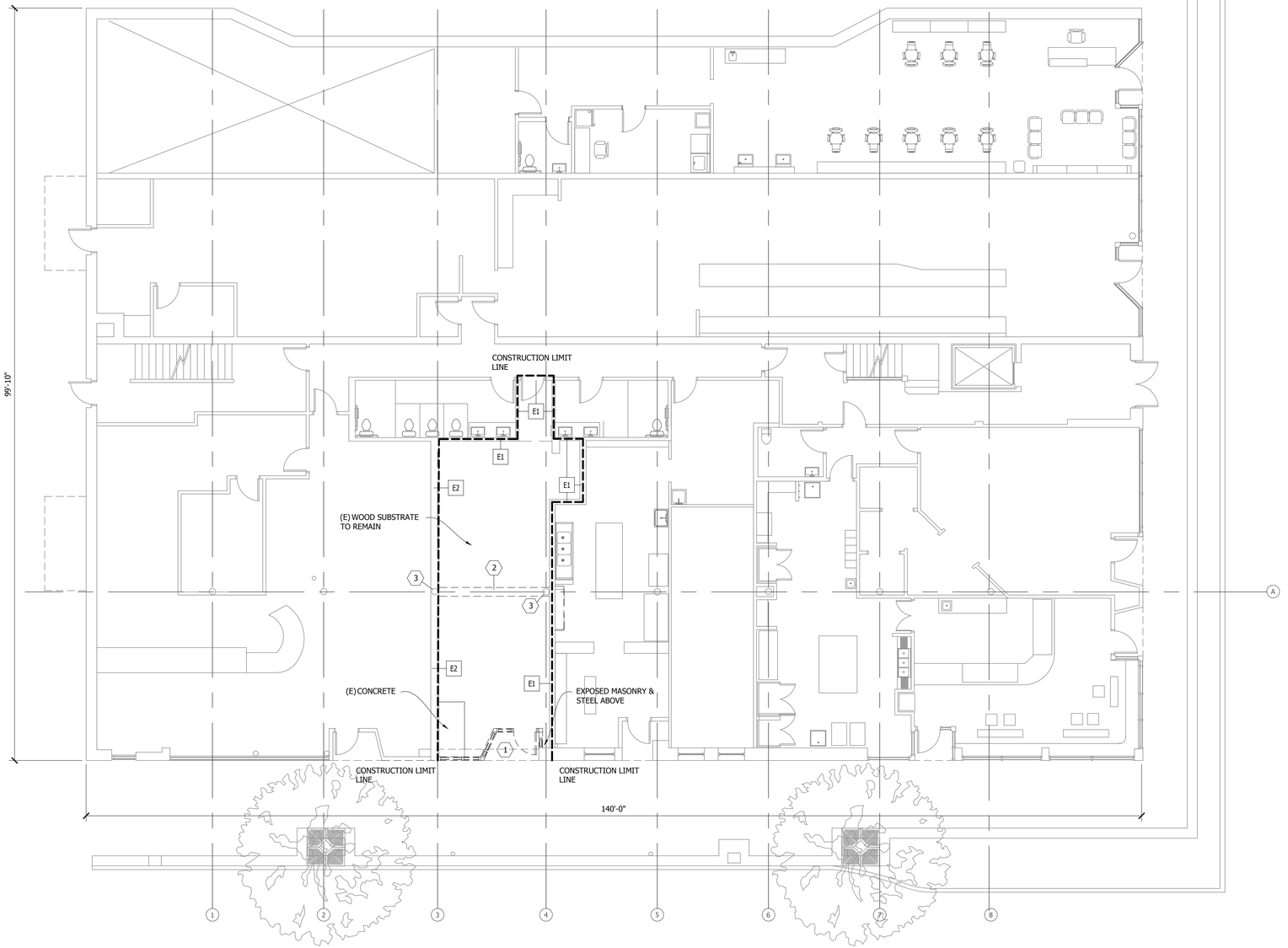
COVER SHEET
THE STAPLETON BUILDING
BILLINGS, MONTANA
JEREMIAH YOUNG

DRAWING
PROJECT
OWNER

PROJECT NO 19002
ISSUE DATE 9/21/2020
REVISIONS

2NORTH
DENNIS LYNN DEPPMEIER, AIA
PRINCIPAL
128 CLARK AVE., BILLINGS, MT 59101
MOB 406-855-1529 **TEL** 406-254-7328
blueboy@bresnan.net

COVER



PLAN LEGEND

SYMBOL	DESCRIPTION
	EXISTING WALLS & BUILDING ELEMENTS TO REMAIN
	EXISTING WALLS & BUILDING ELEMENTS TO BE DEMOLISHED
	EXISTING RATED WALL ASSEMBLY TO REMAIN

GENERAL NOTES

1. CONTRACTOR SHALL DEMOLISH ALL EXISTING WORK AS REQUIRED TO ACCOMODATE NEW WORK SHOWN IN THESE CONTRACT DOCUMENTS. CONTRACTOR SHALL COORDINATE ALL ASPECTS OF THE DEMOLITION.
2. ALL (E) WALLS ARE WOOD FRAMING AND OPEN TO THE REMODEL SIDE OF THE WALL.
3. CONTRACTOR TO COORDINATE ALL DEMOLITION REQUIRED TO ACCOMODATE NEW MECHANICAL/ELECTRICAL / FIRE PROTECTION SYSTEM REQUIREMENTS.
4. REMOVE ALL MISC. FASTENERS/NAILERS/HANGERS OR MATERIAL WITH NO PURPOSE. PATCH HOLES AS NEEDED FOLLOWING REMOVAL.
5. PREPARE WOOD FLOOR SUBSTRATE TO RECEIVE NEW FLOOR FINISHES.

DEMOLITION PLAN LEGEND

SYMBOL	DESCRIPTION
	MAIN LEVEL DEMOLITION FLOOR PLAN NOTES
1	REMOVE (E) STOREFRONT BELOW THE TRANSOM
2	REMOVE (E) PLASTER BOX BEAM WRAP AND STEEL SHELF ANGLE ABOVE FOR NEW STAIR OPENING
3	(E) STEEL COLUMN TO REMAIN

EXISTING WALL TYPE LEGEND

E1	RATING	SIDE 1	(E) GYP. BD.
	NONE	FRAMING	2X4 WOOD STUD
		SIDE 2	OPEN FRAMING
		NOTES:	
E2	RATING	SIDE 1	(E) GYP. BD.
	NONE	FRAMING	2X8 WOOD STUD
		SIDE 2	OPEN FRAMING
		NOTES:	

REFERENCE

16 MAIN LEVEL DEMOLITION FLOOR PLAN

D2.1 : D2.1

1/8" = 1' - 0"

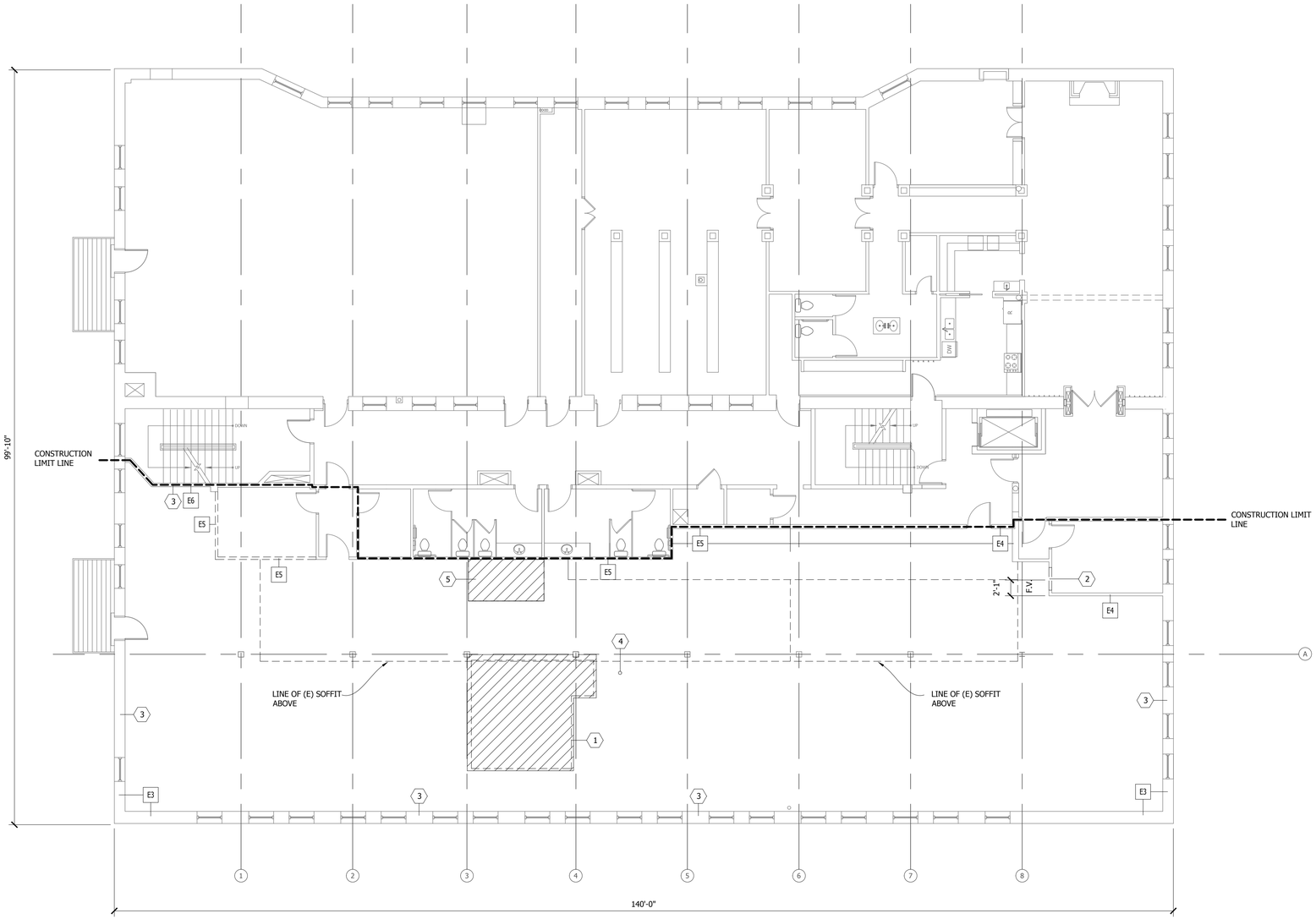
STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
1656
MONTANA
LICENSED ARCHITECT

DRAWING: MAIN LEVEL DEMOLITION FLOOR PLAN
PROJECT: THE STAPLETON BUILDING
BILLINGS, MONTANA
OWNER: JEREMIAH YOUNG

PROJECT № 19002
ISSUE DATE 9/21/2020
REVISIONS

NORTH
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MOB 406-855-1529 **TEL** 406-254-7328
blueboy@bresnan.net

D2.1



PLAN LEGEND

SYMBOL	DESCRIPTION
	EXISTING WALLS & BUILDING ELEMENTS TO REMAIN
	EXISTING WALLS & BUILDING ELEMENTS TO BE DEMOLISHED
	EXISTING RATED WALL ASSEMBLY TO REMAIN

GENERAL NOTES

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4. REMOVE ALL MISC. FASTENERS/NAILERS/HANGERS OR MATERIAL WITH NO PURPOSE. PATCH HOLES AS NEEDED FOLLOWING REMOVAL.
5. PREPARE WOOD FLOOR SUBSTRATE TO RECEIVE NEW FLOOR FINISHES.

DEMOLITION PLAN LEGEND

SYMBOL	DESCRIPTION
	SECOND LEVEL DEMOLITION FLOOR PLAN NOTES
1	REMOVE (E) FLOOR ASSEMBLY TO ACCOMMODATE NEW ARCHITECTURAL STAIR ASSEMBLY. FIELD VERIFY OVERCUT DIMENSIONS FOR NEW STRUCTURE TO SUPPORT THE FLOOR FRAME.
2	REMOVE (E) WALL FOR NEW DOOR R.O.
3	REMOVE 6" OF (E) GYP. BD. AT FLOOR BASE TO PROVIDE ACCESS FOR (N) ELECTRICAL ROUGH-IN.
4	(E) FIRE SPRINKLER RISER TO BE RELOCATED.
5	REMOVE (E) FLOOR ASSEMBLY TO ACCOMMODATE NEW MATERIAL LIFT. FIELD VERIFY OVERCUT DIMENSIONS FOR NEW STRUCTURE TO SUPPORT THE FLOOR FRAME.

EXISTING WALL TYPE LEGEND

	RATING	SIDE 1	BUILDING EXTERIOR
E3	NONE	FRAMING	MASONRY
		SIDE 2	(E) GYP. BD.
		NOTES:	
E4	RATING	SIDE 1	(E) GYP. BD.
	NONE	FRAMING	3 5/8" METAL STUD
		SIDE 2	1/2" OSB
		NOTES:	
E5	RATING	SIDE 1	(E) GYP. BD.
	NONE	FRAMING	3 5/8" METAL STUD
		SIDE 2	OPEN FRAMING
		NOTES:	
E6	RATING	SIDE 1	(E) GYP. BD.
	NONE	FRAMING	3 5/8" METAL STUD
		SIDE 2	(E) GYP. BD.
		NOTES:	

REFERENCE



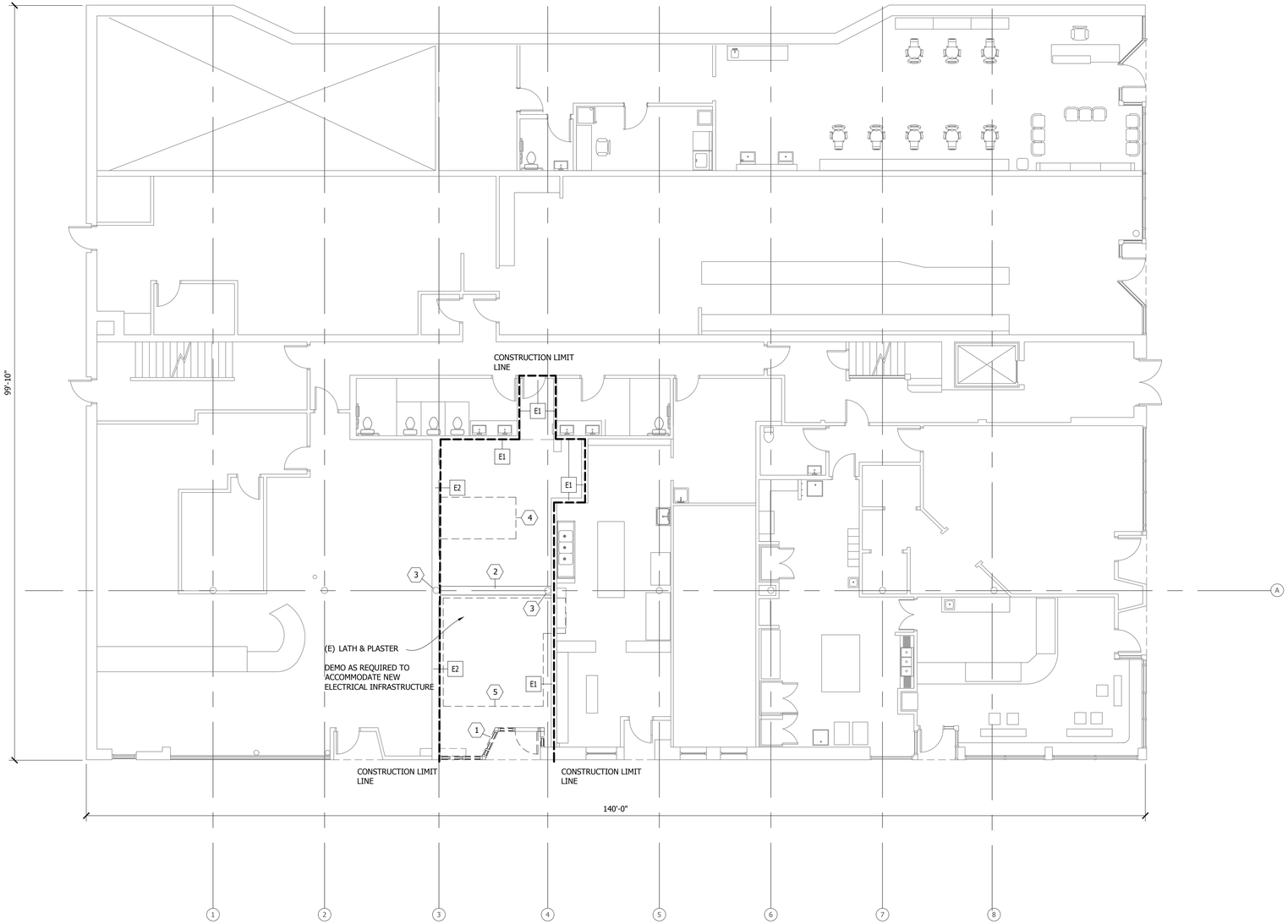
STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
1656
MONTANA
LICENSED ARCHITECT

DRAWING: SECOND LEVEL DEMOLITION FLOOR PLAN
PROJECT: THE STAPLETON BUILDING
BILLINGS, MONTANA
OWNER: JEREMIAH YOUNG

PROJECT № 19002
ISSUE DATE 9/21/2020
REVISIONS

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blueboy@bresnan.net

D2.2



PLAN LEGEND

SYMBOL	DESCRIPTION
	EXISTING WALLS & BUILDING ELEMENTS TO REMAIN
	EXISTING WALLS & BUILDING ELEMENTS TO BE DEMOLISHED
	EXISTING RATED WALL ASSEMBLY TO REMAIN
	NEW WALL CONSTRUCTION REFERENCE WALL TYPES LEGEND

GENERAL NOTES

1. CONTRACTOR SHALL DEMOLISH ALL EXISTING WORK AS REQUIRED TO ACCOMODATE NEW WORK SHOWN IN THESE CONTRACT DOCUMENTS. CONTRACTOR SHALL COORDINATE ALL ASPECTS OF THE DEMOLITION.
2. ALL (E) WALLS ARE WOOD FRAMING AND OPEN TO THE REMODEL SIDE OF THE WALL.
3. CONTRACTOR TO COORDINATE ALL DEMOLITION REQUIRED TO ACCOMODATE NEW MECHANICAL/ELECTRICAL / FIRE PROTECTION SYSTEM REQUIREMENTS.
4. REMOVE ALL MISC. FASTENERS/NAILERS/HANGERS OR MATERIAL WITH NO PURPOSE. PATCH HOLES AS NEEDED FOLLOWING REMOVAL.
5. THE (E) CEILING IS LATH & PLASTER. THE PLASTER APPEARS TO HAVE LOST KEYING AND IS LIKELY LOOSE IN SOME AREAS. PROTECT THE PLASTER FROM FALLING.

DEMOLITION PLAN LEGEND

SYMBOL	DESCRIPTION
	MAIN LEVEL DEMOLITION REFLECTED CEILING PLAN NOTES
1	REMOVE (E) STOREFRONT BELOW THE TRANSOM.
2	REMOVE (E) PLASTER BOX BEAM WRAP AND STEEL SHELF ANGLE ABOVE FOR NEW STAIR OPENING. SEE DETAIL 3/A6.9.
3	(E) STEEL COLUMN TO REMAIN.
4	REMOVE (E) CEILING ASSEMBLY TO ACCOMMODATE NEW MATERIAL LIFT. FIELD VERIFY OVERCUT DIMENSIONS FOR NEW STRUCTURE TO SUPPORT THE FLOOR FRAME.
5	REMOVE (E) CEILING ASSEMBLY TO ACCOMMODATE NEW STAIR. FIELD VERIFY OVERCUT DIMENSIONS FOR NEW STRUCTURE TO SUPPORT THE FLOOR FRAME.

EXISTING WALL TYPE LEGEND

	RATING	SIDE 1	(E) GYP. BD.
E1	NONE	FRAMING	2X4 WOOD STUD
		SIDE 2	OPEN FRAMING
		NOTES:	
	RATING	SIDE 1	(E) GYP. BD.
E2	NONE	FRAMING	2X8 WOOD STUD
		SIDE 2	OPEN FRAMING
		NOTES:	

REFERENCE

STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
16656
MONTANA
LICENSED ARCHITECT

DRAWING: MAIN LEVEL DEMOLITION REFLECTED CEILING PLAN

PROJECT: THE STAPLETON BUILDING
BILLINGS, MONTANA

OWNER: JEREMIAH YOUNG

PROJECT № 19002
ISSUE DATE 9/21/2020
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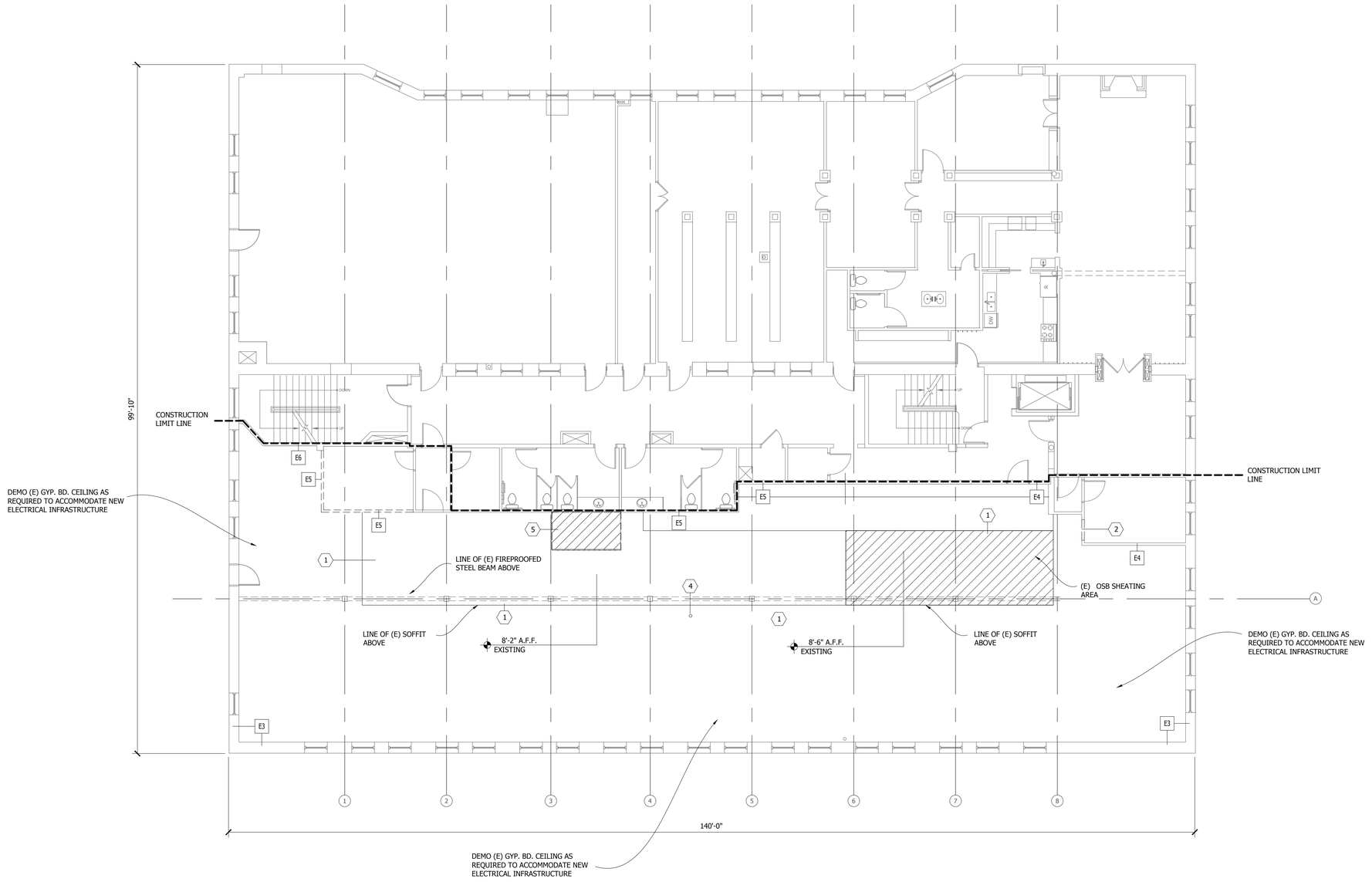
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D7.1

16 MAIN LEVEL DEMOLITION REFLECTED CEILING PLAN

D7.1 : D7.1

1/8" = 1' - 0"



PLAN LEGEND

SYMBOL	DESCRIPTION
	EXISTING WALLS & BUILDING ELEMENTS TO REMAIN
	EXISTING WALLS & BUILDING ELEMENTS TO BE DEMOLISHED
	EXISTING RATED WALL ASSEMBLY TO REMAIN

GENERAL NOTES

1. CONTRACTOR SHALL DEMOLISH ALL EXISTING WORK AS REQUIRED TO ACCOMODATE NEW WORK SHOWN IN THESE CONTRACT DOCUMENTS. CONTRACTOR SHALL COORDINATE ALL ASPECTS OF THE DEMOLITION.
2. ALL (E) WALLS ARE WOOD FRAMING AND OPEN TO THE REMODEL SIDE OF THE WALL.
3. CONTRACTOR TO COORDINATE ALL DEMOLITION REQUIRED TO ACCOMODATE NEW MECHANICAL/ELECTRICAL / FIRE PROTECTION SYSTEM REQUIREMENTS.
4. REMOVE ALL MISC. FASTENERS/NAILERS/HANGERS OR MATERIAL WITH NO PURPOSE. PATCH HOLES AS NEEDED FOLLOWING REMOVAL.
5. THE (E) SOFFIT IS 2X WOOD FRAMED CONSTRUCTION WITH OSB SHEATHING AS INDICATED BY THE NOTED HATCH ON DRAWINGS.
6. THE (E) CEILING HAS 5/8" TYPE X GYP. BD. THROUGHOUT TO UNDERSIDE OF STRUCTURE.

DEMOLITION PLAN LEGEND

SYMBOL	DESCRIPTION
	SECOND LEVEL DEMOLITION REFLECTED CEILING PLAN NOTES
1	REMOVE ENTIRE (E) WOOD SOFFIT FRAME TO U.S. OF STRUCTURE.
2	REMOVE (E) WALL FOR NEW DOOR R.O.
3	NOT USED.
4	(E) FIRE SPRINKLER RISER TO BE RELOCATED.
5	MODIFY (E) CEILING ASSEMBLY TO ACCOMMODATE NEW MATERIAL LIFT. FIELD VERIFY OVERCUT DIMENSIONS FOR NEW STRUCTURE TO SUPPORT THE FLOOR FRAME.

EXISTING WALL TYPE LEGEND

	RATING	SIDE 1	BUILDING EXTERIOR
E3	NONE	FRAMING	MASONRY
		SIDE 2	(E) GYP. BD.
		NOTES:	
	RATING	SIDE 1	(E) GYP. BD.
E4	NONE	FRAMING	3 5/8" METAL STUD
		SIDE 2	1/2" OSB
		NOTES:	
	RATING	SIDE 1	(E) GYP. BD.
E5	NONE	FRAMING	3 5/8" METAL STUD
		SIDE 2	OPEN FRAMING
		NOTES:	
	RATING	SIDE 1	(E) GYP. BD.
E6	NONE	FRAMING	3 5/8" METAL STUD
		SIDE 2	(E) GYP. BD.
		NOTES:	

REFERENCE



16 SECOND LEVEL DEMOLITION REFLECTED CEILING PLAN

D7.2 : D7.2

1/8" = 1' - 0"

STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
1656
MONTANA
LICENSED ARCHITECT

SECOND LEVEL DEMOLITION REFLECTED CEILING PLAN

THE STAPLETON BUILDING

BILLINGS, MONTANA

JEREMIAH YOUNG

DRAWING

PROJECT

OWNER

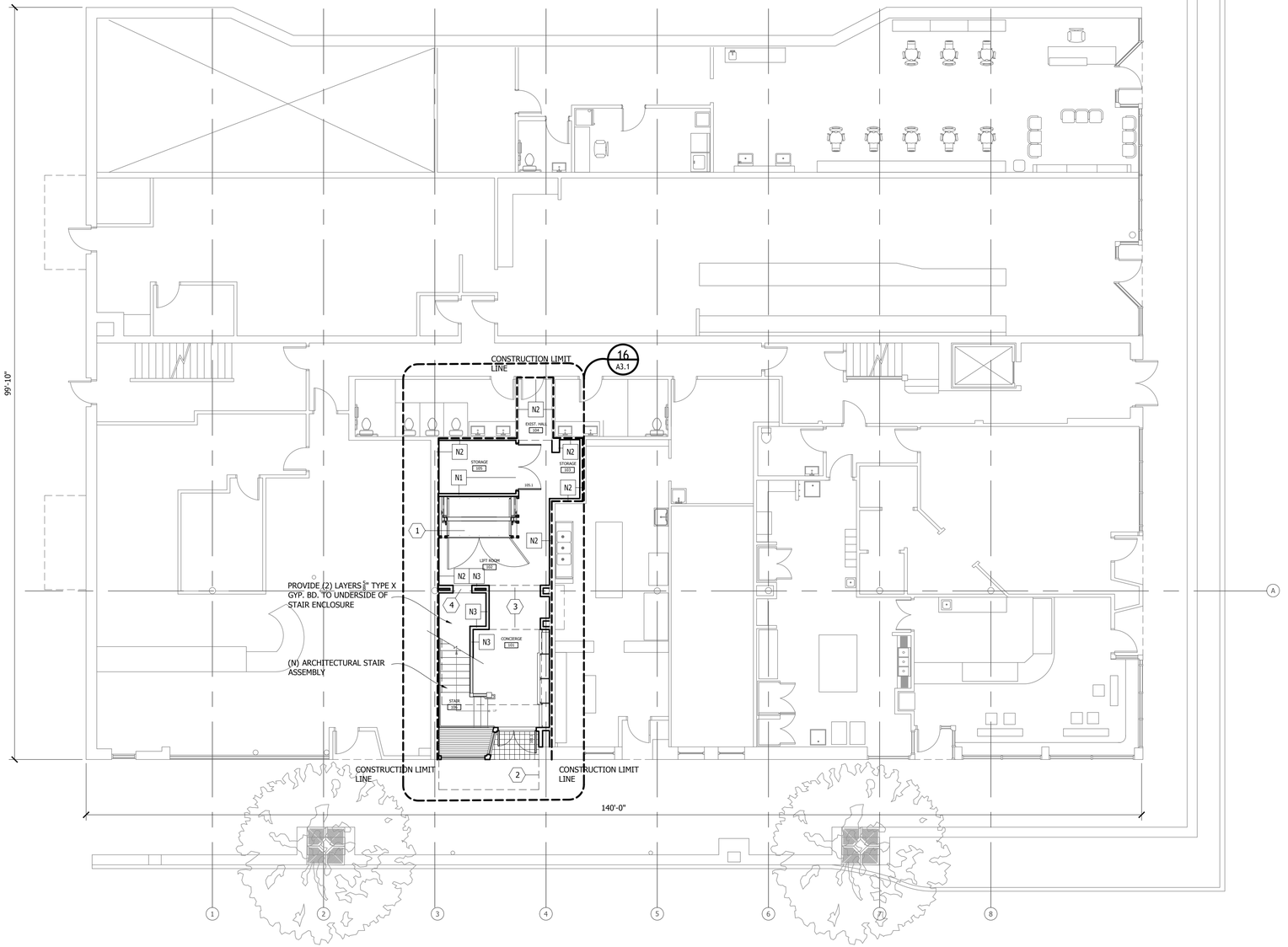
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D7.2



PLAN LEGEND

SYMBOL	DESCRIPTION
	EXISTING WALLS & BUILDING ELEMENTS TO REMAIN
	EXISTING WALLS & BUILDING ELEMENTS TO BE DEMOLISHED
	EXISTING RATED WALL ASSEMBLY TO REMAIN
	NEW WALL CONSTRUCTION REFERENCE WALL TYPES LEGEND

GENERAL NOTES

1. ALL (E) WALLS ARE WOOD FRAMING AND OPEN TO THE REMODEL SIDE OF THE WALL.
2. PREPARE WOOD FLOOR SUBSTRATE TO RECEIVE NEW FLOOR FINISHES.
3. PREPARE ALL WALL AND CEILING SURFACES TO RECEIVE NEW FINISHES.

REMODEL PLAN LEGEND

SYMBOL	DESCRIPTION
	MAIN LEVEL NOTES
1	(N) MATERIAL LIFT
2	LINE OF (N) AWNING ABOVE BY OWNER
3	LINE OF (N) ARCHITECTURAL STAIR ASSEMBLY ABOVE
4	24"W X 36"H ACCESS PANEL FOR (N) MECHICAL. EQUIP. MATCH WALL PANEL FINISH

NEW WALL TYPE LEGEND

N1	RATING	SIDE 1	5/8" TYPE X GYP. BD.
	NONE	FRAMING	2X4 WOOD STUD
		SIDE 2	5/8" TYPE X GYP. BD.
		NOTES:	
N2	RATING	SIDE 1	(E) GYP. BD.
	NONE	FRAMING	(E) FRAMING
		SIDE 2	5/8" TYPE X GYP. BD.
		NOTES:	PROVIDE SOUND BATT INSULATION
N3	RATING	SIDE 1	5/8" TYPE X GYP. BD.
	NONE	FRAMING	2X4 WOOD STUD
		SIDE 2	1/2" OSB
		NOTES:	PROVIDE SOUND BATT INSULATION

REFERENCE

16 MAIN LEVEL FLOOR PLAN

A2.1 : A2.1 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE

1/8" = 1' - 0"

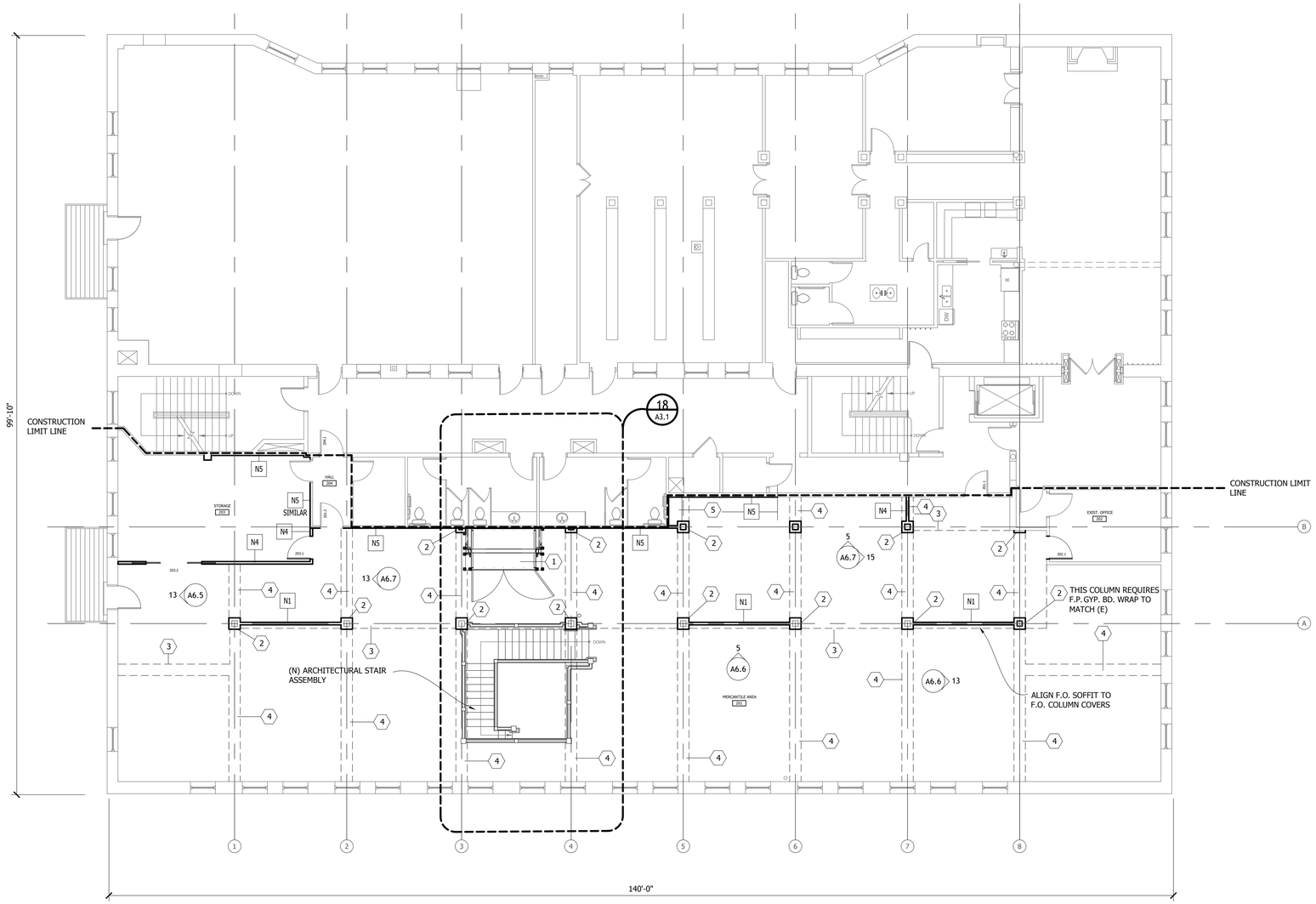
STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
1656
MONTANA
LICENSED ARCHITECT

DRAWING: MAIN LEVEL FLOOR PLAN
PROJECT: THE STAPLETON BUILDING
BILLINGS, MONTANA
OWNER: JEREMIAH YOUNG

PROJECT № 19002
ISSUE DATE 9/21/2020
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A2.1



PLAN LEGEND

SYMBOL	DESCRIPTION
	EXISTING WALLS & BUILDING ELEMENTS TO REMAIN
	EXISTING WALLS & BUILDING ELEMENTS TO BE DEMOLISHED
	EXISTING RATED WALL ASSEMBLY TO REMAIN
	NEW WALL CONSTRUCTION REFERENCE WALL TYPES LEGEND

GENERAL NOTES

1. ALL (E) WALLS ARE WOOD FRAMING AND OPEN TO THE REMODEL SIDE OF THE WALL.
2. PREPARE WOOD FLOOR SUBSTRATE TO RECEIVE NEW FLOOR FINISHES.
3. PREPARE ALL WALL AND CEILING SURFACES TO RECEIVE NEW FINISHES.
4. ALL (E) COLUMNS HAVE REQUIRED F.P. GYP. BD WRAP EXCEPT WHERE INDICATED.

REMODEL PLAN LEGEND

SYMBOL	DESCRIPTION
	SECOND LEVEL NOTES
1	(N) MATERIAL LIFT
2	(N) ARCHITECTURAL COLUMN COVER TO MATCH (E) SEE DETAIL 13/A6.10
3	LINE OF SOFFIT ABOVE
4	LINE OF (N) WD-1 BOX BEAMS ABOVE
5	(N) ARCHITECTURAL CASEWORK

NEW WALL TYPE LEGEND

N1	RATING	SIDE 1	5/8" TYPE X GYP. BD.
	NONE	FRAMING	2X4 WOOD STUD
		SIDE 2	5/8" TYPE X GYP. BD.
		NOTES:	
N2	RATING	SIDE 1	(E) GYP. BD.
	NONE	FRAMING	(E) FRAMING
		SIDE 2	5/8" TYPE X GYP. BD.
		NOTES:	PROVIDE SOUND BATT INSULATION
N3	RATING	SIDE 1	5/8" TYPE X GYP. BD.
	NONE	FRAMING	2X4 WOOD STUD
		SIDE 2	1/2" OSB
		NOTES:	PROVIDE SOUND BATT INSULATION
N4	RATING	SIDE 1	1/2" OSB
	NONE	FRAMING	2X4 WOOD STUD
		SIDE 2	1/2" OSB
		NOTES:	
N5	RATING	SIDE 1	(E) GYP. BD.
	NONE	FRAMING	(E) FRAMING
		SIDE 2	1/2" OSB
		NOTES:	

REFERENCE

16 SECOND LEVEL FLOOR PLAN

A2.2 : A2.2 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE

1/8" = 1' - 0"

STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
1656
MONTANA
LICENSED ARCHITECT

DRAWING SECOND LEVEL FLOOR PLAN

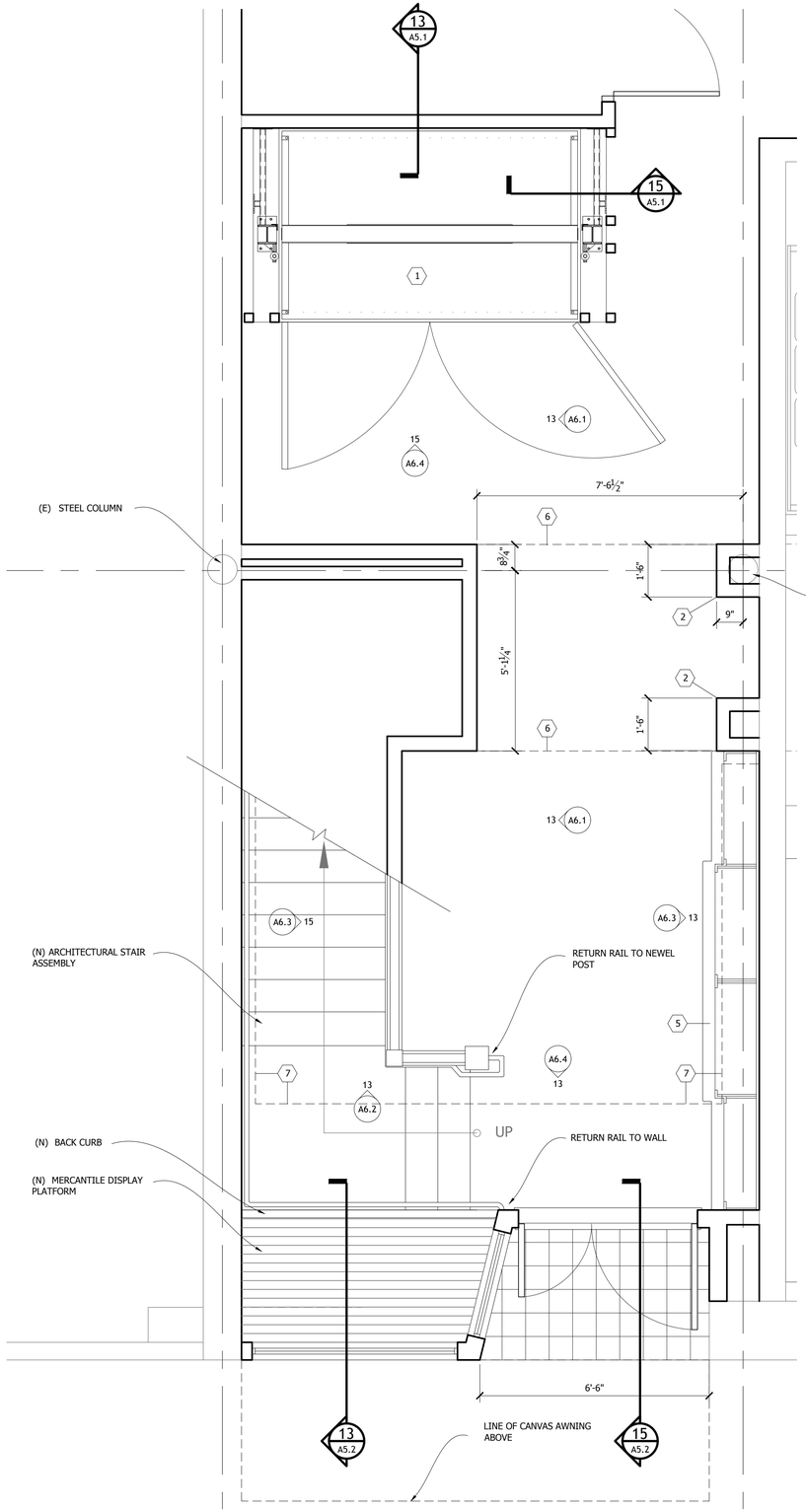
PROJECT THE STAPLETON BUILDING
BILLINGS, MONTANA

OWNER JEREMIAH YOUNG

PROJECT № 19002
ISSUE DATE 9/21/2020
REVISIONS

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A2.2



GENERAL NOTES

1. PREPARE WOOD FLOOR SUBSTRATE TO RECEIVE NEW FLOOR FINISHES.
2. PREPARE ALL WALL AND CEILING SURFACES TO RECEIVE NEW FINISHES.

MATERIAL LIFT SPECIFICATION (VERTICAL RECIPROCATING CONVEYOR) ASSEMBLY

SERIES 21 VRC MANUFACTURED BY PFLOW INDUSTRIES, INC
6720 N. TEUTONIA AVE.
MILWAUKEE, WI 53209
(P) 414-352-9000
(F) 414-352-9002

EMAIL: INFO@PFLOW.COM

CAPACITY: 2,500 LBS
SPEED: 24 FPM
VERTICAL TRAVEL: 185½" W/ 2 OPERATING LEVELS (FIELD VERIFY)

SUBMIT SHOP DRAWINGS & PRODUCT SPECIFICATIONS FOR APPROVAL BY ARCHITECT

REMODEL PLAN LEGEND

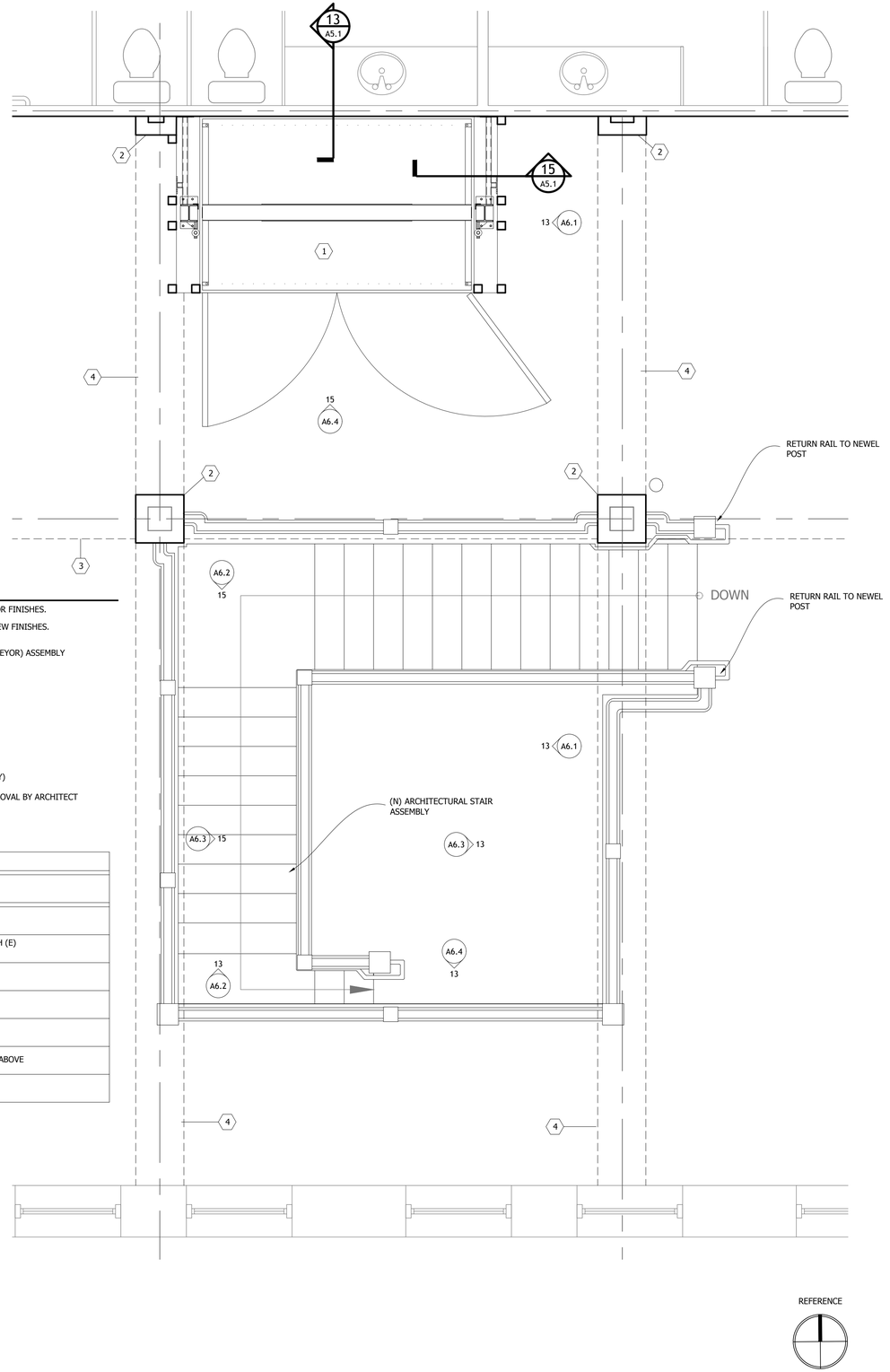
SYMBOL	DESCRIPTION
	ENLARGED PLAN NOTES
1	(N) MATERIAL LIFT
2	(N) ARCHITECTURAL COLUMN COVER TO MATCH (E) SEE DETAIL 13/A6.10
3	LINE OF SOFFIT ABOVE
4	LINE OF (N) WD-1 BOX BEAMS ABOVE
5	(N) ARCHITECTURAL CASEWORK
6	LINE OF (N) ARCHITECTURAL STAIR ASSEMBLY ABOVE
7	LINE OF FLOOR OVERHANG ABOVE

REFERENCE

16 MAIN LEVEL ENLARGED FLOOR PLAN

A2.1 : A3.1 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE

1/2" = 1' - 0"



REFERENCE

18 SECOND LEVEL ENLARGED FLOOR PLAN

A2.2 : A3.1 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE

1/2" = 1' - 0"

STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
4656
MONTANA
LICENSED ARCHITECT

ENLARGED FLOOR PLANS
DRAWING

THE STAPLETON BUILDING
BILLINGS, MONTANA
PROJECT

JEREMIAH YOUNG
OWNER

PROJECT № 19002
ISSUE DATE 9/21/2020
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blueboy@bresnan.net

A3.1



16 PARTIAL SOUTH EXTERIOR ELEVATION

A2.1 : A4.1

1/2" = 1' - 0"

STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
16656
MONTANA
LICENSED ARCHITECT

DRAWING: PARTIAL SOUTH EXTERIOR ELEVATION

PROJECT: THE STAPLETON BUILDING
BILLINGS, MONTANA

OWNER: JEREMIAH YOUNG

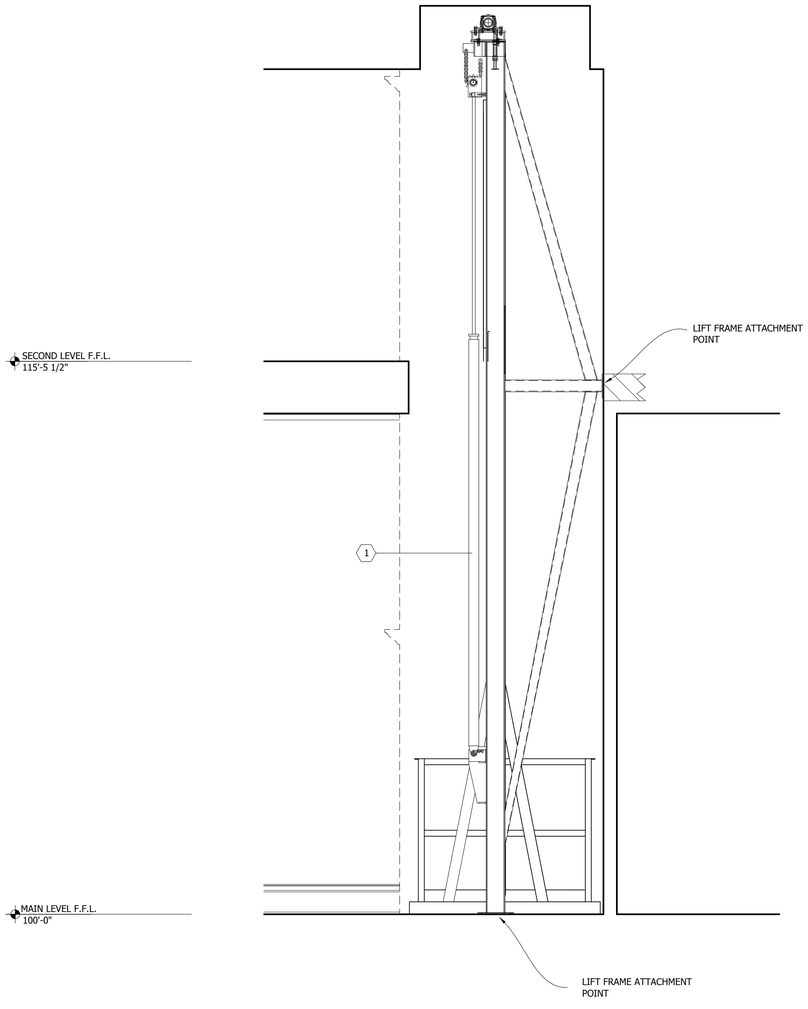
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blueboy@bresnan.net

A4.1



13 MATERIAL LIFT SECTION

A2.1 : A5.1 1/2" = 1' - 0"

GENERAL NOTES

1. REFERENCE STRUCTURAL DRAWINGS FOR FLOOR FRAMING MODIFICATIONS AT MATERIAL LIFT OPENINGS
2. REFERENCE ELECTRICAL DRAWINGS FOR MATERIAL LIFT REQUIREMENTS
3. REFERENCE MECHANICAL DRAWINGS FOR MATERIAL LIFT REQUIREMNTS IF REQUIRED

MATERIAL LIFT SPECIFICATION (VERTICAL RECIPROCATING CONVEYOR) ASSEMBLY

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6720 N. TEUTONIA AVE.
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(F) 414-352-9002

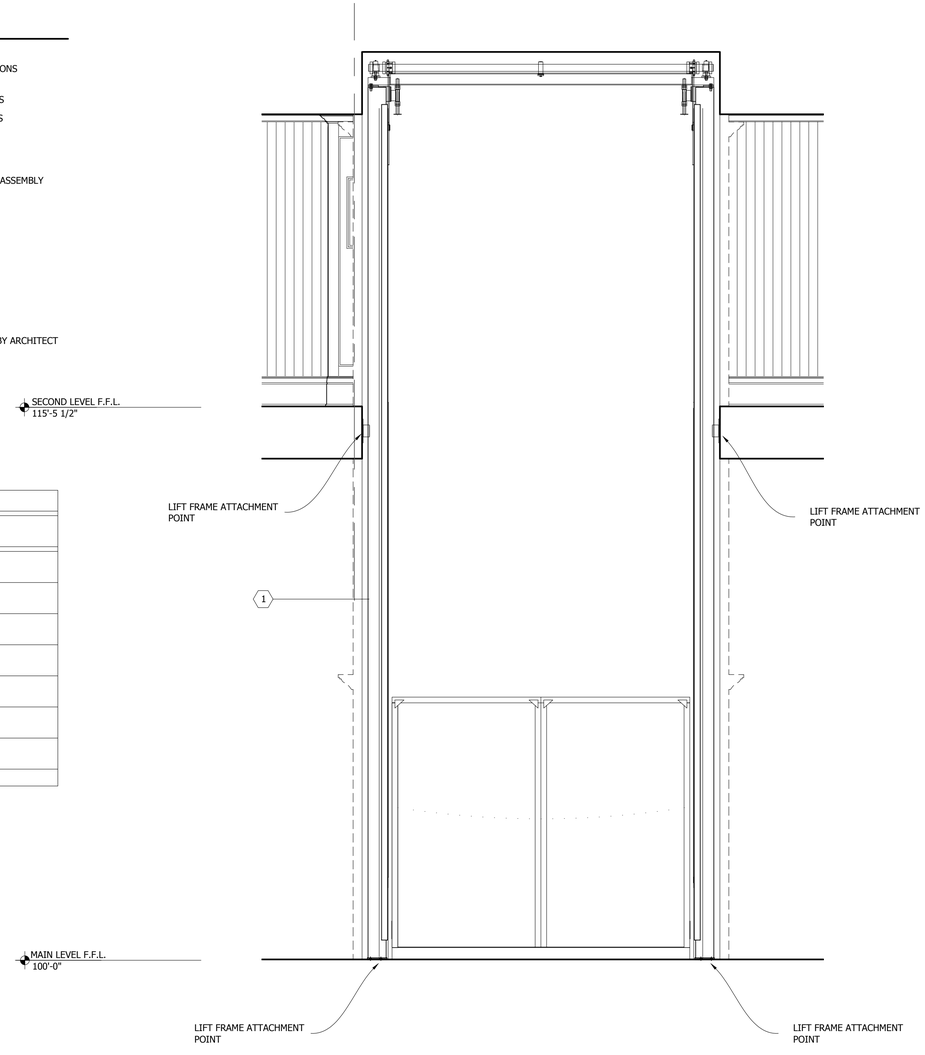
EMAIL: INFO@PFLOW.COM

CAPACITY: 2,500 LBS
SPEED: 24 FPM
VERTICAL TRAVEL: 185½" W/ 2 OPERATING LEVELS (FIELD VERIFY)

SUBMIT SHOP DRAWINGS & PRODUCT SPECIFICATIONS FOR APPROVAL BY ARCHITECT

REMODEL PLAN LEGEND

SYMBOL	DESCRIPTION
	SECTION NOTES
1	(N) MATERIAL LIFT



15 MATERIAL LIFT SECTION

A2.1 : A5.1 1/2" = 1' - 0"

STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
1656
MONTANA
LICENSED ARCHITECT

DRAWING SECTIONS
PROJECT THE STAPLETON BUILDING
BILLINGS, MONTANA
OWNER JEREMIAH YOUNG

PROJECT № 19002
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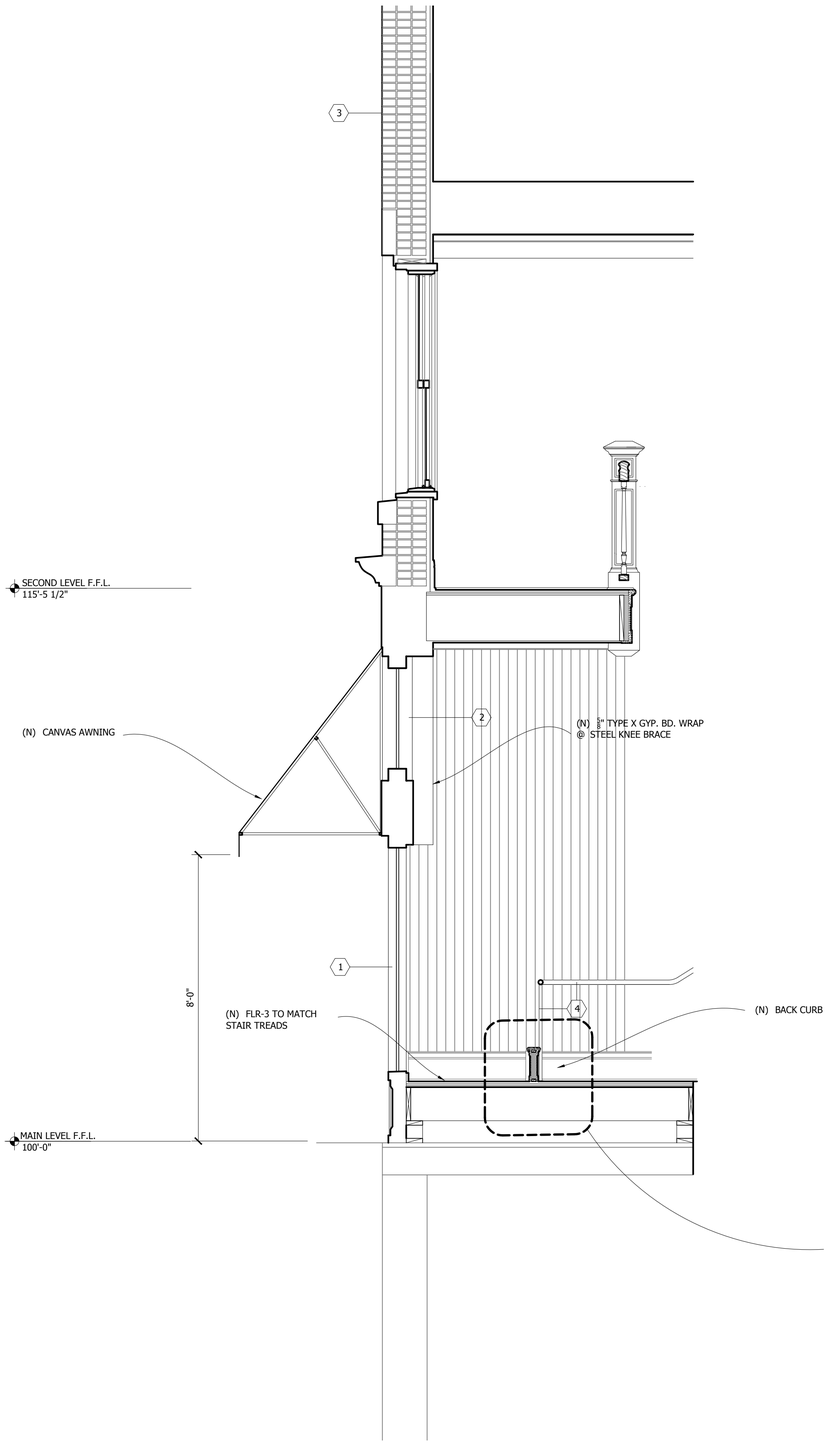
A5.1

GENERAL NOTES

1. ALL (E) WALLS ARE WOOD FRAMING AND OPEN TO THE REMODEL SIDE OF THE WALL.
2. PREPARE WOOD FLOOR SUBSTRATE TO RECEIVE NEW FLOOR FINISHES.
3. PREPARE ALL WALL AND CEILING SURFACES TO RECEIVE NEW FINISHES.
4. REFERENCE STRUCTURAL DRAWINGS FOR FLOOR FRAMING MODIFICATIONS.

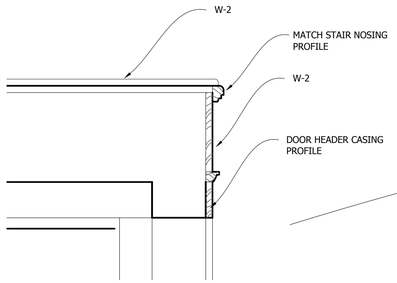
REMODEL PLAN LEGEND

SYMBOL	DESCRIPTION
	SECTION NOTES
1	(N) ALUMINUM STOREFRONT SYSTEM W/ RAISED PANEL TO MATCH (E)
2	(E) TRANSOM GLASS ASSEMBLY TO REMAIN
3	(E) LOAD BEARING MASONRY WALL ASSEMBLY
4	(N) 1 1/2" DIA. STEEL HANDRAIL ASSEMBLY - PRIME & PAINT

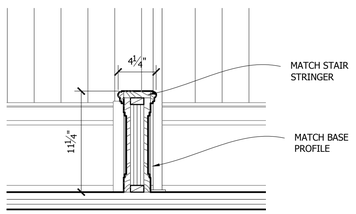


13 STOREFRONT SECTION

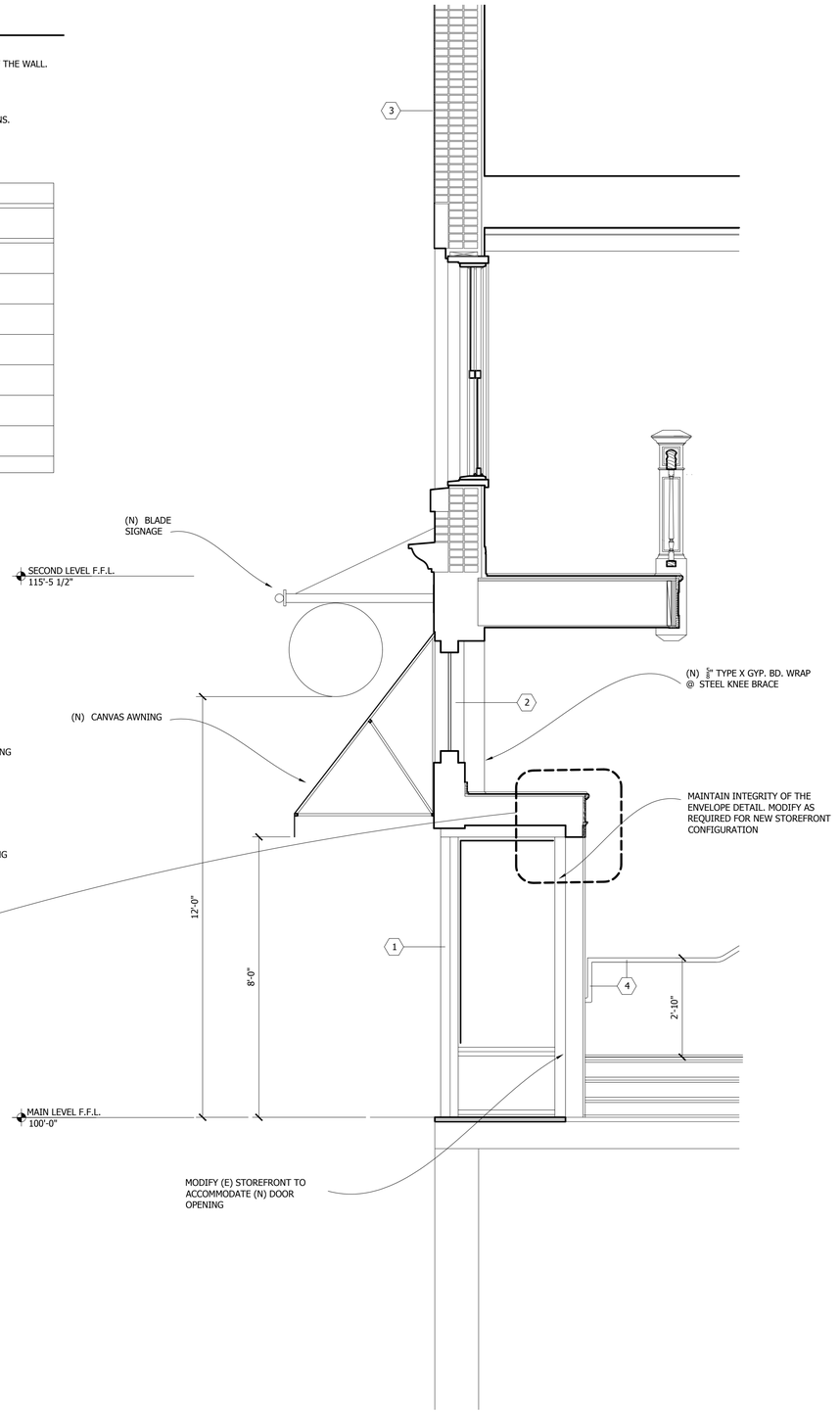
A3.1 : A5.2 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE 1/2" = 1' - 0"



(N) VESTIBULE ENCLOSURE CAP DETAIL



(N) BACK CURB DETAIL



15 STOREFRONT SECTION

A3.1 : A5.2 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE 1/2" = 1' - 0"

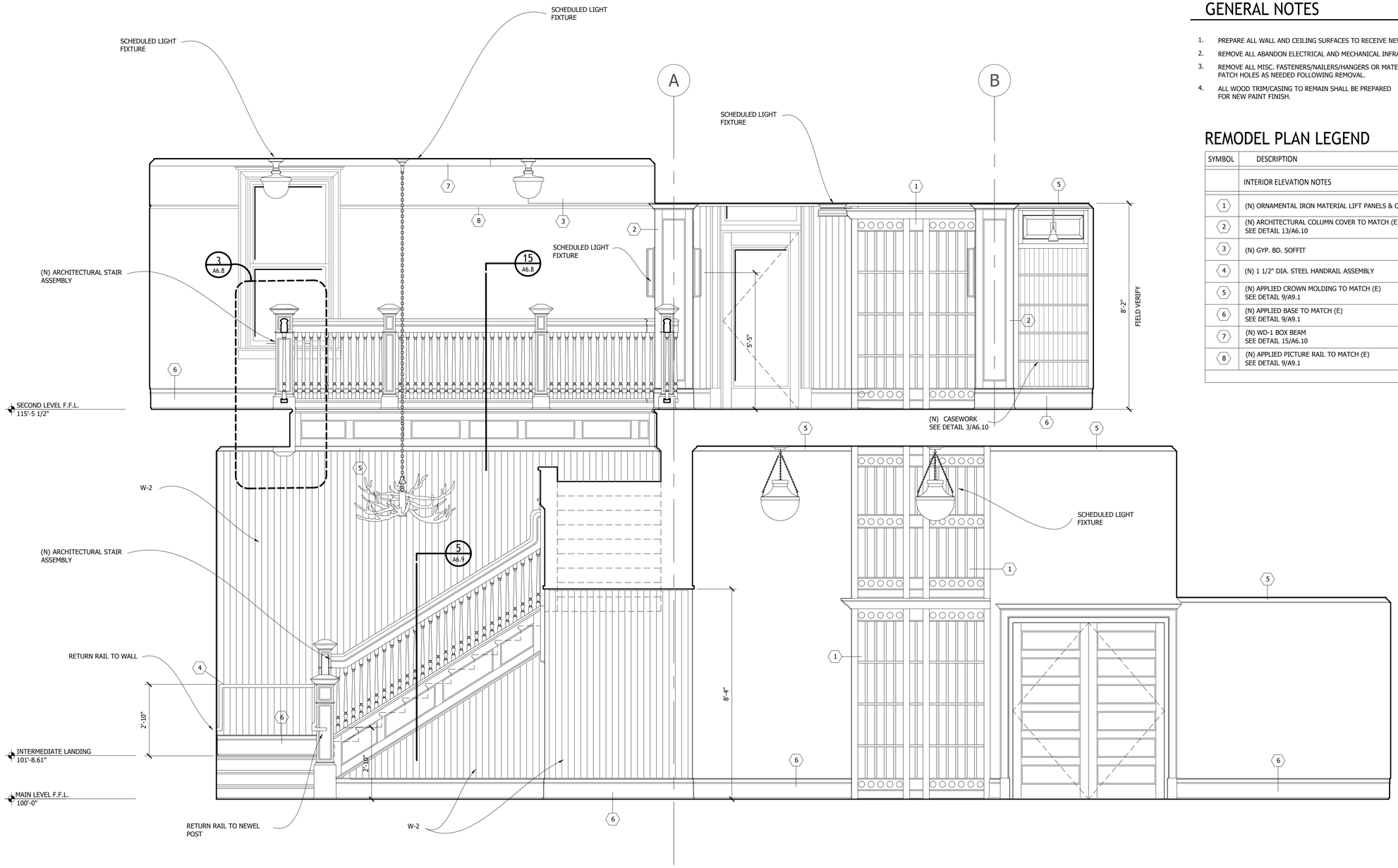
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BILLINGS
DENNIS LYNN DEPPMEIER
1656
MONTANA
LICENSED ARCHITECT

DRAWING SECTIONS
PROJECT THE STAPLETON BUILDING
BILLINGS, MONTANA
OWNER JEREMIAH YOUNG

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A5.2



GENERAL NOTES

1. PREPARE ALL WALL AND CEILING SURFACES TO RECEIVE NEW FINISHES.
2. REMOVE ALL ABANDON ELECTRICAL AND MECHANICAL INFRASTRUCTURE.
3. REMOVE ALL MISC. FASTENERS/NAILERS/HANGERS OR MATERIAL WITH NO PURPOSE. PATCH HOLES AS NEEDED FOLLOWING REMOVAL.
4. ALL WOOD TRIM/CASING TO REMAIN SHALL BE PREPARED FOR NEW PAINT FINISH.

REMODEL PLAN LEGEND

SYMBOL	DESCRIPTION
	INTERIOR ELEVATION NOTES
1	(N) ORNAMENTAL IRON MATERIAL LIFT PANELS & CORNICE
2	(N) ARCHITECTURAL COLUMN COVER TO MATCH (E) SEE DETAIL 13/A6.10
3	(N) GYP. BD. SOFFIT
4	(N) 1 1/2" DIA. STEEL HANDRAIL ASSEMBLY
5	(N) APPLIED CROWN MOLDING TO MATCH (E) SEE DETAIL 9/A9.1
6	(N) APPLIED BASE TO MATCH (E) SEE DETAIL 9/A9.1
7	(N) WD-1 BOX BEAM SEE DETAIL 15/A6.10
8	(N) APPLIED PICTURE RAIL TO MATCH (E) SEE DETAIL 9/A9.1

13 INTERIOR ELEVATION

A3.1 : A6.1 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE

1/2" = 1' - 0"

STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
1656
MONTANA
LICENSED ARCHITECT

DRAWING: INTERIOR ELEVATIONS
PROJECT: THE STAPLETON BUILDING, BILLINGS, MONTANA
OWNER: JEREMIAH YOUNG

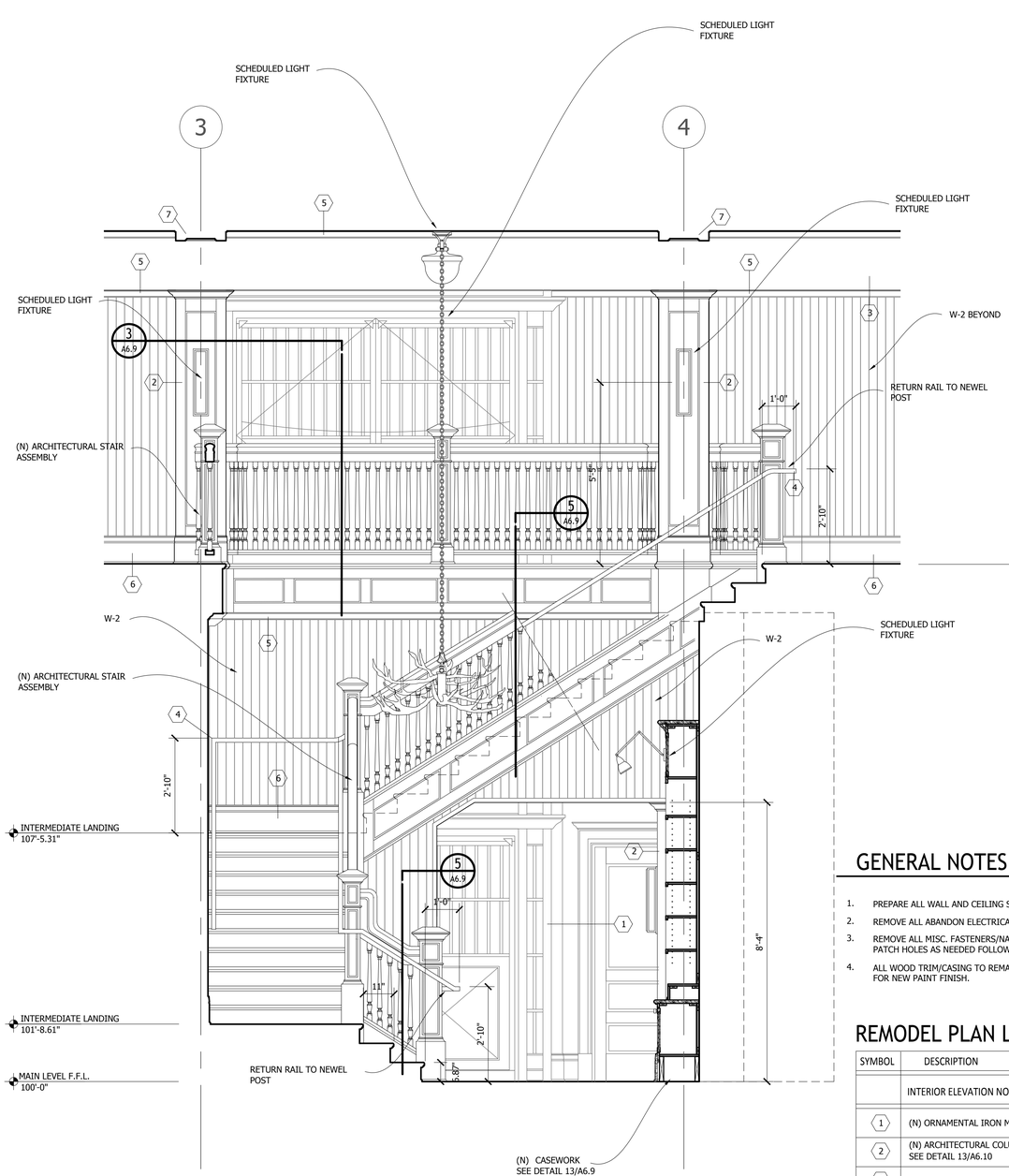
PROJECT Nº 19002
ISSUE DATE 9/21/2020
REVISIONS

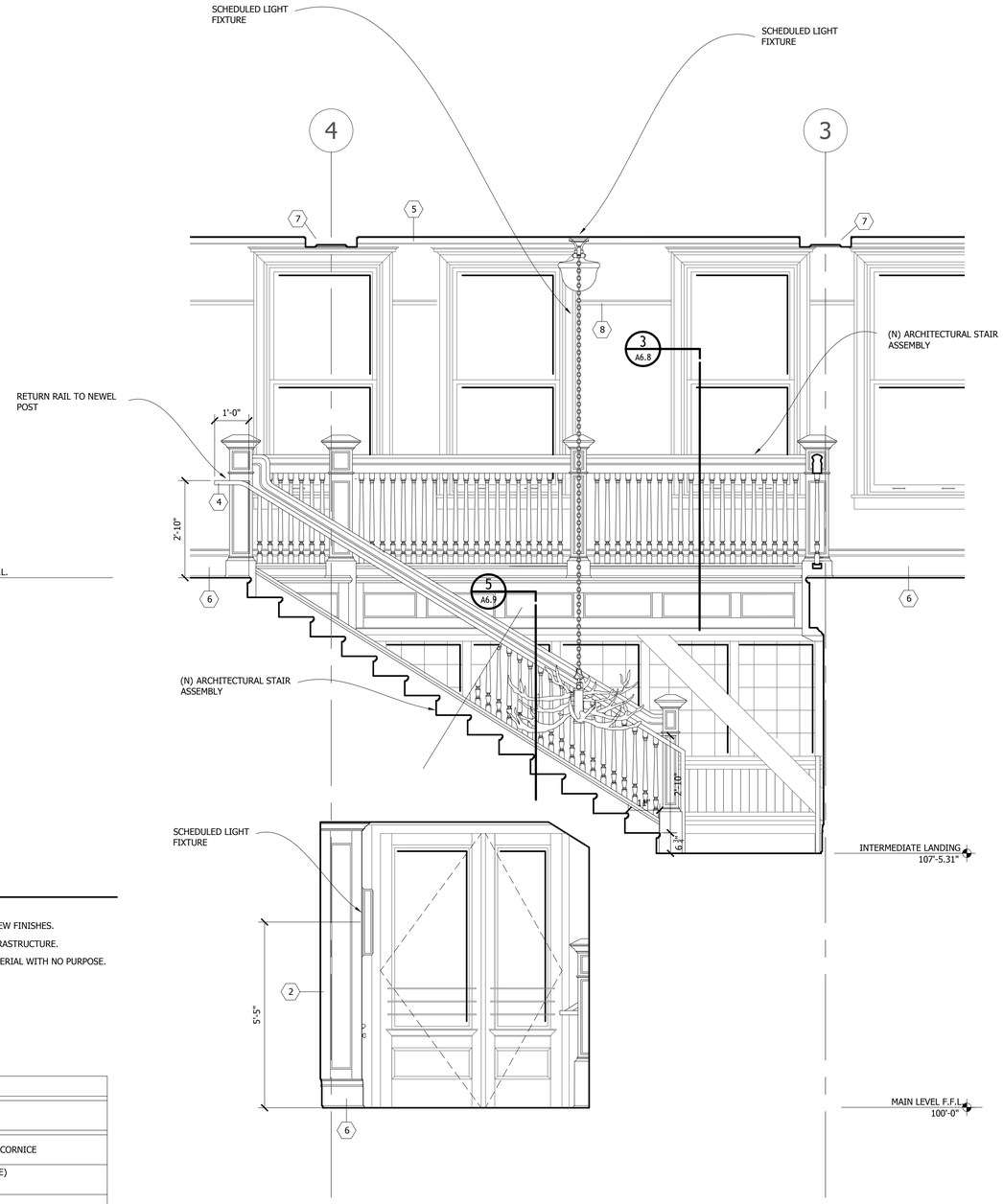
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PRINCIPAL

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blueboy@bresnan.net

A6.1





GENERAL NOTES

1. PREPARE ALL WALL AND CEILING SURFACES TO RECEIVE NEW FINISHES.
2. REMOVE ALL ABANDON ELECTRICAL AND MECHANICAL INFRASTRUCTURE.
3. REMOVE ALL MISC. FASTENERS/NAILERS/HANGERS OR MATERIAL WITH NO PURPOSE. PATCH HOLES AS NEEDED FOLLOWING REMOVAL.
4. ALL WOOD TRIM/CASING TO REMAIN SHALL BE PREPARED FOR NEW PAINT FINISH.

REMODEL PLAN LEGEND

SYMBOL	DESCRIPTION
	INTERIOR ELEVATION NOTES
1	(N) ORNAMENTAL IRON MATERIAL LIFT PANELS & CORNICE
2	(N) ARCHITECTURAL COLUMN COVER TO MATCH (E) SEE DETAIL 13/A6.10
3	(N) GYP. BD. SOFFIT
4	(N) 1 1/2" DIA. STEEL HANDRAIL ASSEMBLY
5	(N) APPLIED CROWN MOLDING TO MATCH (E) SEE DETAIL 9/A9.1
6	(N) APPLIED BASE TO MATCH (E) SEE DETAIL 9/A9.1
7	(N) WD-1 BOX BEAM SEE DETAIL 15/A6.10
8	(N) APPLIED PICTURE RAIL TO MATCH (E) SEE DETAIL 9/A9.1

13 INTERIOR ELEVATION
A3.1 : A6.2 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE 1/2" = 1' - 0"

15 INTERIOR ELEVATION
A3.1 : A6.2 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE 1/2" = 1' - 0"

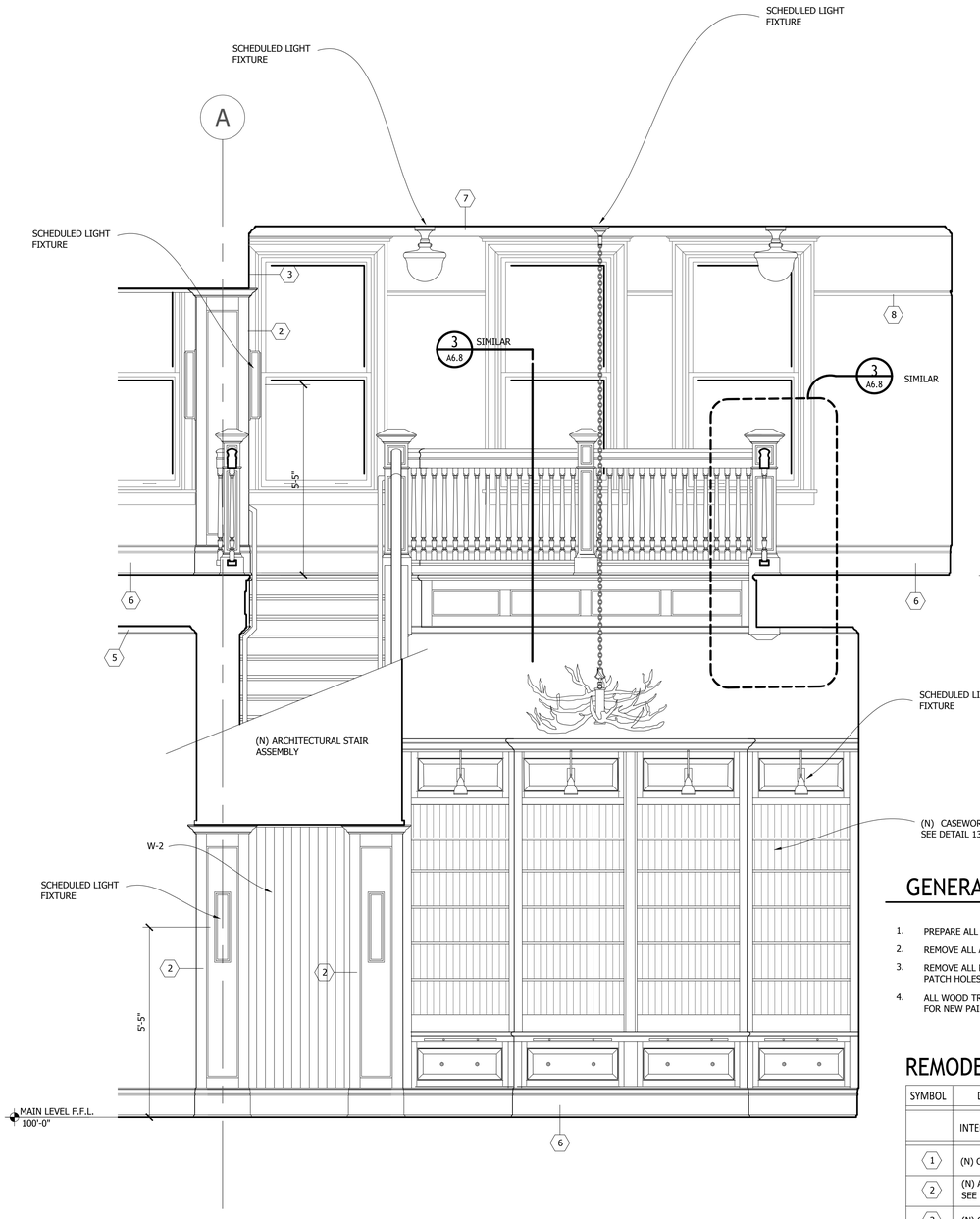
STATE OF MONTANA
DENNIS LYNN DEPPMEIER
#1656
MONTANA
LICENSED ARCHITECT
BILLINGS

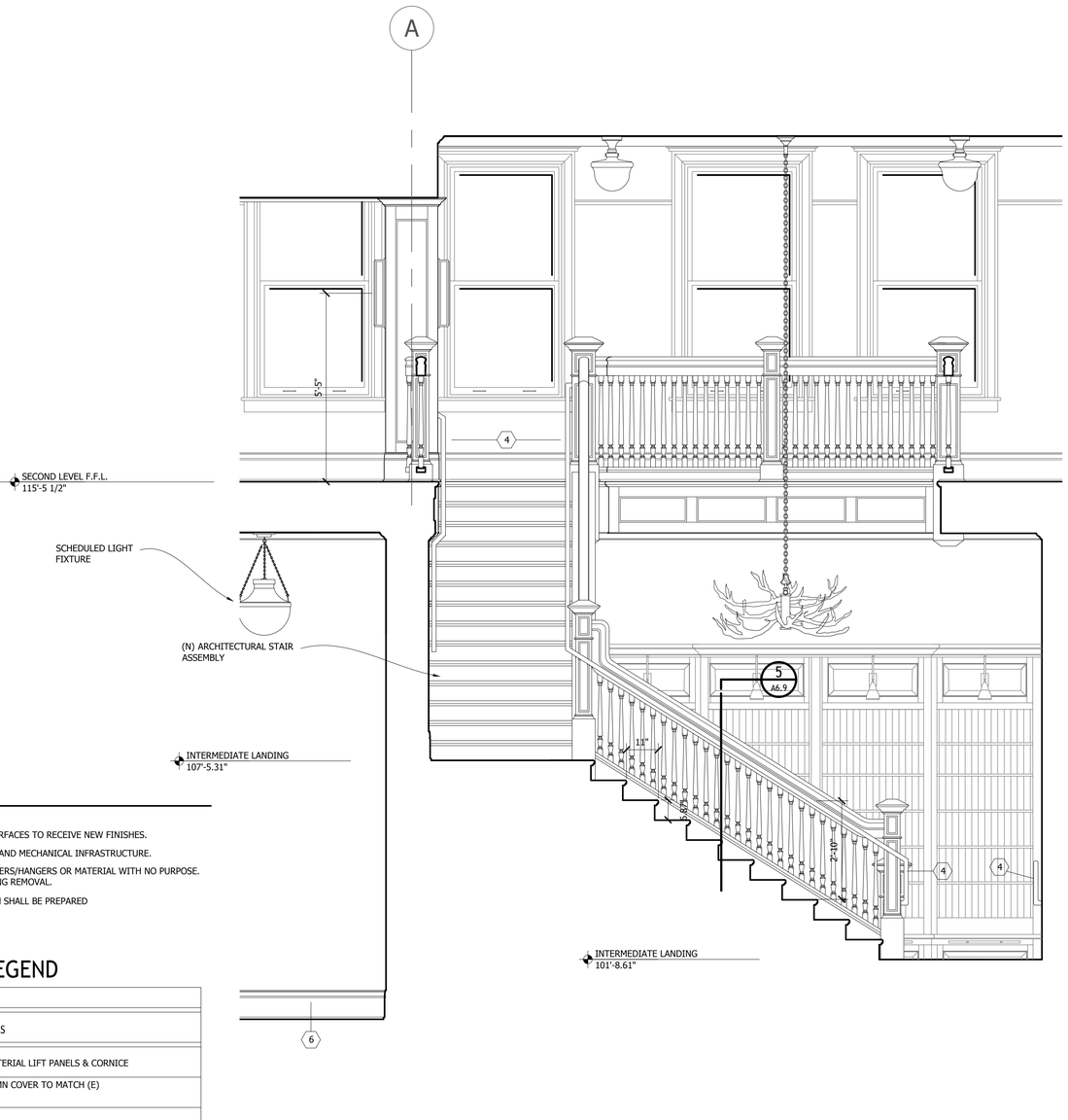
DRAWING INTERIOR ELEVATIONS
PROJECT THE STAPLETON BUILDING
BILLINGS, MONTANA
OWNER JEREMIAH YOUNG

PROJECT № 19002
ISSUE DATE 9/21/2020
REVISIONS

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blueboy@bresnan.net

A6.2





GENERAL NOTES

1. PREPARE ALL WALL AND CEILING SURFACES TO RECEIVE NEW FINISHES.
2. REMOVE ALL ABANDON ELECTRICAL AND MECHANICAL INFRASTRUCTURE.
3. REMOVE ALL MISC. FASTENERS/NAILERS/HANGERS OR MATERIAL WITH NO PURPOSE. PATCH HOLES AS NEEDED FOLLOWING REMOVAL.
4. ALL WOOD TRIM/CASING TO REMAIN SHALL BE PREPARED FOR NEW PAINT FINISH.

REMODEL PLAN LEGEND

SYMBOL	DESCRIPTION
	INTERIOR ELEVATION NOTES
1	(N) ORNAMENTAL IRON MATERIAL LIFT PANELS & CORNICE
2	(N) ARCHITECTURAL COLUMN COVER TO MATCH (E) SEE DETAIL 13/A6.10
3	(N) GYP. BD. SOFFIT
4	(N) 1 1/2" DIA. STEEL HANDRAIL ASSEMBLY
5	(N) APPLIED CROWN MOLDING TO MATCH (E) SEE DETAIL 9/A9.1
6	(N) APPLIED BASE TO MATCH (E) SEE DETAIL 9/A9.1
7	(N) WD-1 BOX BEAM SEE DETAIL 15/A6.10
8	(N) APPLIED PICTURE RAIL TO MATCH (E) SEE DETAIL 9/A9.1

13 INTERIOR ELEVATION
A3.1 : A6.3 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE 1/2" = 1' - 0"

15 INTERIOR ELEVATION
A3.1 : A6.3 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE 1/2" = 1' - 0"

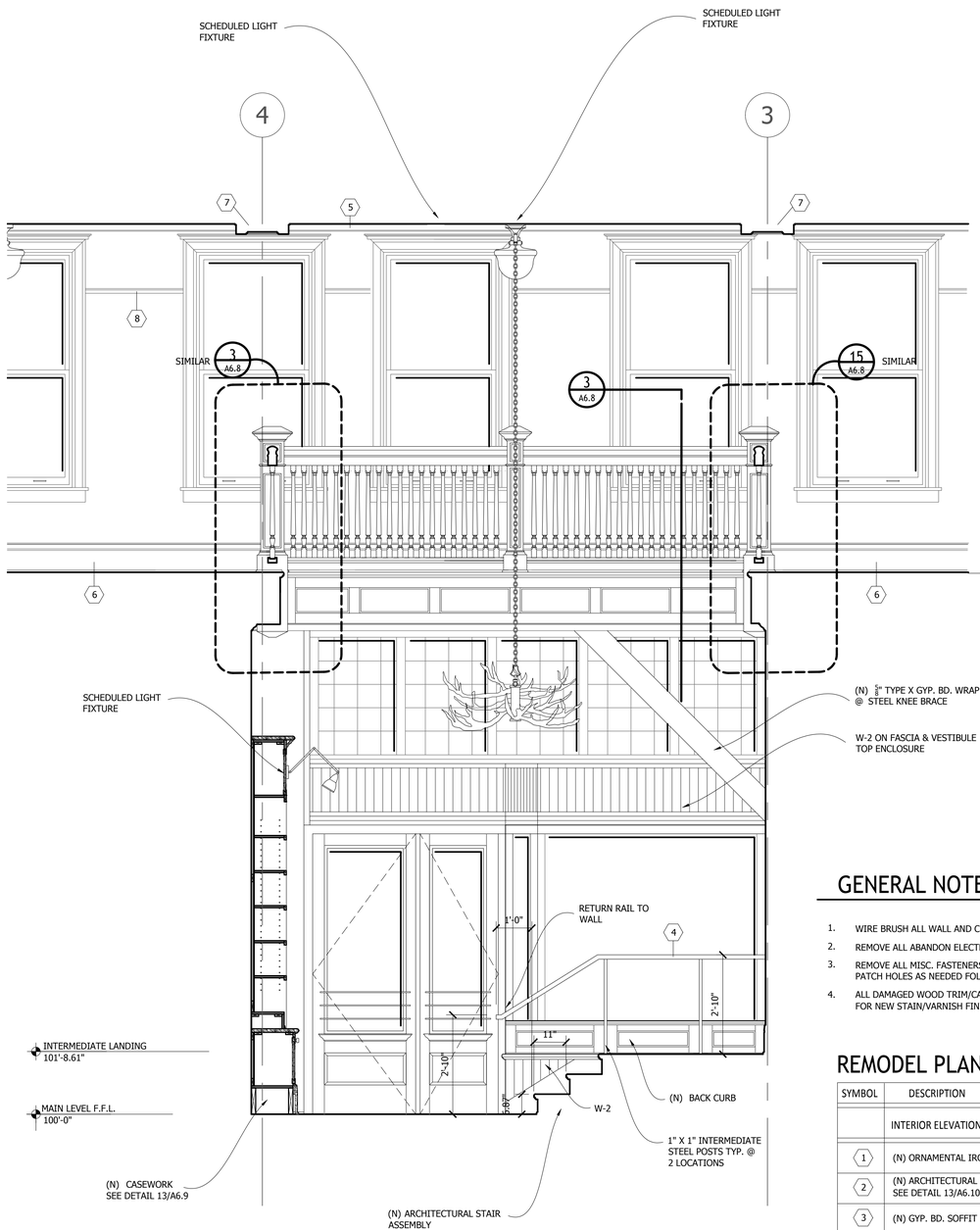
STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
1656
MONTANA
LICENSED ARCHITECT

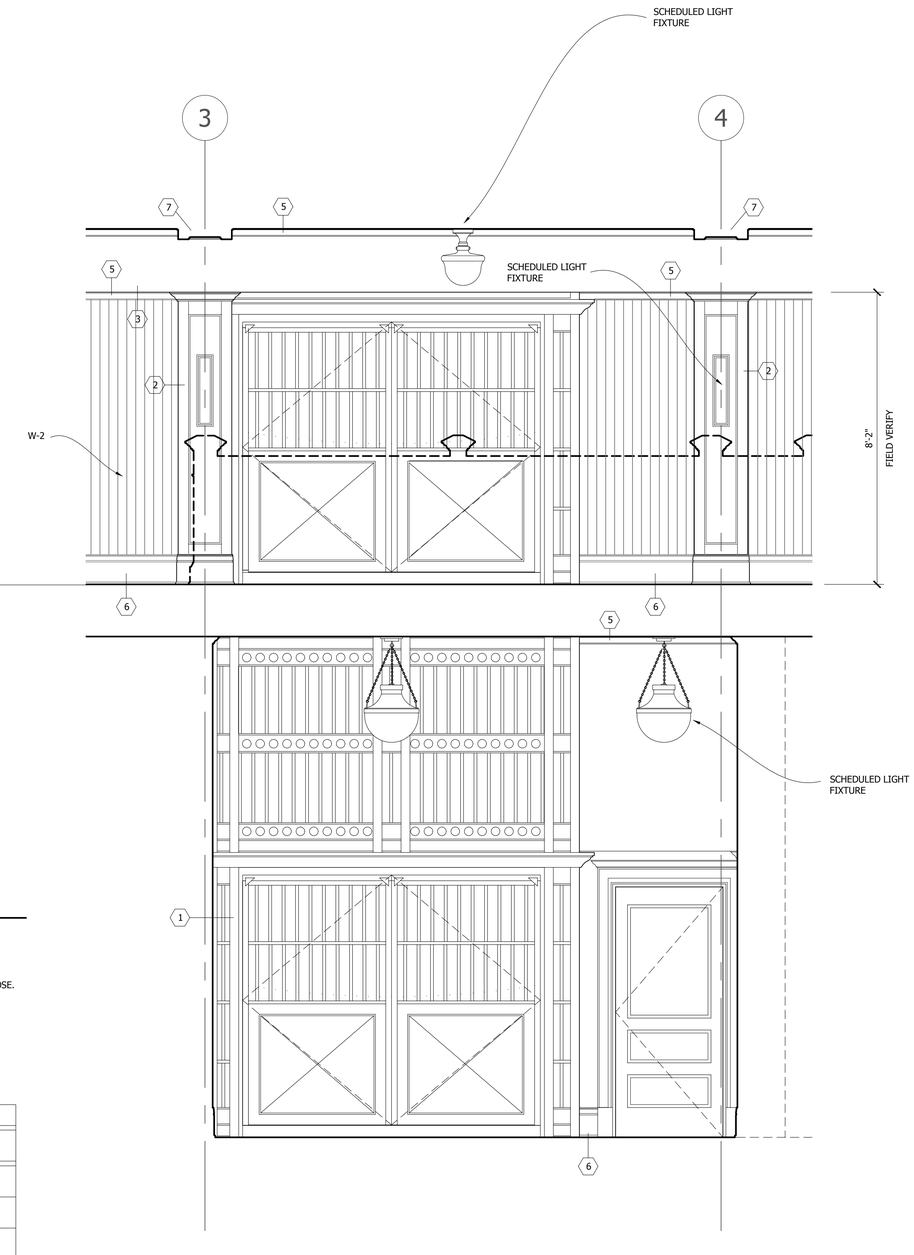
DRAWING: INTERIOR ELEVATIONS
PROJECT: THE STAPLETON BUILDING
BILLINGS, MONTANA
OWNER: JEREMIAH YOUNG

PROJECT № 19002
ISSUE DATE 9/21/2020
REVISIONS

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A6.3





GENERAL NOTES

1. WIRE BRUSH ALL WALL AND CEILING SURFACES TO RECEIVE NEW FINISHES.
2. REMOVE ALL ABANDON ELECTRICAL AND MECHANICAL INFRASTRUCTURE.
3. REMOVE ALL MISC. FASTENERS/NAILERS/HANGERS OR MATERIAL WITH NO PURPOSE. PATCH HOLES AS NEEDED FOLLOWING REMOVAL.
4. ALL DAMAGED WOOD TRIM/CASING TO REMAIN SHALL BE PREPARED FOR NEW STAIN/VARNISH FINISH.

REMODEL PLAN LEGEND

SYMBOL	DESCRIPTION
	INTERIOR ELEVATION NOTES
1	(N) ORNAMENTAL IRON MATERIAL LIFT PANELS & CORNICE
2	(N) ARCHITECTURAL COLUMN COVER TO MATCH (E) SEE DETAIL 13/A6.10
3	(N) GYP. BD. SOFFIT
4	(N) 1 1/2" DIA. STEEL HANDRAIL ASSEMBLY
5	(N) APPLIED CROWN MOLDING TO MATCH (E) SEE DETAIL 9/A9.1
6	(N) APPLIED BASE TO MATCH (E) SEE DETAIL 9/A9.1
7	(N) WD-1 BOX BEAM SEE DETAIL 15/A6.10
8	(N) APPLIED PICTURE RAIL TO MATCH (E) SEE DETAIL 9/A9.1

13 INTERIOR ELEVATION
A3.1 : A6.4 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE 1/2" = 1' - 0"

15 INTERIOR ELEVATION
A3.1 : A6.4 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE 1/2" = 1' - 0"

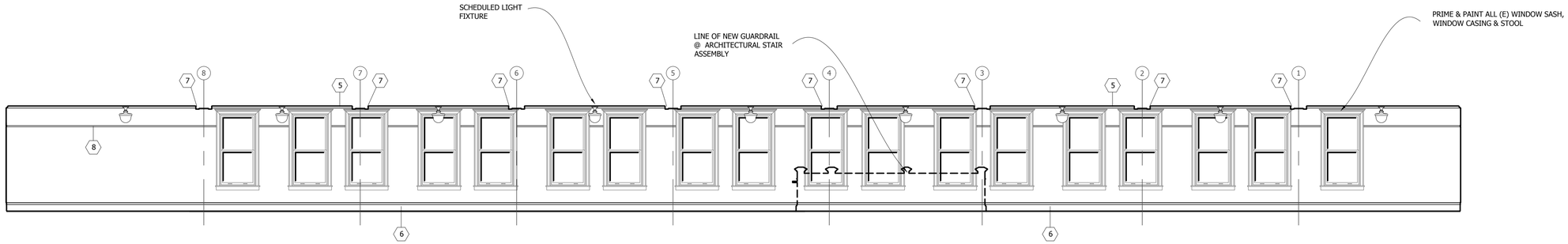
STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
16656
MONTANA
LICENSED ARCHITECT

DRAWING INTERIOR ELEVATIONS
PROJECT THE STAPLETON BUILDING
BILLINGS, MONTANA
OWNER JEREMIAH YOUNG

PROJECT № 19002
ISSUE DATE 9/21/2020
REVISIONS

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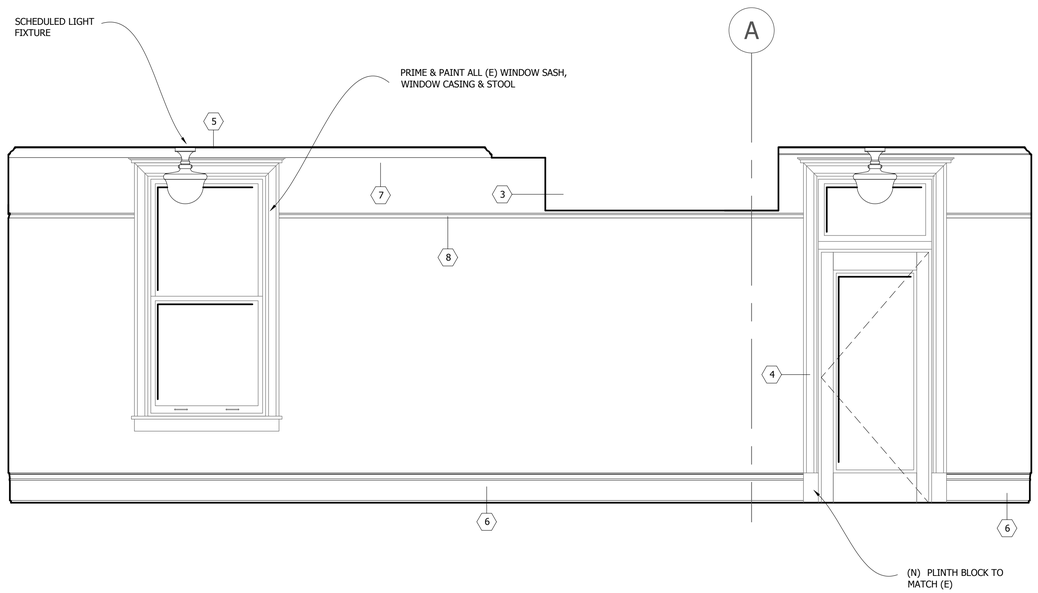
A6.4



5 INTERIOR ELEVATION

A2.2 : A6.5 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE

3/16" = 1' - 0"



13 INTERIOR ELEVATION

A2.2 : A6.5 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE

1/2" = 1' - 0"

GENERAL NOTES

1. PREPARE ALL WALL AND CEILING SURFACES TO RECEIVE NEW FINISHES.
2. REMOVE ALL ABANDON ELECTRICAL AND MECHANICAL INFRASTRUCTURE.
3. REMOVE ALL MISC. FASTENERS/NAILERS/HANGERS OR MATERIAL WITH NO PURPOSE. PATCH HOLES AS NEEDED FOLLOWING REMOVAL.
4. ALL WOOD TRIM/CASING TO REMAIN SHALL BE PREPARED FOR NEW PAINT FINISH.

REMODEL PLAN LEGEND

SYMBOL	DESCRIPTION
	INTERIOR ELEVATION NOTES
1	(N) ORNAMENTAL IRON MATERIAL LIFT PANELS & CORNICE
2	(N) ARCHITECTURAL COLUMN COVER TO MATCH (E) SEE DETAIL 13/A6.10
3	(N) GYP. BD. SOFFIT
4	(N) APPLIED CASING AND DOOR CAP MOULDING TO MATCH (E) SEE DETAIL 9/A9.1
5	(N) APPLIED CROWN MOLDING TO MATCH (E) SEE DETAIL 9/A9.1
6	(N) APPLIED BASE TO MATCH (E) SEE DETAIL 9/A9.1
7	(N) WD-1 BOX BEAM SEE DETAIL 15/A6.10
8	(N) APPLIED PICTURE RAIL TO MATCH (E) SEE DETAIL 9/A9.1

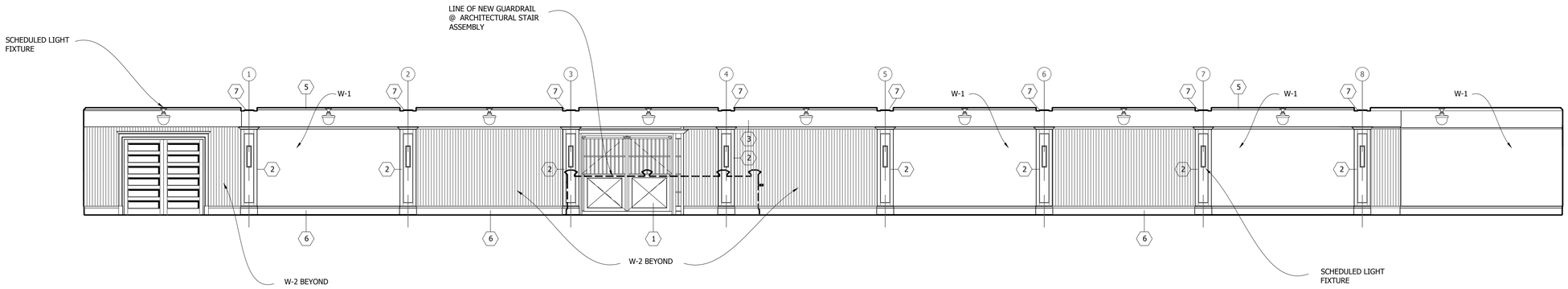
STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
1656
MONTANA
LICENSED ARCHITECT

DRAWING: INTERIOR ELEVATIONS
PROJECT: THE STAPLETON BUILDING
BILLINGS, MONTANA
OWNER: JEREMIAH YOUNG

PROJECT № 19002
ISSUE DATE 9/21/2020
REVISIONS

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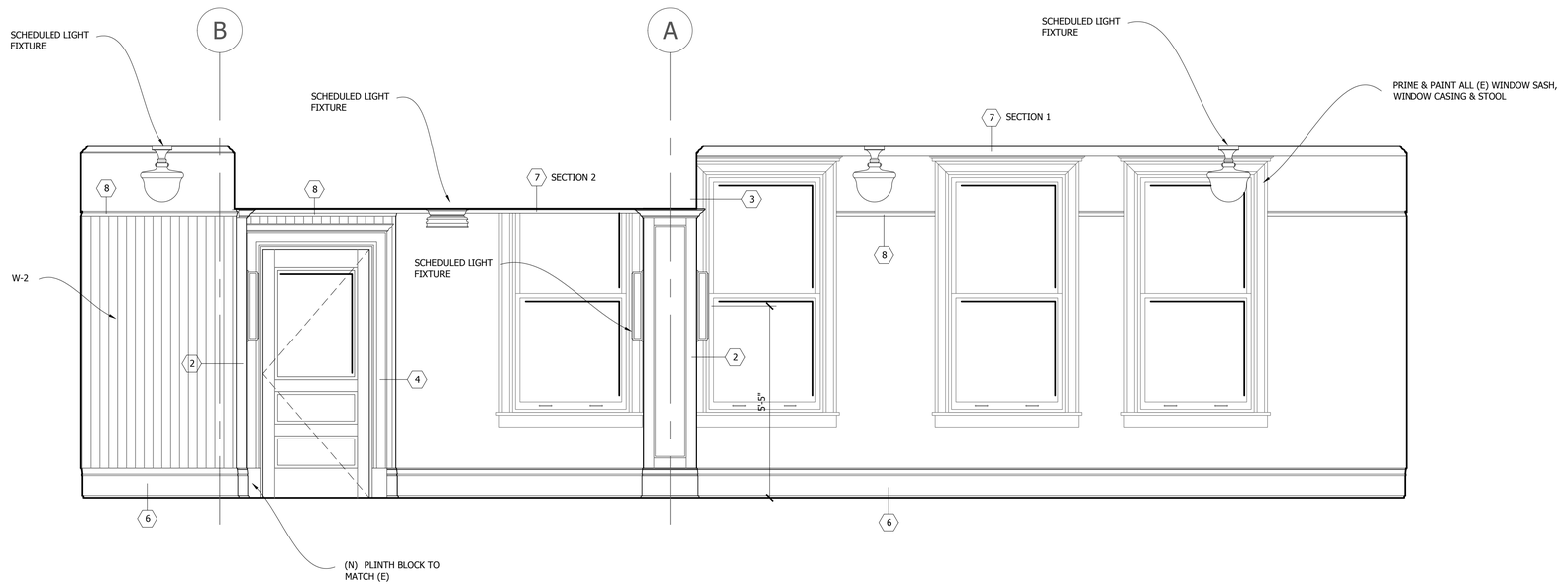
A6.5



5 INTERIOR ELEVATION

A2.2 : A6.6 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE

3/32" = 1' - 0"



13 INTERIOR ELEVATION

A2.2 : A6.6 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE

1/2" = 1' - 0"

GENERAL NOTES

1. PREPARE ALL WALL AND CEILING SURFACES TO RECEIVE NEW FINISHES.
2. REMOVE ALL ABANDON ELECTRICAL AND MECHANICAL INFRASTRUCTURE.
3. REMOVE ALL MISC. FASTENERS/NAILERS/HANGERS OR MATERIAL WITH NO PURPOSE. PATCH HOLES AS NEEDED FOLLOWING REMOVAL.
4. ALL WOOD TRIM/CASING TO REMAIN SHALL BE PREPARED FOR NEW PAINT FINISH.

REMODEL PLAN LEGEND

SYMBOL	DESCRIPTION
	INTERIOR ELEVATION NOTES
1	(N) ORNAMENTAL IRON MATERIAL LIFT PANELS & CORNICE
2	(N) ARCHITECTURAL COLUMN COVER TO MATCH (E) SEE DETAIL 13/A6.10
3	(N) GYP. BD. SOFFIT
4	(N) APPLIED CASING AND DOOR CAP MOULDING TO MATCH (E) SEE DETAIL 9/A9.1
5	(N) APPLIED CROWN MOLDING TO MATCH (E) SEE DETAIL 9/A9.1
6	(N) APPLIED BASE TO MATCH (E) SEE DETAIL 9/A9.1
7	(N) WD-1 BOX BEAM SEE DETAIL 15/A6.10
8	(N) APPLIED PICTURE RAIL TO MATCH (E) SEE DETAIL 9/A9.1

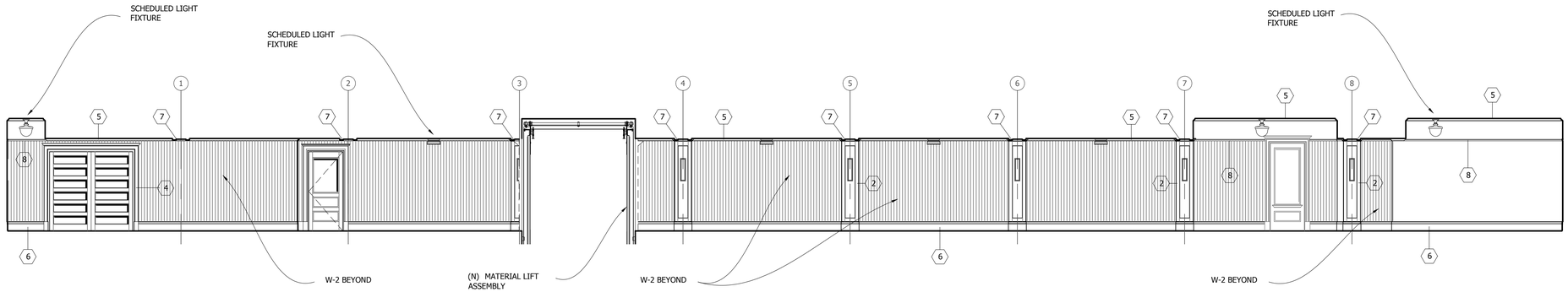
STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
1656
MONTANA
LICENSED ARCHITECT

DRAWING: INTERIOR ELEVATIONS
PROJECT: THE STAPLETON BUILDING
BILLINGS, MONTANA
OWNER: JEREMIAH YOUNG

PROJECT № 19002
ISSUE DATE 9/21/2020
REVISIONS

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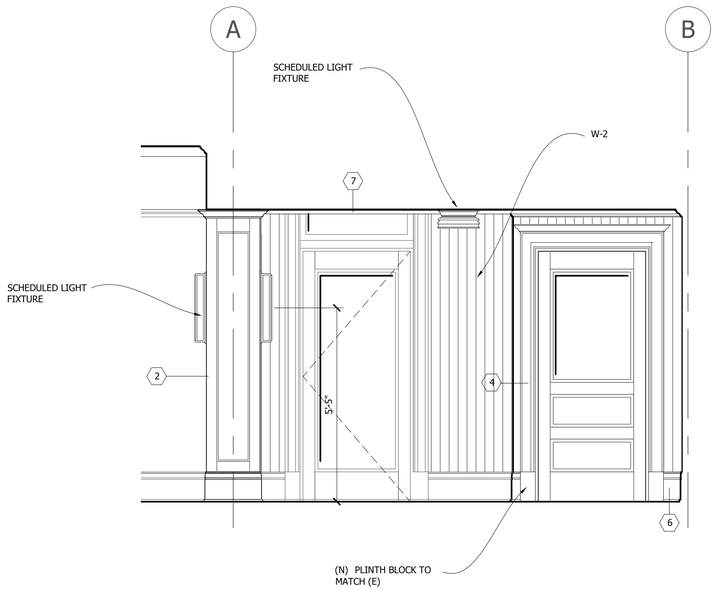
A6.6



5 INTERIOR ELEVATION

A2.2 : A6.7 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE

3/32" = 1' - 0"



13 INTERIOR ELEVATION

A2.2 : A6.7 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE

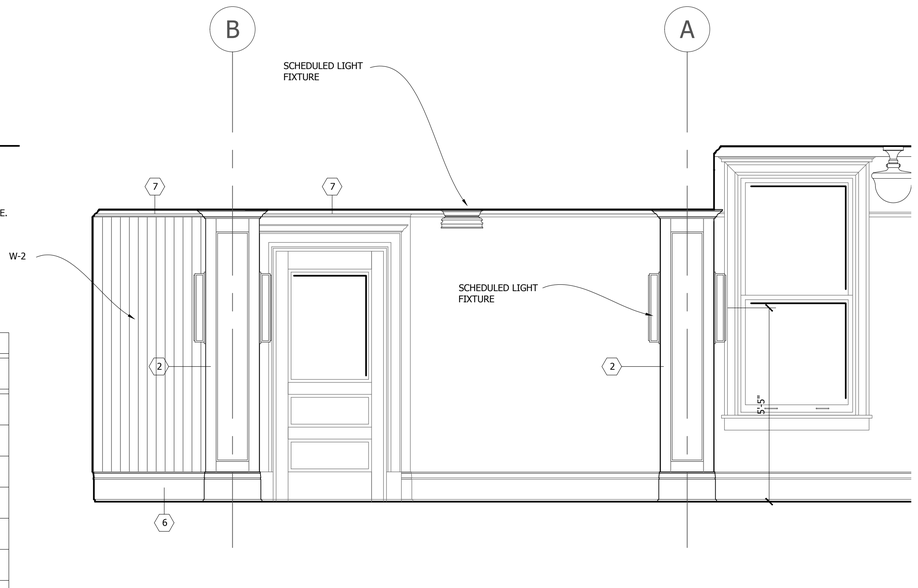
1/2" = 1' - 0"

GENERAL NOTES

1. PREPARE ALL WALL AND CEILING SURFACES TO RECEIVE NEW FINISHES.
2. REMOVE ALL ABANDON ELECTRICAL AND MECHANICAL INFRASTRUCTURE.
3. REMOVE ALL MISC. FASTENERS/NAILERS/HANGERS OR MATERIAL WITH NO PURPOSE. PATCH HOLES AS NEEDED FOLLOWING REMOVAL.
4. ALL WOOD TRIM/CASING TO REMAIN SHALL BE PREPARED FOR NEW PAINT FINISH.

REMODEL PLAN LEGEND

SYMBOL	DESCRIPTION
	INTERIOR ELEVATION NOTES
1	(N) ORNAMENTAL IRON MATERIAL LIFT PANELS & CORNICE
2	(N) ARCHITECTURAL COLUMN COVER TO MATCH (E) SEE DETAIL 13/A6.10
3	(N) GYP. BD. SOFFIT
4	(N) APPLIED CASING AND DOOR CAP MOULDING TO MATCH (E) SEE DETAIL 9/A9.1
5	(N) APPLIED CROWN MOLDING TO MATCH (E) SEE DETAIL 9/A9.1
6	(N) APPLIED BASE TO MATCH (E) SEE DETAIL 9/A9.1
7	(N) WD-1 BOX BEAM SEE DETAIL 15/A6.10
8	(N) APPLIED PICTURE RAIL TO MATCH (E) SEE DETAIL 9/A9.1



15 INTERIOR ELEVATION

A2.2 : A6.7 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE

1/2" = 1' - 0"

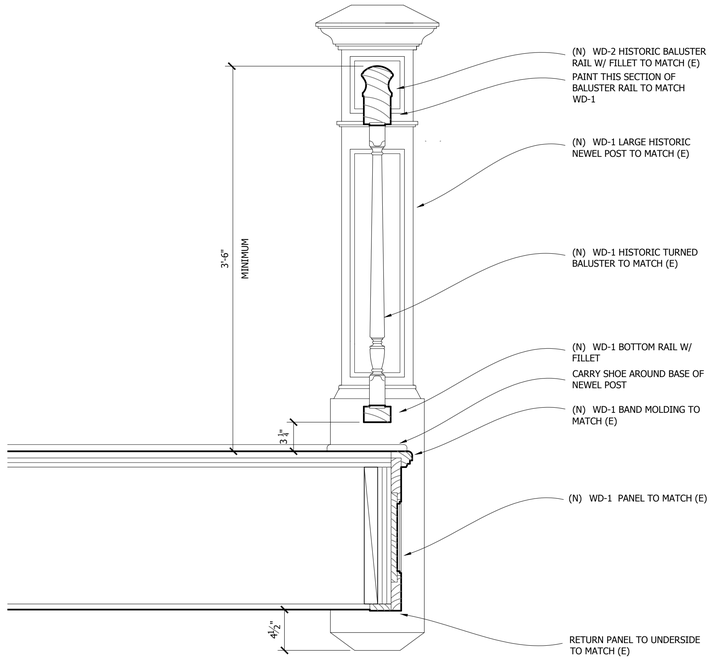
STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
1656
MONTANA
LICENSED ARCHITECT

DRAWING: INTERIOR ELEVATIONS
PROJECT: THE STAPLETON BUILDING
BILLINGS, MONTANA
OWNER: JEREMIAH YOUNG

PROJECT № 19002
ISSUE DATE 9/21/2020
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A6.7



3 GUARDRAIL SECTION TYP. @ CORNER NEWEL POST

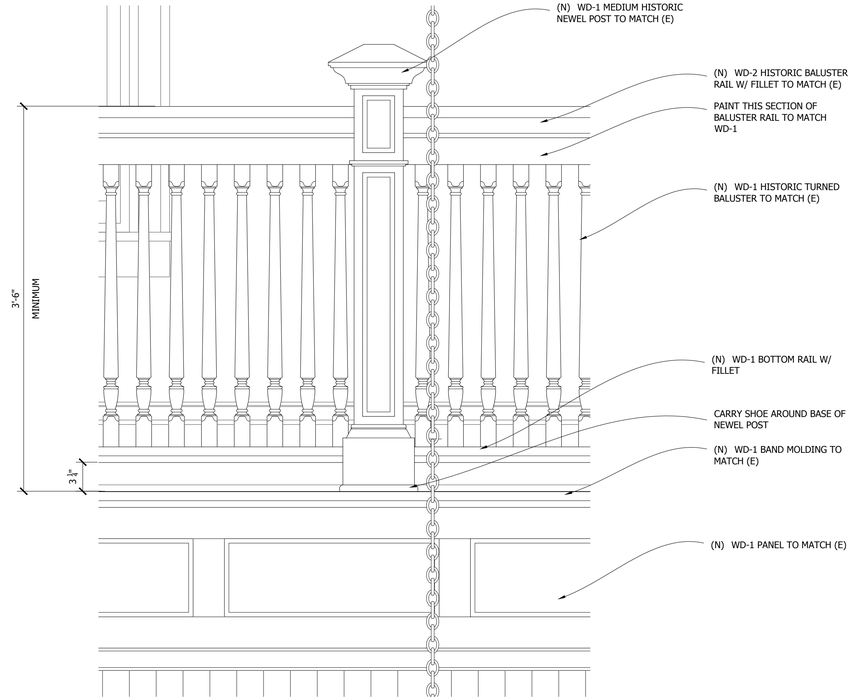
A6.1 : A6.8 — 1 1/2" = 1' - 0"

GENERAL NOTES

1. PREPARE ALL WALL AND CEILING SURFACES TO RECEIVE NEW FINISHES.
2. REMOVE ALL ABANDON ELECTRICAL AND MECHANICAL INFRASTRUCTURE.
3. REMOVE ALL MISC. FASTENERS/NAILERS/HANGERS OR MATERIAL WITH NO PURPOSE. PATCH HOLES AS NEEDED FOLLOWING REMOVAL.
4. ALL WOOD TRIM/CASING TO REMAIN SHALL BE PREPARED FOR NEW PAINT FINISH.

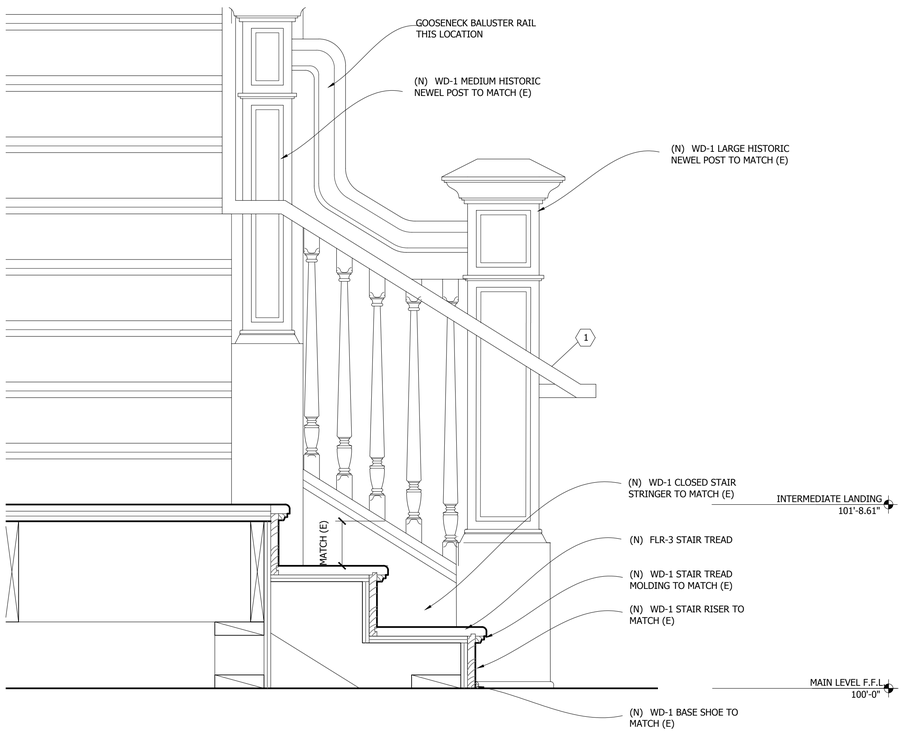
REMODEL PLAN LEGEND

SYMBOL	DESCRIPTION
	DETAIL NOTES
1	(N) 1 1/2" DIA. STEEL HANDRAIL ASSEMBLY



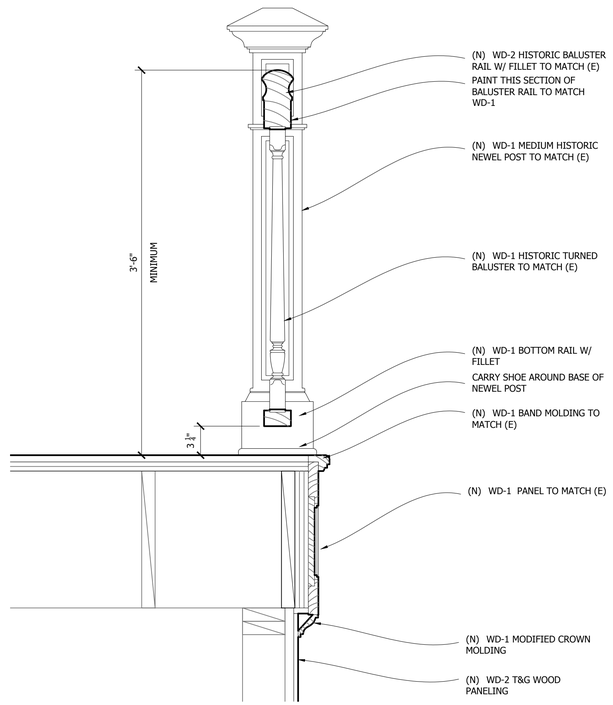
5 GUARDRAIL ELEVATION TYP. @ INTERMEDIATE NEWEL POST

VARIOUS : A6.8 — 1 1/2" = 1' - 0"



13 STAIR SECTION

A6.2 : A6.8 — 1 1/2" = 1' - 0"



15 GUARDRAIL SECTION TYP. @ INTERMEDIATE NEWEL POST

VARIOUS : A6.8 — 1 1/2" = 1' - 0"

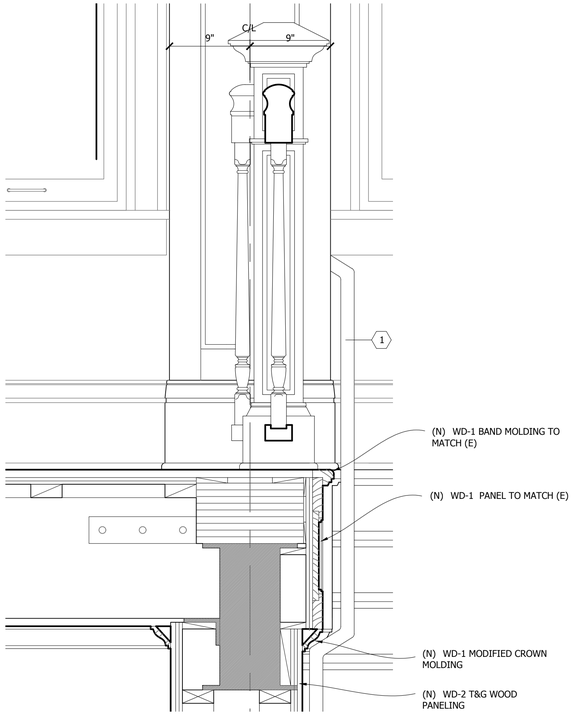
STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
16656
MONTANA
LICENSED ARCHITECT

DRAWING: DETAILS
PROJECT: THE STAPLETON BUILDING
BILLINGS, MONTANA
OWNER: JEREMIAH YOUNG

PROJECT № 19002
ISSUE DATE 9/21/2020
REVISIONS

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A6.8



3 (E) BEAM SECTION TYP. @ COLUMN COVER AT GRID A

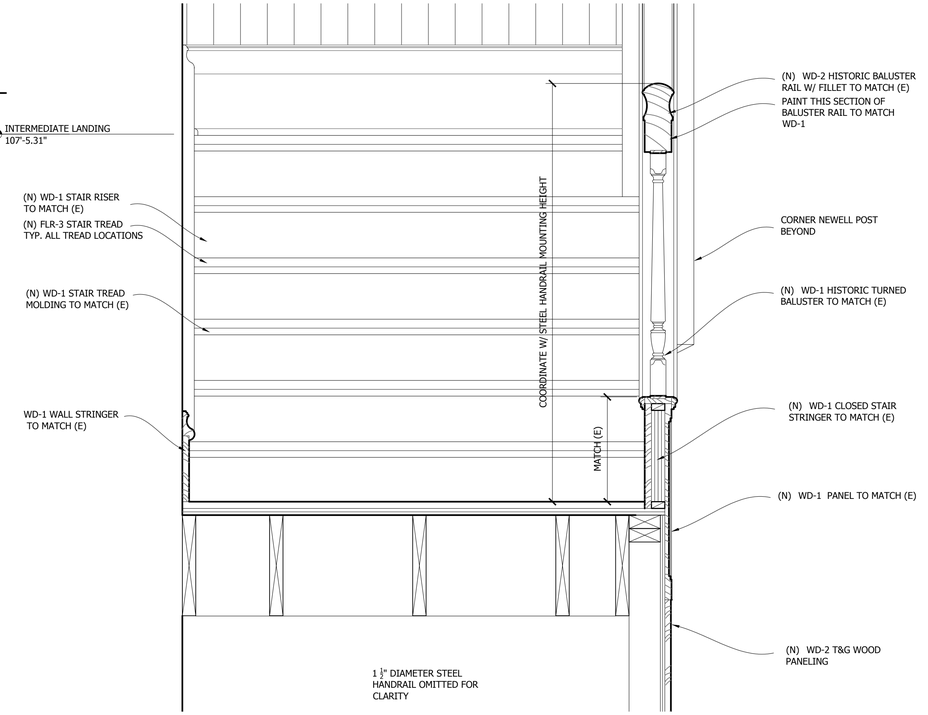
A6.2 : A6.9 — 1 1/2" = 1' - 0"

GENERAL NOTES

1. PREPARE ALL WALL AND CEILING SURFACES TO RECEIVE NEW FINISHES.
2. REMOVE ALL ABANDON ELECTRICAL AND MECHANICAL INFRASTRUCTURE.
3. REMOVE ALL MISC. FASTENERS/NAILERS/HANGERS OR MATERIAL WITH NO PURPOSE. PATCH HOLES AS NEEDED FOLLOWING REMOVAL.
4. ALL WOOD TRIM/CASING TO REMAIN SHALL BE PREPARED FOR NEW PAINT FINISH.

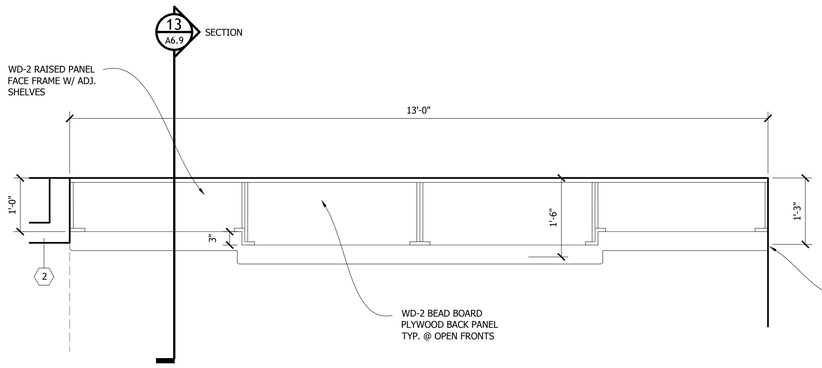
REMODEL PLAN LEGEND

SYMBOL	DESCRIPTION
	DETAIL NOTES
1	(N) 1 1/2" DIA. STEEL HANDRAIL ASSEMBLY
2	(N) ARCHITECTURAL COLUMN COVER TO MATCH (E) SEE DETAIL 13/A6.10
3	(N) APPLIED BASE TO MATCH (E) SEE DETAIL 9/A9.1

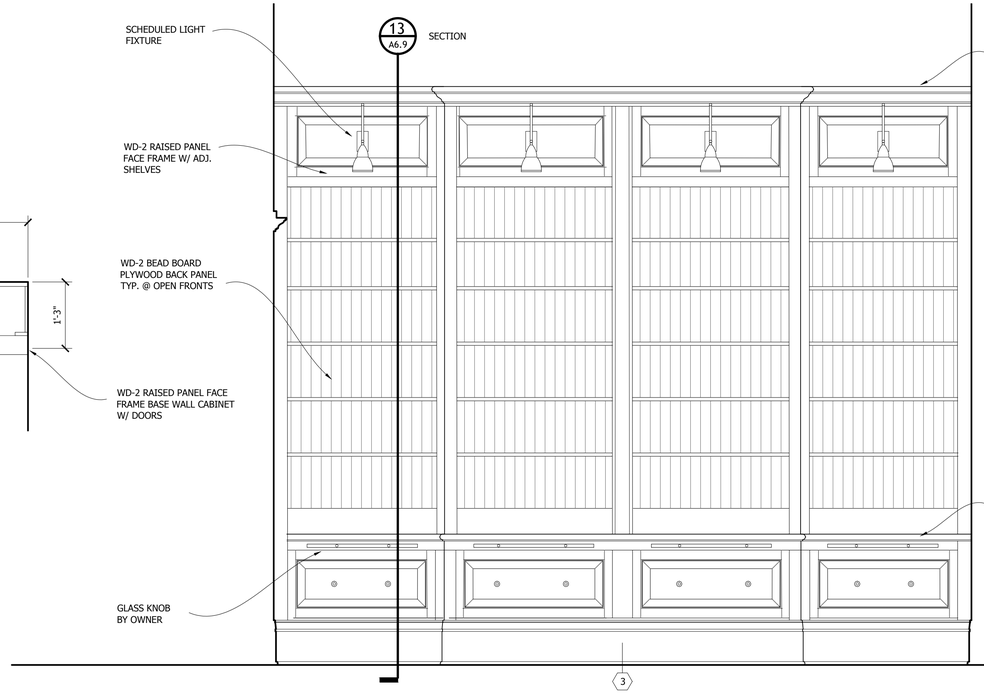


5 TYP. HANDRAIL SECTION @ STAIR

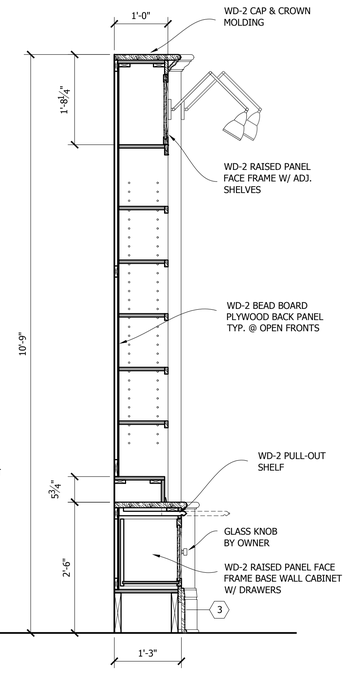
VARIOUS : A6.9 — 1 1/2" = 1' - 0"



MERCANTILE DISPLAY CABINET PLAN



MERCANTILE DISPLAY CABINET FRONT ELEVATION



MERCANTILE DISPLAY CABINET SECTION

13 CASEWORK DETAILS

A3.1 : A6.9 — 3/4" = 1' - 0"

STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
1656
MONTANA
LICENSED ARCHITECT

DETAILS
DRAWING

THE STAPLETON BUILDING
BILLINGS, MONTANA
PROJECT

JEREMIAH YOUNG
OWNER

PROJECT № 19002
ISSUE DATE 9/21/2020
REVISIONS

NORTH
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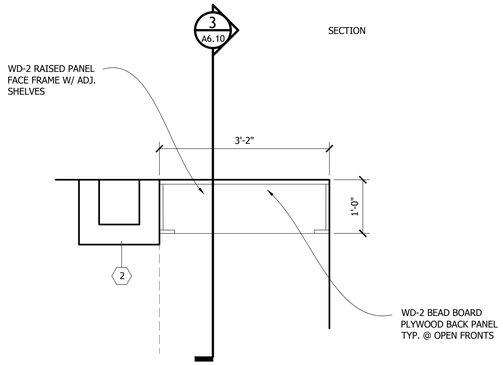
A6.9

GENERAL NOTES

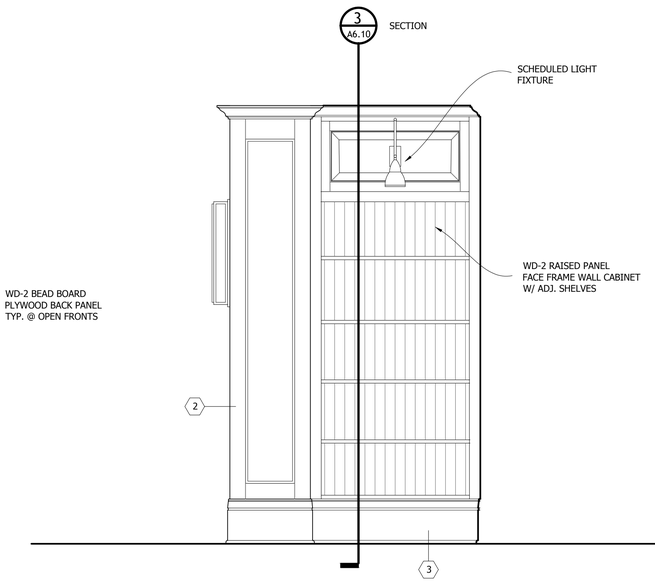
1. PREPARE ALL WALL AND CEILING SURFACES TO RECEIVE NEW FINISHES.
2. REMOVE ALL ABANDON ELECTRICAL AND MECHANICAL INFRASTRUCTURE.
3. REMOVE ALL MISC. FASTENERS/NAILERS/HANGERS OR MATERIAL WITH NO PURPOSE. PATCH HOLES AS NEEDED FOLLOWING REMOVAL.
4. ALL WOOD TRIM/CASING TO REMAIN SHALL BE PREPARED FOR NEW PAINT FINISH.

REMODEL PLAN LEGEND

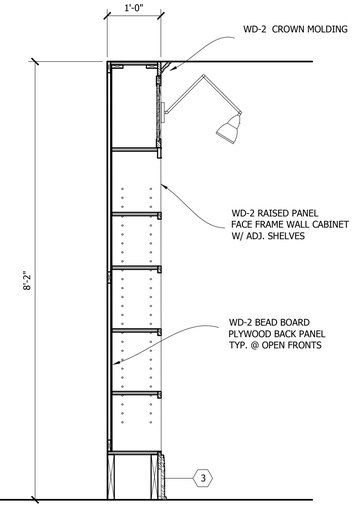
SYMBOL	DESCRIPTION
	DETAIL NOTES
1	(N) 1 1/2" DIA. STEEL HANDRAIL ASSEMBLY
2	(N) ARCHITECTURAL COLUMN COVER TO MATCH (E) SEE DETAIL 13/A6.10
3	(N) APPLIED BASE TO MATCH (E) SEE DETAIL 9/A9.1



MERCANTILE DISPLAY CABINET PLAN



MERCANTILE DISPLAY CABINET FRONT ELEVATION

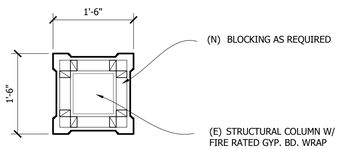


MERCANTILE DISPLAY CABINET SECTION

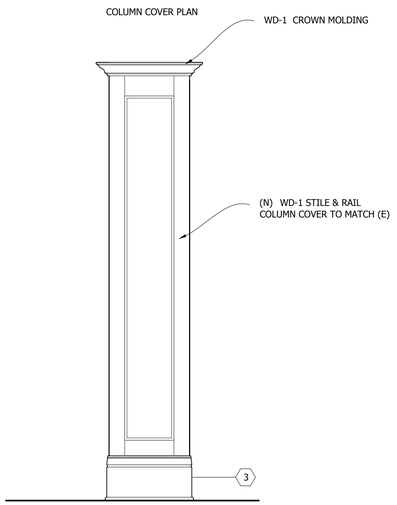
3 CASEWORK DETAILS

A2.2 : A6.10

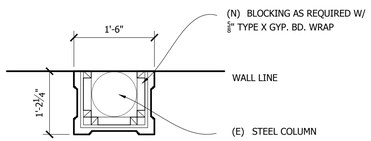
3/4" = 1' - 0"



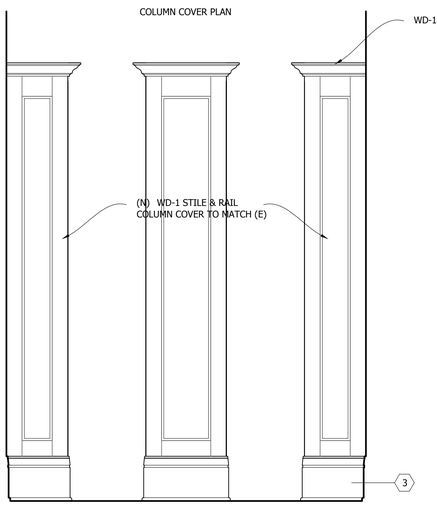
COLUMN COVER PLAN



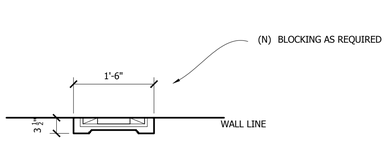
COLUMN COVER ELEVATION (ALL FOUR SIDES)



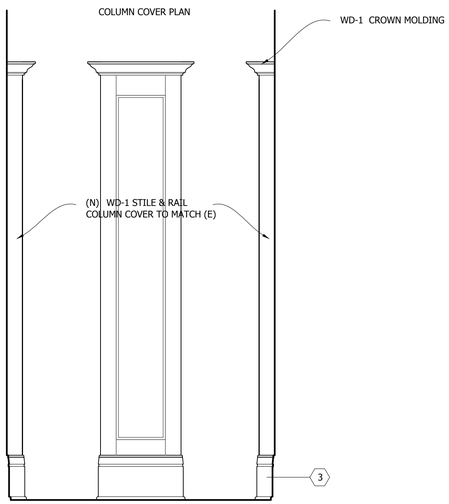
COLUMN COVER PLAN



COLUMN COVER ELEVATIONS



COLUMN COVER PLAN

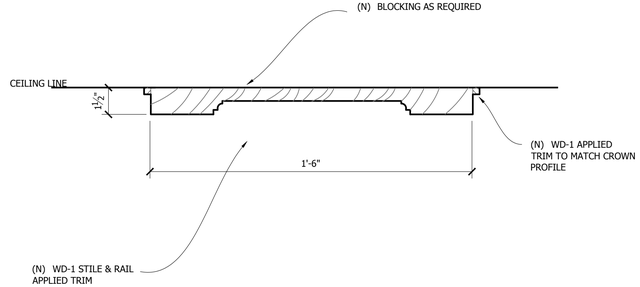


COLUMN COVER ELEVATIONS

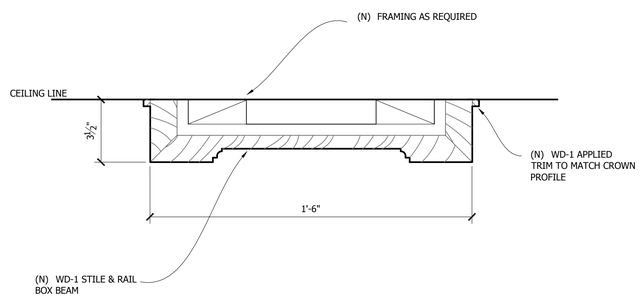
13 TYP. COLUMN COVER DETAILS

VARIOUS : A6.10

3/4" = 1' - 0"



BEAM SECTION 2



BEAM SECTION 1

15 TYP. CEILING BEAM DETAILS

VARIOUS : A6.10

3" = 1' - 0"

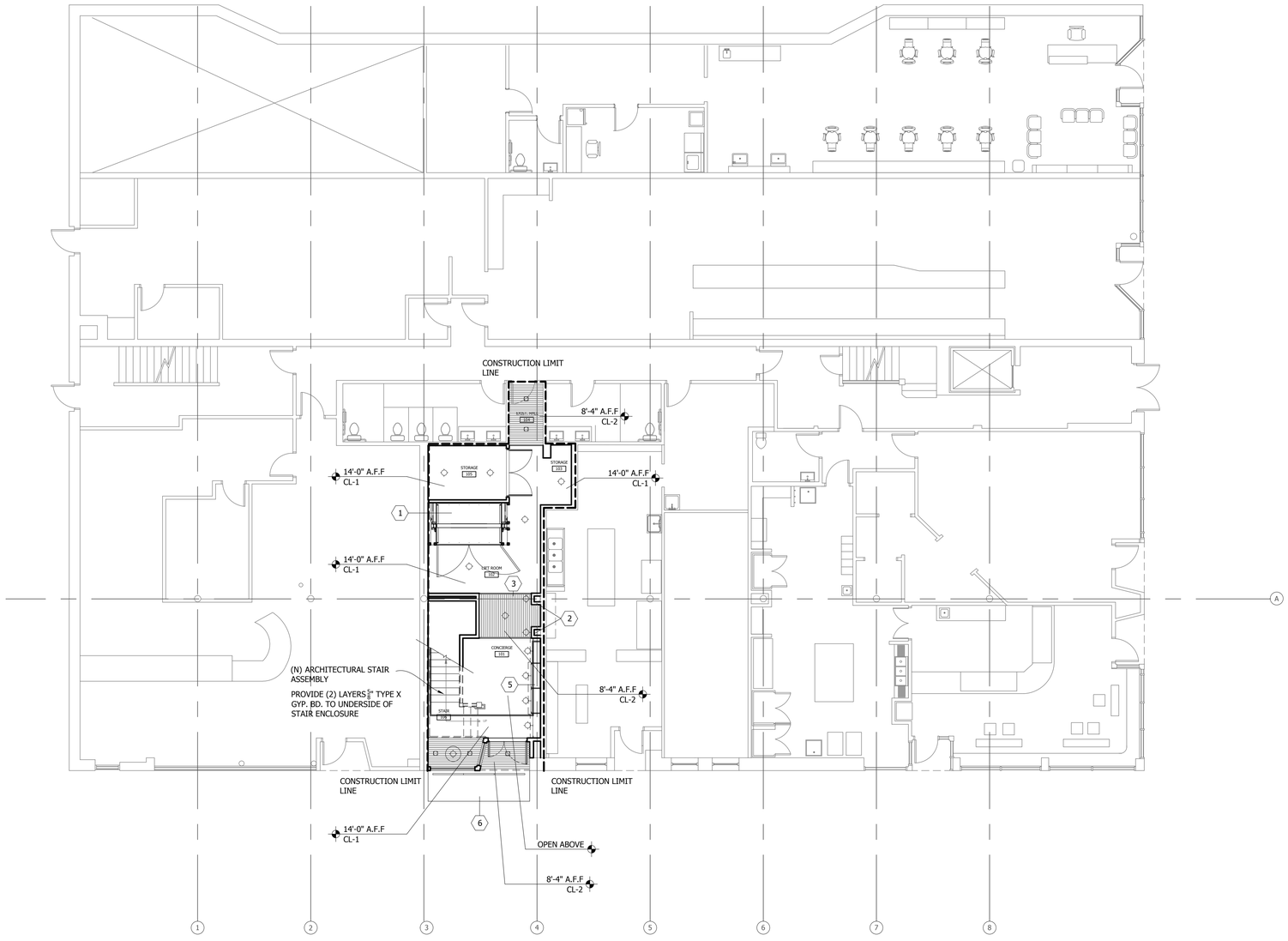
STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
1656
MONTANA
LICENSED ARCHITECT

DRAWING DETAILS
PROJECT THE STAPLETON BUILDING
BILLINGS, MONTANA
OWNER JEREMIAH YOUNG

PROJECT № 19002
ISSUE DATE 9/21/2020
REVISIONS

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A6.10



PLAN LEGEND

SYMBOL	DESCRIPTION
	EXISTING WALLS & BUILDING ELEMENTS TO REMAIN
	EXISTING WALLS & BUILDING ELEMENTS TO BE DEMOLISHED
	EXISTING RATED WALL ASSEMBLY TO REMAIN
	NEW WALL CONSTRUCTION REFERENCE WALL TYPES LEGEND

GENERAL NOTES

1. ALL (E) WALLS ARE WOOD FRAMING AND OPEN TO THE REMODEL SIDE OF THE WALL.
2. PREPARE ALL CEILING SURFACES TO RECEIVE NEW FINISHES.

REMODEL PLAN LEGEND

SYMBOL	DESCRIPTION
	MAIN LEVEL REFLECTED CEILING PLAN NOTES
1	(N) MATERIAL LIFT
2	(N) ARCHITECTURAL COLUMN COVER TO MATCH (E) SEE DETAIL 13/A6.10
3	LINE OF SOFFIT
4	LINE OF (N) WD-1 BOX BEAM SEE DETAIL 15/A6.10
5	(N) ARCHITECTURAL CASEWORK
6	LINE OF (N) AWNING ABOVE BY OWNER

REFERENCE

16 MAIN LEVEL REFLECTED CEILING PLAN

A2.1 : A7.1 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE

1/8" = 1' - 0"

STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
1656
MONTANA
LICENSED ARCHITECT

DRAWING MAIN LEVEL REFLECTED CEILING PLAN
PROJECT THE STAPLETON BUILDING
BILLINGS, MONTANA
OWNER JEREMIAH YOUNG

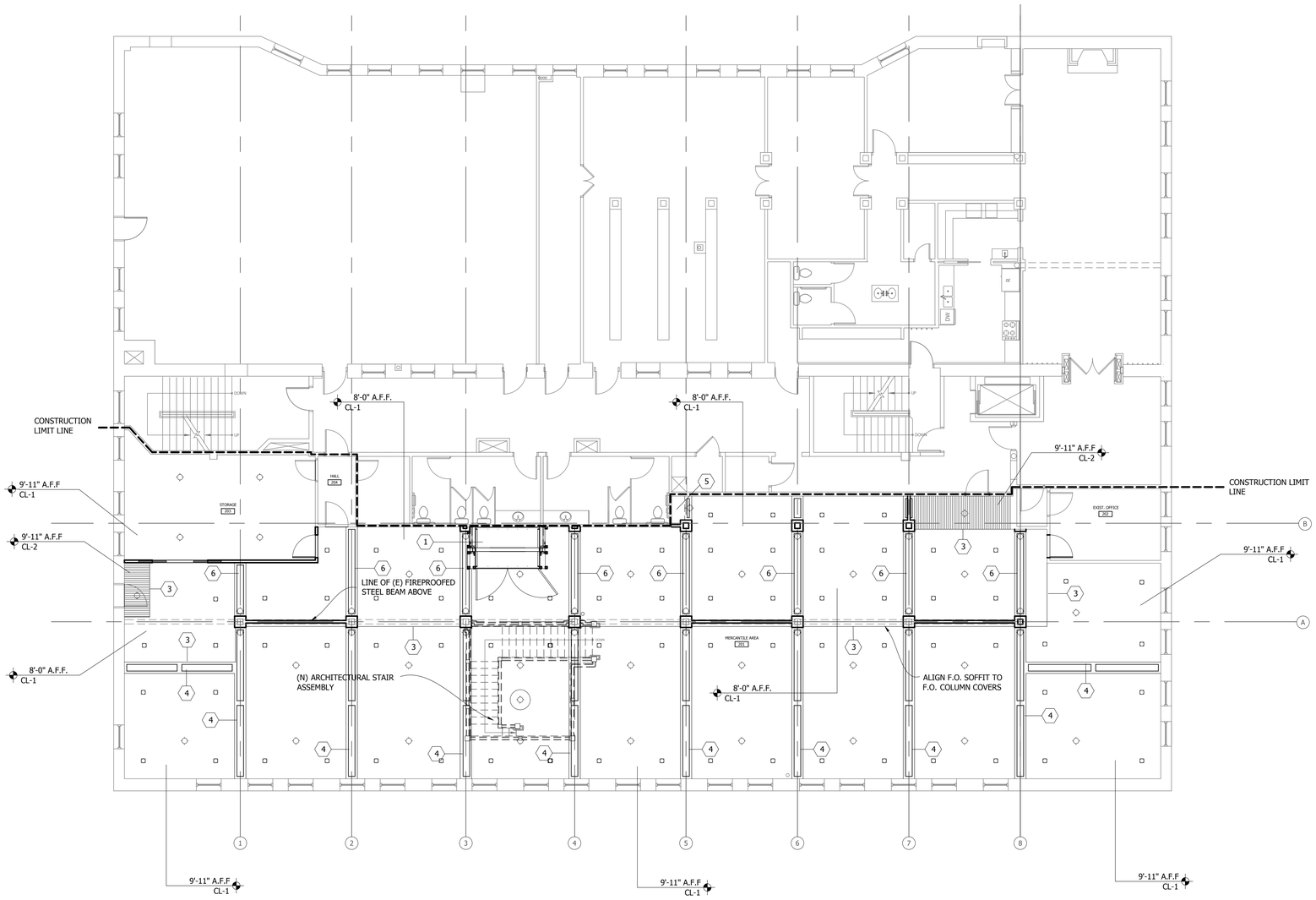
PROJECT № 19002
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A7.1



PLAN LEGEND

SYMBOL	DESCRIPTION
	EXISTING WALLS & BUILDING ELEMENTS TO REMAIN
	EXISTING WALLS & BUILDING ELEMENTS TO BE DEMOLISHED
	EXISTING RATED WALL ASSEMBLY TO REMAIN
	NEW WALL CONSTRUCTION REFERENCE WALL TYPES LEGEND

GENERAL NOTES

1. ALL (E) WALLS ARE WOOD FRAMING AND OPEN TO THE REMODEL SIDE OF THE WALL.
2. PREPARE ALL CEILING SURFACES TO RECEIVE NEW FINISHES.

SUSPENDED GYP. CEILING SPECIFICATION

CEILING SYSTEM SHALL COMPLY WITH 2018 IBC
THE DESIGN IS BASED UPON UL#G527 ASSEMBLY

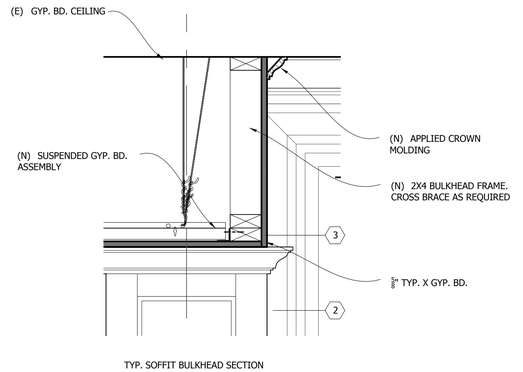
CROSS CHANNEL SPACING: 16" O.C.
CROSS TEE SPACING: 48" O.C.

#8 GALV. WIRE SPACING 36" O.C. MAX

PROVIDE LATERAL CROSS BRACING WIRE AS REQUIRED BY CODE

REMODEL PLAN LEGEND

SYMBOL	DESCRIPTION
	SECOND LEVEL REFLECTED CEILING PLAN NOTES
1	(N) MATERIAL LIFT
2	(N) ARCHITECTURAL COLUMN COVER TO MATCH (E) SEE DETAIL 13/A6.10
3	LINE OF SOFFIT
4	LINE OF (N) WD-1 BOX BEAM SECTION 1 SEE DETAIL 15/A6.10
5	(N) ARCHITECTURAL CASEWORK
6	LINE OF (N) WD-1 BOX BEAM SECTION 2 SEE DETAIL 15/A6.10



TYP. SOFFIT BULKHEAD SECTION

REFERENCE

16 SECOND LEVEL REFLECTED CEILING PLAN

A2.2 : A7.2 REFERENCE SHEET A9.1 FOR FINISH SCHEDULE

1/8" = 1' - 0"

STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
4656
MONTANA
LICENSED ARCHITECT

SECOND LEVEL REFLECTED CEILING PLAN

THE STAPLETON BUILDING
BILLINGS, MONTANA

JEREMIAH YOUNG

DRAWING
PROJECT
OWNER

PROJECT № 19002
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A7.2

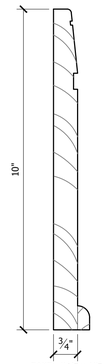
FINISH LEGEND

FLOOR	FLR-1	DALTILE 1X1 CERAMIC MOSAIC TILE TO MATCH (E) PATTERN BY OWNER. INCLUDE TILE INSTALLATION IN CONTRACT.
	FLR-2	CARPET & INSTALLATION BY OWNER
	FLR-3	RIFT CUT NARROW BOARD WHITE OAK HARDWOOD T&G FLOORING & SOLID WOOD STAIR TREADS. STAIN AND VARNISH TO MATCH WD-2
BASE	B-1	WD-1 NEW WOOD BASE & SHOE TO MATCH (E)
WALL	W-1	PAINTED GYP. BD. TO MATCH (E) FINISH STANDARD
	W-2	WD-1 T & G PANELING
WOODS	WD-1	PAINT GRADE POPLAR OR SIMILAR
	WD-2	OAK TO MATCH (E) GRADE & CUT. STAIN & VARNISH TO MATCH (E)
CEILING	CL-1	PAINTED GYP. BD. TO MATCH (E) FINISH STANDARD
	CL-2	WD-1 T & G PANELING

9/A9.1 WOOD TRIM PROFILES TO MATCH EXISTING (REPRESENTATIVE EXAMPLES)

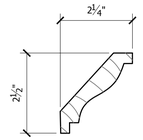
MOST STANDING & RUNNING TRIM HAS BEEN PRODUCED AND IS STORED ON SITE. CONTRACTOR TO INVENTORY (E) MATERIAL AGAINST PROJECT REQUIREMENTS.

WD-1 NEW WOOD BASE & SHOE



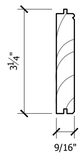
BASE: 3/4" x 10"
SHOE: 1/2" x 3/4"

WD-1 CROWN MOLDING



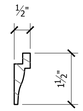
3/4" x 3 7/16"

WD-1 T & G PANELING



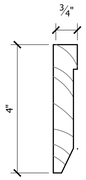
9/16" x 3 1/4"

WD-1 PICTURE MOLDING



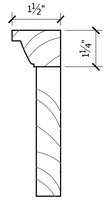
1/2" x 1 1/2"

WD-1 DOOR CASING



3/4" x 4"

WD-1 DOOR CAP MOULDING

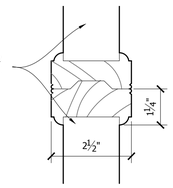


1 1/4" x 1 1/2"

WD-1 ASTRAGAL (SWING)

3/4" x 1 3/4"

WD-1 ASTRAGAL (POCKET)



1 1/4" x 2 1/2"

DOOR HARDWARE

DOOR HARDWARE GROUP NO. 1
DOOR NUMBER: 001.1

PAIR RAISED PANEL EXTERIOR DOORS
EACH PAIR TO HAVE:

QTY	PART #	DESCRIPTION	FINISH	VENDOR
1		ENTRANCE SET	US10B	BY OWNER
8		4" BALL BEARING HINGES	US10B	BY OWNER
2		FLUSH BOLTS	US10B	MATCH (E)
2		FLOOR STOPS W/ HOOK & EYE	US10B	BY OWNER
1		DOOR CLOSER	US10B	MATCH (E)
6		IMPACT BARS	US10B	BY OWNER

DOOR HARDWARE GROUP NO. 2
DOOR NUMBER: 105.1

PAIR RAISED PANEL INTERIOR DOORS
EACH PAIR TO HAVE:

QTY	PART #	DESCRIPTION	FINISH	VENDOR
1		STOREROOM SET	US10B	BY OWNER
6		4" BALL BEARING HINGES	US10B	BY OWNER
2		FLUSH BOLTS	US10B	MATCH (E)
2		FLOOR STOPS W/ HOOK & EYE	US10B	BY OWNER
1		DOOR CLOSER	US10B	MATCH (E)

DOOR HARDWARE GROUP NO. 3 (MATCH EXISTING)
DOOR NUMBER: 202.1, 203.1

SINGLE RAISED PANEL INTERIOR DOOR W/ TEMPERED VIEW PANEL
EACH DOOR TO HAVE:

QTY	PART #	DESCRIPTION	FINISH	VENDOR
1		PASSAGE SET	US10B	BY OWNER
3		4" BALL BEARING HINGES	US10B	BY OWNER
1		FLOOR STOPS W/ HOOK & EYE	US10B	BY OWNER
1		DOOR CLOSER	US10B	MATCH (E)

DOOR HARDWARE GROUP NO. 4
DOOR NUMBER: 203.2

PAIR RAISED PANEL INTERIOR POCKET DOORS W/ TEMPERED VIEW PANELS
EACH PAIR TO HAVE:

QTY	PART #	DESCRIPTION	FINISH	VENDOR
1	940.80.400	HAWA TRACK	US10B	HAFELE
1	940.81.009	HAWA ROLLERS	US10B	HAFELE
1	940.41.130	HAWA BOTTOM TRACK	US10B	HAFELE

DOOR HARDWARE GROUP NO. 5
DOOR NUMBER: 201.2

SINGLE RAISED PANEL INTERIOR DOOR W/ TEMPERED VIEW PANEL
EACH DOOR TO HAVE:

QTY	PART #	DESCRIPTION	FINISH	VENDOR
1	ED3600	MORTISE CROSSBAR EXIT DEVICE	US10B	CW
1	T33M55ET	CLASSROOM TRIM W/ CYLINDER	US10B	CW
3		4" BALL BEARING HINGES	US10B	BY OWNER
1		FLOOR STOPS W/ HOOK & EYE	US10B	BY OWNER
1		DOOR CLOSER	US10B	MATCH (E)

DOOR HARDWARE GROUP NO. 6
DOOR NUMBER: 201.1, 204.1

EXISTING INTERIOR DOOR
EACH DOOR TO HAVE:

QTY	PART #	DESCRIPTION	FINISH	VENDOR
1	ED3600	MORTISE CROSSBAR EXIT DEVICE	US10B	CW
1	T33M55ET	CLASSROOM TRIM W/ CYLINDER	US10B	CW

ROOM FINISH SCHEDULE

ROOM #	ROOM NAME	FLOOR MAT.	FLOOR BASE	WALLS NORTH	WALLS EAST	WALLS SOUTH	WALLS WEST	CEILING MAT.	CEILING HEIGHT	CEILING NOTES	REMARKS
	MAIN LEVEL										
101	CONCIERGE	FLR-1	B-1	W-2	W-1	W-2	W-2	OPEN			
102	LIFT ROOM	FLR-1	B-1	W-1	W-1	W-2	W-1	CL-1	14'-0"		
103	STORAGE	FLR-1	B-1	W-1	W-1	W-1	OPEN	CL-1	14'-0"		
104	EXIST. HALL	FLR-1	B-1	W-1	W-1	OPEN	W-1	CL-2	8'-4"		
105	STORAGE	FLR-1	B-1	W-1	W-1	W-1	W-1	CL-1	14'-0"		
106	STAIR	FLR-3	B-1	W-2	OPEN	OPEN	W-2	OPEN			
	SECOND LEVEL										
201	MERCANTILE AREA	FLR-2	B-1	REFERENCE INTERIOR ELEVATIONS				CL-1/CL-2	8'-0"/9'-11"		
202	EXIST. OFFICE	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	PATCH & REPAIR	EXISTING	9'-11"		
203	STORAGE	FLR-2	B-1	W-1/W-2	W-1/W-2	W-1/W-2	W-1/W-2	CL-1	9'-11"		RUN W-2 TO 8'-0" MAX LENGTH W/ CAP TO MATCH (E)
204	HALL	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	9'-11"		

PAINT COLOR SCHEDULE

NOTES TO CONTRACTOR:

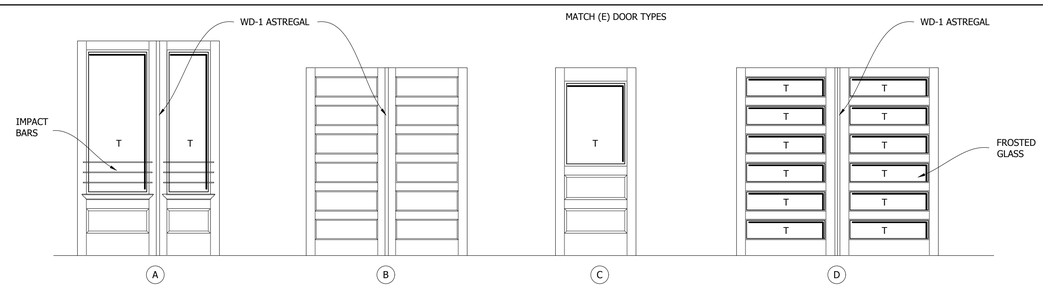
1. REFER TO THE INTERIOR ELEVATION SHEETS FOR DETAILED FINISH LOCATIONS.
2. NOTATION EXAMPLE: W-1/(3)
   W-1 - INDICATES WALL FINISH
   (3) - INDICATES PAINT COLOR
   (1)PT-1 SPECIFICATION & COLORS TO MATCH (E)

DOOR SCHEDULE

DESIGNATION	NOMINAL SIZE			DOOR			FRAME			HARDWARE GROUP	REMARKS
DOOR NO.	W	H	T	TYPE	MATERIAL	FINISH	TYPE	MATERIAL	FINISH		
MAIN LEVEL											
101.1	PAIR 5'-0"	8'-0"	2 1/4"	A	WD-1	PAINT	A	WD-1	PAINT	1	TEMPERED THERMAL INSULATED GLASS VIEW PANEL
105.1	PAIR 6'-0"	7'-0"	1 3/4"	B	WD-1	PAINT	B	WD-1	PAINT	2	
SECOND LEVEL											
201.1	3'-0"	7'-0"	1 3/4"	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	6	(E) DOOR, FRAME, & HARDWARE TO REMAIN (REMOVE MORTISED PRIVACY SET)
201.2	3'-0"	7'-0"	1 3/4"	C	WD-1	PAINT	EXISTING	EXISTING	EXISTING	5	FRAME TO REMAIN
202.1	3'-0"	7'-0"	1 3/4"	C	WD-1	PAINT	C	WD-1	PAINT	3	TEMPERED GLASS VIEW PANEL
203.1	3'-0"	7'-0"	1 3/4"	C	WD-1	PAINT	C	WD-1	PAINT	3	TEMPERED GLASS VIEW PANEL
203.2	PAIR 7'-4"	7'-0"	1 3/4"	D	WD-1	PAINT	D	WD-1	PAINT	4	POCKET DOORS W/ TEMPERED GLASS PANELS
204.1	3'-0"	7'-0"	1 3/4"	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	6	(E) DOOR, FRAME, & HARDWARE TO REMAIN (REMOVE MORTISED PRIVACY SET)

T - TEMPERED SAFETY GLASS

DOOR TYPES



DOOR FRAMES



STATE OF MONTANA
BILLINGS
DENNIS LYNN DEPPMEIER
16656
MONTANA
LICENSED ARCHITECT

SCHEDULES

THE STAPLETON BUILDING
BILLINGS, MONTANA

JEREMIAH YOUNG

DRAWING
PROJECT
OWNER

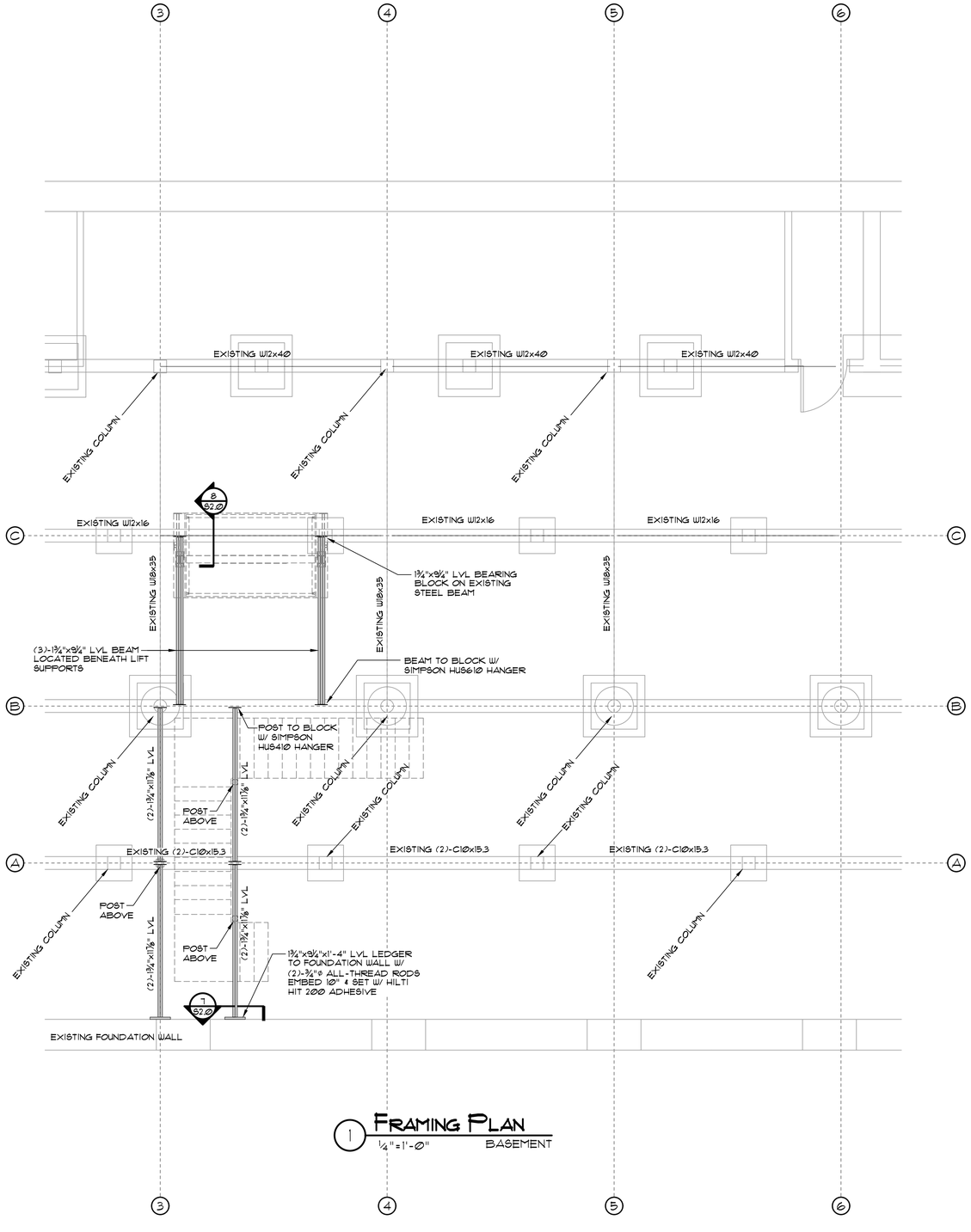
PROJECT № 19002
ISSUE DATE 9/21/2020
REVISIONS

NORTH
DENNIS LYNN DEPPMEIER, AIA
PRINCIPAL

128 CLARK AVE., BILLINGS, MT 59101
MOB 406-855-1529 **TEL** 406-254-7328

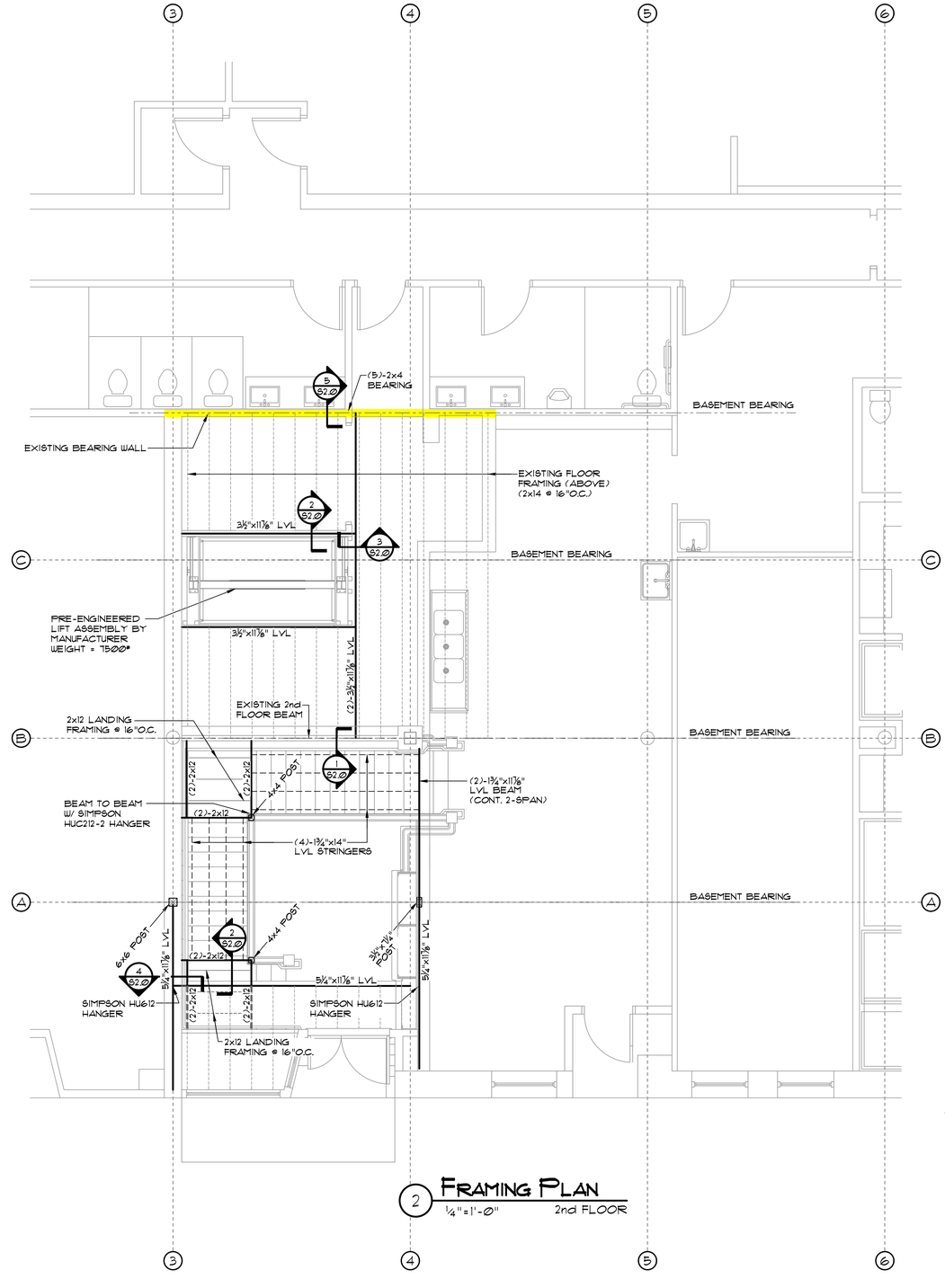
blueboy@bresnan.net

A9.1



1 FRAMING PLAN

¼"=1'-0" BASEMENT



2 FRAMING PLAN

¼"=1'-0" 2nd FLOOR

9/23/20 8363-kibler-s1.0.dwg

printed scale: 1/4" = 1'-0"

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Kibler & Kirch
104 North Broadway
Billings, Montana

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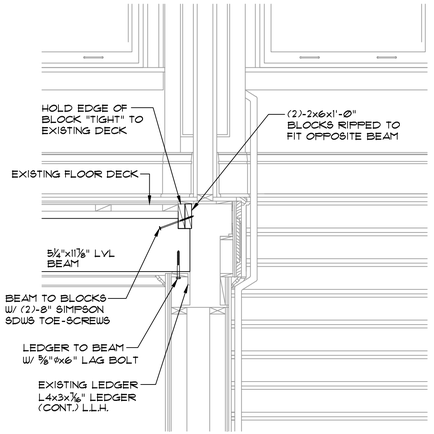
ANY UNAUTHORIZED USE OF THESE DRAWINGS IS PROHIBITED

MONTANA MATT KRIVONEN 18076 REGISTERED PROFESSIONAL ENGINEER

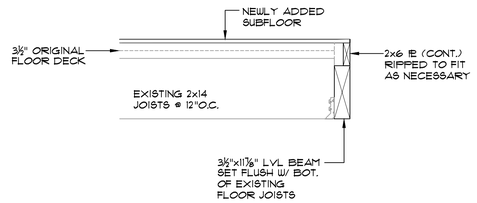
SHEET DESCRIPTION:
Framing Plans

CADD DRAFTER: TB
ENGINEER: MK
SCALE: 1/4" = 1'-0"
DATE: 9.21.2020
JOB NUMBER: 8363

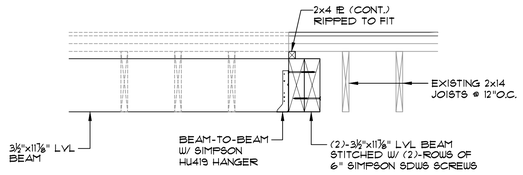
SHEET:
S1.0



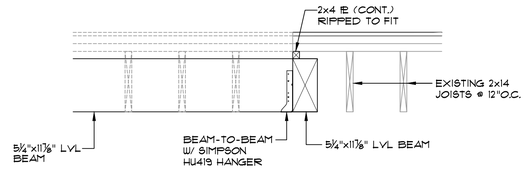
1 SECTION
¾"=1'-0"



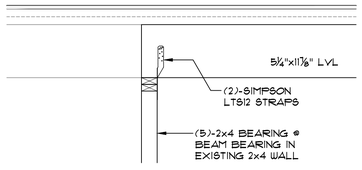
2 SECTION
¾"=1'-0"



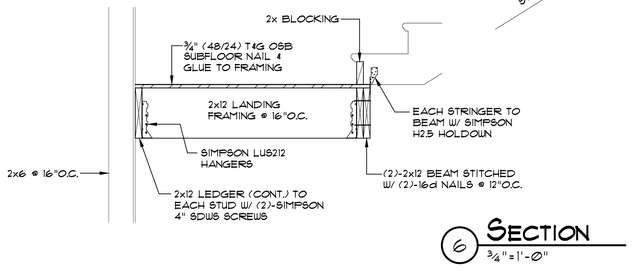
3 SECTION
¾"=1'-0"

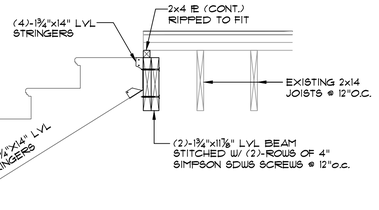


4 SECTION
¾"=1'-0"

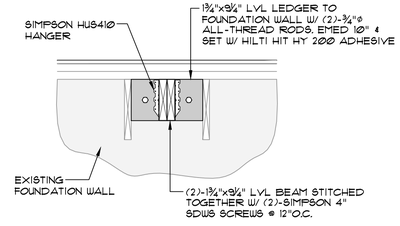


5 SECTION
¾"=1'-0"

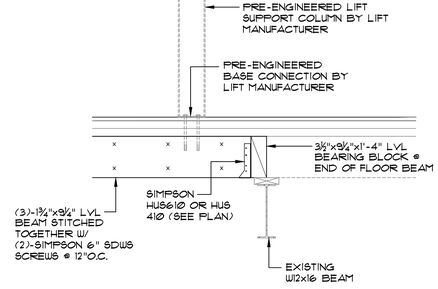




6 SECTION
¾"=1'-0"



7 SECTION
¾"=1'-0"



8 SECTION
¾"=1'-0"

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MONTANA MATT KRIVONEN 15076 REGISTERED PROFESSIONAL ENGINEER

SHEET DESCRIPTION:

Details & Sections

CADD DRAFTER: TB
ENGINEER: MK
SCALE: 1/4" = 1'-0"
DATE: 9.21.2020
JOB NUMBER: 8363

SHEET:

S2.0

9/18/20 8363-kibler-s2.0.dwg

printed scale: 1/4" = 1'-0"

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STRUCTURAL NOTES

GOVERNING CODES

INTERNATIONAL BUILDING CODE, 2018 EDITION
AMERICAN INSTITUTE OF STEEL CONSTRUCTION, 9TH EDITION
AMERICAN CONCRETE INSTITUTE, 318-14
AMERICAN SOCIETY OF CIVIL ENGINEERS, 7-16
AMERICAN WELDING SOCIETY D1.1 (U.O.N.)

DESIGN CRITERIA

SEISMIC:
DESIGN CATEGORY "A": I_E=1.0, S_S=0.12, S_1=0.052
RESISTIVE SYSTEM=WOOD SHEATHING
SEISMIC DESIGN FACTORS: S_{MS}=0.09, S_{M1}=0.12, S_{DS}=0.13, S_{D1}=0.083, R=6, C_s=0.022
SIMPLIFIED BASE SHEAR METHOD: LIVE LOAD FACTOR = 1
FLOOR LOAD: 100 PSF (LIVE)
FOUNDATION: ASSUMED BEARING ON MATERIAL SPECIFIED W/ ASSOCIATED CAPACITY IN GEOTECHNICAL REPORT

SPECIAL INSPECTION

STATEMENT OF SPECIAL INSPECTIONS:

- SPECIAL INSPECTIONS AND STRUCTURAL TESTING SHALL BE PROVIDED BY AN INDEPENDENT AGENCY EMPLOYED BY THE OWNER FOR THE ITEMS IDENTIFIED IN THIS SECTION AND IN OTHER AREAS OF THE APPROVED CONSTRUCTION PLANS AND SPECIFICATIONS, UNLESS WAIVED BY THE BUILDING OFFICIAL (SEE IBC CHAPTER 17)
- THE NAMES AND CREDENTIALS OF THE SPECIAL INSPECTORS TO BE USED SHALL BE SUBMITTED TO THE BUILDING OFFICE FOR APPROVAL. SPECIAL INSPECTORS FOR THIS PROJECT INCLUDE:

POST-INSTALLED ANCHORS: POST-INSTALLED ANCHOR INSTALLATION TO BE PERFORMED BY "TERRACON ENGINEERING" PER IBC 2018 REQUIREMENTS.
CONCRETE REINFORCING: VERIFICATION OF CONCRETE REINFORCING SIZE, MATERIAL, AND LOCATION TO BE CONDUCTED BY "RIMROCK ENGINEERING" PER IBC 2018 REQUIREMENTS.

GENERAL NOTES

- CONTRACTOR SHALL COORDINATE OPENINGS & IMBEDDED ITEMS NOTED ON CONSTRUCTION DOCUMENTS WITH APPROPRIATE TRADE.
- ALL SHOP DRAWINGS OF ALL STRUCTURAL COMPONENTS SHALL BE REVIEWED BY ARCHITECT / ENGINEER PRIOR TO FABRICATION.
- STRUCTURAL COMPONENTS SHALL BE TEMPORARILY BRACED IN A MANNER TO RESIST EARTHQUAKE, WIND, SNOW, & LATERAL EARTH LOADS or COMBINATION THEREOF UNTIL PLYWOOD ROOF DIAPHRAGM, PLYWOOD SHEATHED SHEAR WALLS, or FLOOR FRAMING ARE IN PLACE & SECURED PROPERLY.
- ANY PROFESSIONAL THIRD PARTY REVIEW TO BE APPROVED BY "KRIVONEN STRUCTURAL ENGINEERS" PRIOR TO REVIEW.
- THE STRUCTURAL DRAWINGS ARE TO BE USED IN CONJUNCTION WITH DRAWINGS AND SPECIFICATIONS FROM ALL OTHER DISCIPLINES. THE CONTRACTOR SHALL VERIFY THE REQUIREMENTS OF OTHER TRADES AS TO SLEEVES, CHASES, HANGERS, INSERTS, ANCHORS, HOLES, AND OTHER ITEMS TO BE PLACED OR SET IN THE STRUCTURAL WORK.
- THE STRUCTURAL DRAWINGS HERE-IN REPRESENT THE FINISHED STRUCTURE. THE CONTRACTOR SHALL PROVIDE ALL TEMPORARY GUYING AND BRACING REQUIRED TO ERECT AND HOLD THE STRUCTURE IN PROPER ALIGNMENT UNTIL ALL STRUCTURAL WORK & CONNECTIONS HAVE BEEN COMPLETED. THE INVESTIGATION, DESIGN, SAFETY, ADEQUACY, & INSPECTION OF ERECTION BRACING, SHORING, TEMPORARY SUPPORTS, ETC. IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
- THE ENGINEER SHALL NOT BE RESPONSIBLE FOR THE METHODS, TECHNIQUES, AND SEQUENCE OF PROCEDURES TO PERFORM THE WORK. THE SUPERVISION OF THE WORK IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
- THE DRAWINGS INDICATE GENERAL AND TYPICAL DETAILS OF CONSTRUCTION. WHERE CONDITIONS ARE NOT SPECIFICALLY SHOWN, SIMILAR DETAILS OF CONSTRUCTION SHALL BE USED, SUBJECT TO APPROVAL BY THE ENGINEER.
- LOADING APPLIED TO THE STRUCTURE DURING THE PROCESS OF CONSTRUCTION SHALL NOT EXCEED THE SAFE LOAD-CARRYING CAPACITY OF THE STRUCTURAL MEMBERS. THESE LOADINGS ARE SPECIFIED IN THE "DESIGN CRITERIA" PORTION OF THESE NOTES. DO NOT APPLY ANY CONSTRUCTION LOADS UNTIL STRUCTURAL FRAMING IS PROPERLY CONNECTED TOGETHER AND UNTIL ALL TEMPORARY BRACING IS IN PLACE.
- SHOP DRAWINGS AND OTHER ITEMS SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW PRIOR TO FABRICATION. ALL SHOP DRAWINGS SHALL BE REVIEWED BY THE GENERAL CONTRACTOR PRIOR TO SUBMITTAL. THE ENGINEER'S REVIEW IS TO BE FOR CONFORMANCE WITH THE DESIGN CONCEPT AND GENERAL COMPLIANCE WITH THE RELEVANT CONTRACT DOCUMENTS. THE ENGINEER'S REVIEW DOES NOT RELIEVE THE CONTRACTOR OF THE SOLE RESPONSIBILITY TO REVIEW, CHECK, AND COORDINATE THE SHOP DRAWINGS PRIOR TO SUBMISSION. THE CONTRACTOR REMAINS SOLELY RESPONSIBLE FOR THE ERRORS & OMISSIONS ASSOCIATED WITH THE PREPARATION OF THE SHOP DRAWINGS AS THEY PERTAIN TO MEMBER SIZES, DETAILS, DIMENSIONS, ETC.

WOOD FRAMING

- ALL WOOD FRAMING MATERIALS SHALL BE SURFACE DRIED WITH A MAXIMUM OF 9% MOISTURE CONTENT.
- ALL LUMBER FLOOR OR ROOF FRAMING SHALL BE BRACED AT MIDSPAN AND NO MORE THAN 8'-0" CENTERS WITH FULL DEPTH BLOCKING.
- ALL FRAMING EXPOSED TO THE WEATHER OR EXPOSED TO CONCRETE OR MASONRY SHALL BE PRESSURE TREATED IN ACCORDANCE WITH THE AMERICAN WOOD PRESERVES ASSOCIATION SPECIFICATIONS.
- BOLT HOLES SHALL BE CAREFULLY DRILLED NOT MORE THAN ⅛" LARGER THAN THE BOLT DIAMETER. BOLTED CONNECTIONS SHALL BE SNUGGED TIGHT BY NOT TO THE EXTENT OF CRUSHING THE WOOD UNDER WASHERS.
- WOOD MEMBERS SHALL BE BOLTED WITH A307 HOT DIPPED GALVANIZED BOLTS.

WOOD STUD WALLS:

-PROVIDE FULL DEPTH BLOCKING AT MIDHEIGHT ALL INTERIOR BEARINGS STUD WALLS
-PROVIDE 2x BLOCKING AT SHEATHING PANEL JOINTS IN SHEAR WALLS.
-BEARING WALLS TO HAVE DOUBLE (CONT.) 2x6 TOP PLATES W/ STAGGERED SPLICES UNLESS NOTED OTHERWISE.
-BOTTOM WALL PLATES OR VERTICAL STUDS IN CONTACT WITH CONCRETE TO BE PRESSURE TREATED.
-PROVIDE 2x6 @ 16"O.C. VERTICAL FRAMING @ ALL BEARING & EXTERIOR WALLS UNLESS NOTED OTHERWISE.

PLYWOOD AND OSB SHEATHING:

- ALL PLYWOOD AND OSB CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE AMERICAN PLYWOOD ASSOCIATION (APA) SPECIFICATIONS.
- INSTALL PLYWOOD OR OSB PANELS WITH THE LONG DIMENSION OF THE PANELS ACROSS THE SUPPORTS AND WITH THE PANEL CONTINUOUS OVER TWO OR MORE SPANS. STAGGER PANEL END JOINTS. ALLOW ⅛" SPACING BETWEEN PANEL ENDS & EDGES UNLESS OTHER WISE RECOMMENDED BY PANEL MANUFACTURER.
- PROVIDE 2x BLOCKING AT UNSUPPORTED PANEL EDGES AS FOLLOWS:
  ROOF AND FLOORS = AT AREAS INDICATED ON PLANS.
  WALLS = ALL EXTERIOR WALLS AND INTERIOR WALLS AS SHOWN ON PLANS.

MATERIALS:

DIMENSIONAL FRAMING:
LUMBER - #1 HEM FIR: Fb = 975 PSI, Fv = 150 PSI, E = $1.5x10^6$ PSI
2x4 FRAMING-#1 HEM FIR (CONSTRUCTION GRADE): Fb = 925 PSI, Fv = 135 PSI, E = $1.5x10^6$ PSI
LVL BEAMS:
1¾" = Fv = 285 PSI, Fb = 2800 PSI, E = $2.0x10^6$ PSI
3½" or WIDER = Fv = 285 PSI, Fb = 3100 PSI, E = $2.0x10^6$ PSI
GLU-LAM BEAMS (V8 ORIENTATION): Fv = 265 PSI, Fb = 2400 PSI, E = $1.8x10^6$ PSI
POSTS: HEM FIR #1

NAILING SCHEDULE:

CONNECTION	ATTACHMENT
JOIST TO SILL OR GIRDER, TOENAIL	(3)-10d
BRIDGING TO JOIST, TOENAIL EACH END	(2)-10d
SOLE PLATE TO JOIST OR BLOCKING, FACE NAIL	(3)-10d TOENAILS
TOP PLATE TO STUD, END NAIL	(2)-16d
STUD TO SOLE PLATE	(4)-8d TOENAIL or (2)-16d
DOUBLE STUDS, FACE NAIL	16d @ 24"O.C.
DOUBLE TOP PLATES, FACE NAIL	16d @ 16"O.C.
BUILT-UP STUD PACKS	20d @ 6"O.C.
TOP PLATES, LAPS AND INTERSECTIONS, FACE NAIL	(2)-16d
CONTINUOUS HEADER, TWO PIECES	16d @ 15"O.C.
ROOF JOISTS TO PLATE, TOENAIL	(3)-10d
CONTINUOUS HEADER TO STUD, TOENAIL	(4)-10d
ROOF JOISTS, LAPS OVER PARTITIONS, FACE NAIL	(3)-10d
ROOF JOISTS TO PARALLEL RAFTERS, FACE NAIL	(3)-16d
BUILT-UP CORNER STUDS	20d @ 24"O.C.
BUILT-UP CORNER BEAMS	20d @ 32'O.C.

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MONTANA MATT KRIVONEN 18076 REGISTERED PROFESSIONAL ENGINEER

SHEET DESCRIPTION:
Structural Notes

CADD DRAFTER: TB
ENGINEER: MK
SCALE: 1/4" = 1'-0"
DATE: 9.21.2020
JOB NUMBER: 8363

SHEET:
S3.0

9/18/20 8363-kibler-s3.0.dwg

printed scale: 1/4" = 1'-0"

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GRILLES, REGISTERS, & DIFFUSERS

GRD TAG	MANUFACTURER & MODEL OR EQUAL BY TITUS, PRICE, CARNES, NAILOR, METALAIRE, TUTTLE & BAILEY	SERVICE	MOUNTING	FINISH / COLOR NOTE 1	VOLUME DAMPER	PLAN SIZE REFERS TO	NOTES
S1	KREUGER 1900 18 1 15	SUPPLY	WALL	WHITE	45°F TAKE-OFF DETAIL	#SLOTS-LENGTH/CFM	NOTE 2
S2	KREUGER 1900 18 1 20	SUPPLY	WALL	WHITE	45°F TAKE-OFF DETAIL	#SLOTS-LENGTH/CFM	NOTE 2
S3	KRUEGER S480	SUPPLY	WOOD RISER	VERIFY W/OWNER	--	NECK/CFM	
R1	STEELCREST RETURN AIR GRILLE	RETURN	GYP CLG	VERIFY W/OWNER	OBD	NECK/CFM	NOTE 3
R2	STEELCREST RETURN AIR GRILLE	RETURN	WOOD PANELING	VERIFY W/OWNER	--	NECK/CFM	NOTE 3
R3	STEELCREST RETURN AIR GRILLE	RETURN	WALL	WHITE	OBD	NECK/CFM	NOTE 3

1. VERIFY FINISH, COLOR AND/OR CLG TYPE PRIOR TO ORDERING.
2. PROVIDE CONCEALED MOUNTING, END CAPS, REMOVE BLADES FROM LINEAR SLOTS.
3. PLATINUM SERIES, FINAL PATTERN SELECTION & FINISH BY OWNER.

2020/09/22

ELECTRIC HEATER

ITEM	TYPE	CAP. KW	V/ø	CFM	AIR EAT °F	AIR LAT °F	MANUFACTURER & MODEL NO. OR EQUAL BY DAYTON, BERKO,REDD-I	NOTES	CONTROLS
ECH-1	CABINET HEATER	4.0	208/1	250	65	123	QMARK CU935 04 201 BT 1R	1	2

1. MOUNT ON END, SUMMER SWITCH, DISCONNECT SWITCH, DUCT COLLAR INLET/OUTLET.
2. REMOTE 24V THERMOSTAT WITH FAN CONTROL.

2020/09/22

OUTSIDE AIR JUSTIFICATION

ROOM CHARACTERISTICS NAME	AREA SQFT	NATURAL VENTILATION OPERABLE OPENINGS REQ'D	NATURAL VENTILATION OPERABLE OPENINGS PROVIDED	MECHANICAL VENTILATION (OSA) Vbz CFM	VOZ CFM	ACTUAL CFM	EXHAUST CFM REQ'D MAX	EXHAUST CFM REQ'D MIN	CFM PROVIDED
RETAIL SPACE	4546	181.8	258.2	--	--	--	--	--	--
BREAK RM	231	9.2	31.1	--	--	--	--	--	--
ENTRY	449	18.0	20.0	--	--	--	--	--	--
EX OFFICE	139	5.6	20.7	--	--	--	--	--	--

2020/09/22

GENERAL CONDITIONS:

AUTHORITY HAVING JURISDICTION:
CITY OF BILLINGS

ENFORCED CODES:
2018 INTERNATIONAL FUEL GAS CODE (IFGC)
2018 INTERNATIONAL MECHANICAL CODE (IMC)
2018 INTERNATIONAL PLUMBING CODE (IPC)
2018 UNIFORM PLUMBING CODE (UPC)
2018 INTERNATIONAL FIRE CODE (IFC)

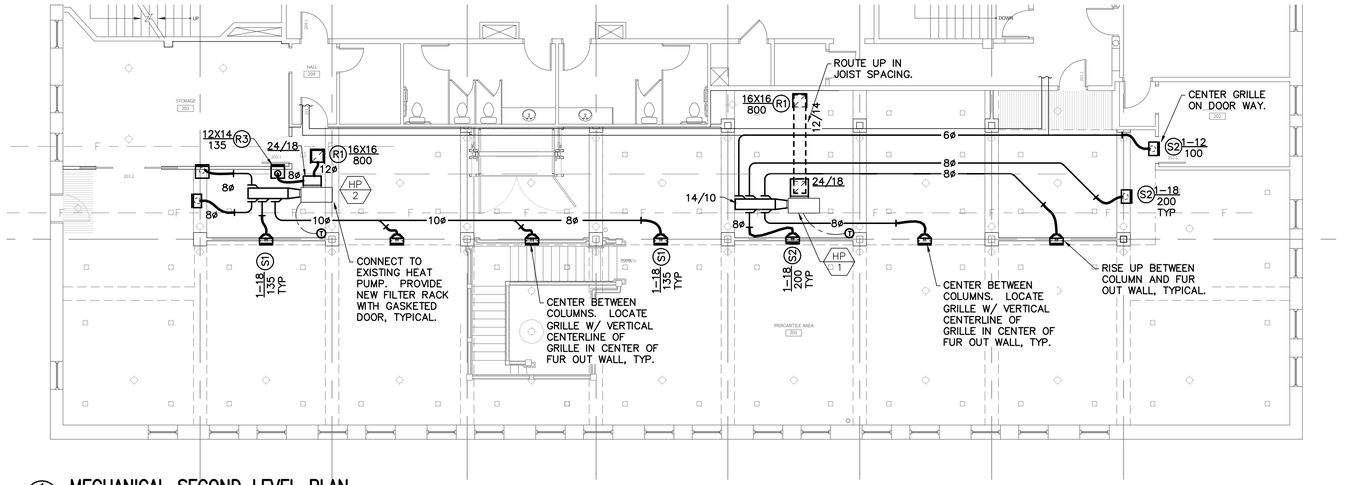
DESIGN CONDITIONS:
PROJECT ALTITUDE: 3600' ALL EQUIPMENT MUST BE SELECTED WITH ALTITUDE CORRECTIONS AS NECESSARY
WINTER DESIGN CONDITION:
OUTDOOR -17°F / 80BRH
ROOM 70°F & NO HUMIDITY CONTROL/REQUIREMENT
SUMMER DESIGN CONDITION:
OUTDOOR 90°F DB/ 59°F MB
ROOM 77°F & NO HUMIDITY CONTROL/REQUIREMENT

MECHANICAL & ELECTRICAL DESIGN:
SIMPLICITY CONSULTING, ENGINEERING, & DESIGN
CORY HASIAK, PE
406.254.7157
chasiak@simplicityced.com

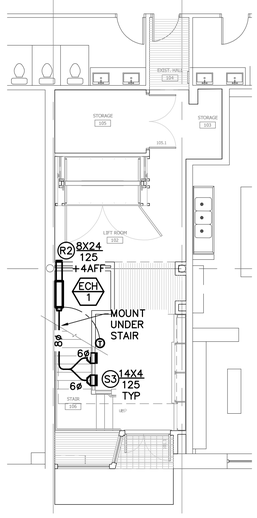
ELECTRICAL SUBCONSULTANT:
KD DESIGNS, LLC
KAREN VASSEY
307.630.5335
k_laddesigns@yahoo.com

MECHANICAL DRAWING NOTES:

1. LINED SHEETMETAL DUCTWORK DENOTED XX/XX AND DUCT WRAP INSULATED DUCTWORK IS DENOTED XX/XX.
2. ROUTE ALL CONTROL WIRING CONCEALED IN WALLS OR PROVIDE EMT & J-BOXES IF EXPOSED.
3. INSTALL THERMOSTATS TO ADA REQUIREMENTS.
4. SEAL ALL SUPPLY, RETURN AND EXHAUST DUCTWORK PER SMACNA CLASS A REQUIREMENTS.
5. INSTALL AND SUPPORT DUCTWORK PER SMACNA STANDARDS.
6. ALL DUCTWORK IS 26 GA G-90 GALVANIZED SHEETMETAL UNLESS NOTED OTHERWISE.
7. BALANCE AIR SYSTEMS TO +10% OR - 5% OF SHOWN AIRFLOW.
8.
9. ALL WORK SHALL BE PERFORMED BY OR DIRECTLY SUPERVISED BY AN EXPERIENCED AND SKILLED CRAFTSMAN IN THE TRADE. ALL WORK SHALL BE NEAT, CLEAN AND PROFESSIONAL LOOKING. UNSATISFACTORY INSTALLATION IDENTIFIED BY OWNER, GC OR DESIGN TEAM SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE WITHOUT IMPACT TO THE CONSTRUCTION SCHEDULE.
10. WORK SHALL BE PERFORMED BY A LICENSED, INSURED AND BONDED CONTRACTOR IN MONTANA AND CITY OF BILLINGS.
11. THE CONTRACTORS SHALL TAKE ALL NECESSARY PRECAUTIONARY MEASURES TO PROTECT THE PUBLIC AND ADJACENT PROPERTIES FROM DAMAGE THROUGHOUT CONSTRUCTION.
12. THESE DRAWINGS ARE DIAGRAMMATIC AND SHALL NOT BE SCALED. ADDITIONAL DATA SHALL BE FROM THE DESIGN TEAM THROUGH WRITTEN CLARIFICATION ONLY. VERIFY ALL EXISTING CONDITIONS, ELEVATIONS, AND DIMENSIONS BEFORE PROCEEDING WITH ANY PORTION OF ANY WORK.
13. NO CHANGES, MODIFICATIONS, OR DEVIATIONS SHALL BE MADE FROM THE DRAWINGS OR SPECIFICATIONS WITHOUT FIRST SECURING WRITTEN PERMISSION FROM THE ENGINEER.
14. WHERE LACK OF INFORMATION, OR ANY DISCREPANCY SHOULD APPEAR IN THE DRAWINGS OR SPECIFICATIONS, REQUEST WRITTEN INTERPRETATION FROM THE ENGINEER BEFORE PROCEEDING WITH THAT PORTION OF THE WORK.
15. ALL WORK AS OUTLINED IN THESE DOCUMENTS, SHALL STRICTLY CONFORM TO ALL APPLICABLE CODES AND ORDINANCES, IN THE EVENT OF A CONFLICT, THE MORE STRINGENT REQUIREMENT SHALL GOVERN AND BE MET.
16. THE CONTRACTOR IS RESPONSIBLE FOR ALL PERMITS, LICENSES, INSURANCE, BONDS, ETC. NECESSARY FOR PROPER COMPLETION OF THE WORK.
17. THE CONTRACTORS SHALL GUARANTEE ALL WORKMANSHIP AND MATERIALS FOR WARRANTY FROM THE DATE OF FINAL ACCEPTANCE. COORDINATE EQUIPMENT WARRANTIES AS NECESSARY TO SATISFY SPECIFICATION REQUIREMENTS FOR THE WARRANTY PERIOD.
18. PROVIDE ADEQUATE CONCEALED BLOCKING AND ANCHORING FOR ALL CEILING AND WALL MOUNTED EQUIPMENT, HARDWARE AND ACCESSORIES.
19. WHEN A SYSTEM OR ASSEMBLY IS CALLED OUT FOR, ALL NECESSARY PARTS AND MATERIALS REQUIRED FOR A COMPLETE INSTALLATION/SYSTEM SHALL BE AND INSTALLED ACCORDING TO THE MANUFACTURERS INSTRUCTIONS.
20. UNLESS OTHERWISE NOTED, MECHANICAL / PLUMBING LINES, ETC., SHALL BE RUN CONCEALED AND FRAMING SHALL BE ADEQUATE SIZE TO ACCOMPLISH RESULT WITHOUT CAUSING ANY CHANGES IN THE WALL PLANE.
21. COORDINATE WITH ALL TRADES THE LOCATIONS OF SLEEVES OR OTHER PRESET ACCESSORIES INVOLVING OTHER TRADES.
22. IT IS THE INTENT OF THESE CONTRACT DOCUMENTS TO DEFINE A COMPLETE FINISHED FACILITY. ANY MATERIAL, SYSTEM, EQUIPMENTS OR ASSEMBLY WHICH NORMALLY WOULD BE REQUIRED SHALL BE PROVIDED AS IF SPECIFICALLY NOTED.
23. WHEN WORK IS NOT CALLED OUT BUT IS REQUIRED TO COMPLETE THE PROJECT, IT SHALL BE PROVIDED BY THE CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE OWNER AND BE OF THE BEST MATERIALS AND WORKMANSHIP.
24. BRANCH DUCTS TO GRD'S SHALL BE SAME SIZE AS NECK OF GRD.
25. NEW EQUIPMENT IS DENOTED BY XX-#. SEE SCHEDULES, & DETAILS. MANUFACTURER & MODEL NUMBERS LISTED IN SCHEDULES & NOTES DEFINE PERFORMANCE, PHYSICAL AND QUALITY REQUIREMENTS. THE CONTRACTOR SHALL VERIFY ANY CHANGES TO EQUIPMENT LISTED MEET OR EXCEED THOSE REQUIREMENTS PRIOR TO SUBMITTING INFORMATION APPROVAL BY GC & OWNER FOR ALTERNATE EQUIPMENT AND DEVICES.
26. SPACE TEMPERATURE SENSORS/STATS SHALL BE MOUNTED TO MEET ADA MOUNTING HEIGHT.
27. AN INDEPENDENT TESTING AND BALANCING AGENCY SHALL BE ENGAGED TO TEST AND BALANCE THE AIRSIDE. THE CONTRACTOR SHALL PLACE ALL SYSTEMS AND EQUIPMENT INTO FULL OPERATION FOR TESTING AND BALANCING.
28. WORKMANSHIP SHALL COMPLY WITH THE CURRENT CODES AND ALL OTHER LOCAL CODES AND ORDINANCES.
29. DIMENSIONS SHOWN ON DRAWINGS FOR DUCTWORK ARE SHEET METAL DIMENSIONS. FIELD VERIFY ALL DIMENSIONS BEFORE FABRICATING DUCTWORK.
30. COORDINATE WORK WITH OTHER TRADES. COORDINATE ALL EQUIPMENT WITH CONTROL SYSTEM FOR A COMPLETE OPERABLE SYSTEM.
31. PATCH ALL CUTTING OR DRILLING OF FINISHED WALLS, CEILINGS, OR FLOORS.
32. CONTRACTOR SHALL INSTALL ANY BALANCING DEVICE NECESSARY TO ACHIEVE PROPER ADJUSTING AND BALANCING OF MECHANICAL SYSTEMS.
33. USE PRE-MANUFACTURED HARDWARE CLIPS & HANGERS FOR USING ROOF TRUSSES OR FLOOR JOISTS TO SUPPORT MECHANICAL EQUIPMENT.
34. PROVIDE AND INSTALL ALL INCIDENTAL ITEMS REQUIRED FOR A COMPLETE AND FUNCTIONING SYSTEM. EQUIPMENT, MOTORS, ETC., TO BE LOCATED AND INSTALLED AS SHOWN ON THE PLAN. DEVIATIONS SHALL BE APPROVED PRIOR TO INSTALLATION BY THE GC.
35. INSTALL ALL EQUIPMENT PER THE MANUFACTURER'S RECOMMENDATIONS AND REQUIREMENTS.
36. INSTALL EQUIPMENT TO ALLOW SERVICE CLEARANCES AS SUGGESTED BY THE MANUFACTURERS.
37. PROVIDE CUTSHEETS, SUBMITTAL DATA, & IOM DOCUMENTATION TO OWNER AT SUBSTANTIAL COMPLETION.
38. PERFORM WORK IN ACCORDANCE WITH GOOD COMMERCIAL PRACTICE. THE GOOD APPEARANCE OF THE FINISHED WORK SHALL BE OF EQUAL IMPORTANCE WITH ITS MECHANICAL EFFICIENCY. DESIGN TEAM / OWNER MAY REJECT WORK IF WORKMANSHIP AND APPEARANCE ARE NOT SATISFACTORY.
39. BE RESPONSIBLE FOR AND COORDINATE THE WORK OF ALL SUBCONTRACTORS WORKING UNDER MECHANICAL CONTRACTOR.
40. CONFER AND COOPERATE WITH OTHER TRADES AND COORDINATE THE WORK IN PROPER RELATION WITH THEIRS. COORDINATE CEILING CAVITY SPACE CAREFULLY WITH OTHER TRADES.
41. PROPERLY LOCATE ANCHORS, CHASES, RECESSES AND OPENINGS REQUIRED FOR THE PROPER INSTALLATION OF THE WORK. ARRANGE WITH THE PROPER CONTRACTORS FOR THE BUILDING OF ANCHORS, ETC. AND FOR LEAVING REQUIRED CHASES, RECESSES AND OPENINGS.
42. OFFSETS, TRANSITIONS AND CHANGES IN DIRECTION IN PIPES AND DUCTS SHALL BE MADE AS REQUIRED. MAINTAIN PROPER HEAD ROOM AND PITCH OF SLOPING PIPES WHETHER OR NOT INDICATED ON THE DRAWINGS. FURNISH AND INSTALL ALL DUCTWORK FITTINGS, TRAPS, AIR VENTS, SANITARY VENTS, ETC., AS REQUIRED TO AFFECT THESE OFFSETS, TRANSITIONS AND CHANGES IN DIRECTION.



1 M1.1 **MECHANICAL SECOND LEVEL PLAN**
ONE EIGHTH INCH = ONE FOOT
0 4' 8' 16'



2 M1.1 **MECHANICAL MAIN LEVEL PLAN**
ONE EIGHTH INCH = ONE FOOT
0 4' 8' 16'

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MONTANA
CORY HASIAK
No. 19967PE
LICENSED PROFESSIONAL ENGINEER
2020/09/22

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PROJECT NAME: STAPLETON BUILDING
KIBLBER & KURCH RETAIL TI
101 BROADWAY

LOCATION: BILLINGS, MONTANA

DRAFTED CH
DESIGNED CH
CHECKED CH

DWG REVISION DATE

PROJECT NUMBER 2020.41.0031

DATE 2020/09/22

DRAWING TITLE MECHANICAL HVAC PLAN

DRAWING NUMBER M1.1

DWG. 1 OF 1

ELECTRICAL SPECIFICATIONS:

26 00 00 GENERAL:

1. ALL WORK SHALL BE PERFORMED BY OR DIRECTLY SUPERVISED BY AN EXPERIENCED AND SKILLED CRAFTSMAN IN THE TRADE. ALL WORK SHALL BE NEAT, CLEAN AND PROFESSIONAL LOOKING. UNSATISFACTORY INSTALLATION IDENTIFIED BY OWNER, GC SHALL REPLACE AT THE CONTRACTOR'S EXPENSE WITHOUT IMPACT TO THE CONSTRUCTION SCHEDULE.
2. VISIT THE SITE BEFORE SUBMITTING BID AS NO EXTRAS WILL BE ALLOWED FOR LACK OF KNOWLEDGE OF EXISTING CONDITIONS.
3. INSTALL ALL EQUIPMENT PER THE MANUFACTURER'S RECOMMENDATIONS AND REQUIREMENTS.
4. INSTALL EQUIPMENT TO ALLOW SERVICE CLEARANCES AS SUGGESTED BY THE MANUFACTURERS.
5. FURNISH ALL LABOR AND MATERIALS AND PERFORM ALL OPERATIONS NECESSARY FOR THE INSTALLATION OF COMPLETE AND OPERATING ELECTRICAL SYSTEMS SUBJECT TO THE CONDITIONS OF THE CONTRACT. PROVIDE SATISFACTORY OPERATION OF ALL EQUIPMENT AND CONTROLS TO THE ARCHITECT/ENGINEER UPON REQUEST.
6. OCCUPANT DEVICES SHALL BE MOUNTED TO MEET ADA MOUNTING HEIGHT.
7. WORKMANSHIP SHALL COMPLY WITH THE CURRENT CODES AND ALL OTHER LOCAL CODES AND ORDINANCES.
8. STORAGE OF MATERIAL: STORE ALL MATERIALS PROVIDE ON PROJECT PROTECTED FROM THE ENVIRONMENT. STORE MATERIALS OFF OF FINISHED GRADE OR FLOOR. PROVIDE CRIBBING, SHELVING OR STORAGE CONTAINERS AS NECESSARY. PROVIDE PIPE AND DUCT CAPS FOR ALL STORED, STAGED AND HUNG MATERIALS.
9. THESE DRAWINGS ARE DIAGRAMMATIC; INTENDED TO CONVEY THE SCOPE OF WORK AND INDICATE GENERAL ARRANGEMENT OF EQUIPMENT, CONDUITS AND APPROXIMATE SIZES AND LOCATIONS OF EQUIPMENT AND OUTLETS AND SHALL NOT BE SCALED. FOLLOW THESE DRAWINGS IN LAYING OUT WORK, CONSULT GENERAL CONSTRUCTION DRAWINGS TO UNDERSTAND ALL CONDITIONS AFFECTING WORK, AND VERIFY SPACES IN WHICH WORK WILL BE INSTALLED. COORDINATE WORK WITH OTHER TRADES AS JOB CONDITIONS REASONABLY REQUIRE.
10. WHERE LACK OF INFORMATION, OR ANY DISCREPANCY SHOULD APPEAR IN THE DRAWINGS OR SPECIFICATIONS, REQUEST WRITTEN INTERPRETATION FROM THE ENGINEER BEFORE PROCEEDING WITH THAT PORTION OF THE WORK.
11. PERFORM WORK IN ACCORDANCE WITH GOOD COMMERCIAL PRACTICE. THE GOOD APPEARANCE OF THE FINISHED WORK SHALL BE OF IMPORTANCE. DESIGN TEAM/OWNER MAY REJECT WORK IF WORKMANSHIP AND APPEARANCE ARE NOT SATISFACTORY.
12. BE RESPONSIBLE FOR AND COORDINATE THE WORK OF ALL SUBCONTRACTORS WORKING UNDER ELECTRICAL CONTRACTOR. CONFER AND COOPERATE WITH OTHER TRADES AND COORDINATE THE WORK IN PROPER RELATION WITH THEIRS. COORDINATE CEILING CAVITY SPACE CAREFULLY WITH OTHER TRADES.
13. SUBMIT SHOP DRAWINGS FOR ALL MATERIALS AND EQUIPMENT SHOWING ANY CHANGES REQUIRED IN DISTRIBUTION BOARDS, PANELBOARDS, LIGHT FIXTURES, ELECTRICAL WIRING, SPACE ALLOCATION, ETC.
14. PROPERLY LOCATE ANCHORS, CHASES, RECESSES AND OPENINGS REQUIRED FOR THE PROPER INSTALLATION OF THE WORK. ARRANGE WITH THE PROPER CONTRACTORS FOR THE BUILDING OF ANCHORS, ETC. AND FOR LEAVING REQUIRED CHASES, RECESSES AND OPENINGS.
15. COORDINATE WORK WITH OTHER TRADES. COORDINATE ALL EQUIPMENT WITH CONTROL SYSTEM FOR A COMPLETE OPERABLE SYSTEM.
16. PATCH ALL CUTTING OR DRILLING OF FINISHED WALLS, CEILINGS, OR FLOORS.
17. ELEC CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS FOR THIS SCOPE AND COORDINATION W/ UTILITY CONNECTIONS AND SERVICES.
18. WORK SHALL BE PERFORMED BY A LICENSED AND BONDED CONTRACTOR (IN MONTANA) UTILIZING TRADESMEN SKILLED IN THE ART AND IN ACCORDANCE WITH ACCEPTABLE PRACTICES.
19. PROVIDE AND INSTALL ALL INCIDENTAL ITEMS REQUIRED FOR A COMPLETE AND FUNCTIONING SYSTEM. EQUIPMENT, MOTORS, ETC., TO BE LOCATED AND INSTALLED AS SHOWN ON THE PLAN. DEVIATIONS SHALL BE APPROVED PRIOR TO INSTALLATION BY THE GC.
20. FOR A PERIOD OF ONE (1) YEAR FROM THE DATE OF FINAL ACCEPTANCE.
    20.1. CONTRACTOR FURTHER AGREES THAT HE WILL REPLACE OR REPAIR ALL DEFECTIVE EQUIPMENT AND INSTALLATION THAT BECOMES DEFECTIVE DURING THE TERM OF THE WARRANTY.
    20.2. INCLUDING ANY LED DRIVERS, LAMPS/BULBS OR LIGHT FIXTURES THAT FAIL DURING WARRANTY PERIOD.
21. PROVIDE (1) ELECTRONIC COPY IN PDF FORMAT AND (1) PHYSICAL COPY IN BINDER INCLUDING CUTSHEETS, SUBMITTAL DATA, & IOM DOCUMENTATION TO OWNER. SUBMIT AN ELECTRONIC COPY TO ENGINEER.
22. PROVIDE AS-BUILT PLANS ON CLEAN SET OF CONSTRUCTION DOCUMENTS INCLUDING ADDENDA ITEMS, CHANGE ORDERS AND ALL DEVIATIONS FROM THE CONSTRUCTION DOCUMENTS, AT SUBSTANTIAL COMPLETION.
23. WHEN A SYSTEM OR ASSEMBLY IS CALLED OUT FOR, ALL NECESSARY PARTS AND MATERIALS REQUIRED FOR A COMPLETE INSTALLATION/SYSTEM SHALL BE AND INSTALLED ACCORDING TO THE MANUFACTURERS INSTRUCTIONS.
24. UNLESS OTHERWISE NOTED, ELECTRICAL CONDUITS, ETC., SHALL BE RUN CONCEALED AND FRAMING SHALL BE ADEQUATE SIZE TO ACCOMPLISH RESULT WITHOUT CAUSING ANY CHANGES IN THE WALL PLANE.
25. COORDINATE WITH ALL TRADES THE LOCATIONS OF SLEEVES OR OTHER PRESET ACCESSORIES INVOLVING OTHER TRADES.
26. IT IS THE INTENT OF THESE CONTRACT DOCUMENTS TO DEFINE A COMPLETE FINISHED FACILITY. ANY MATERIAL, SYSTEM, EQUIPMENTS OR ASSEMBLY WHICH NORMALLY WOULD BE REQUIRED SHALL BE PROVIDED AS IF SPECIFICALLY NOTED.
27. WHEN WORK IS NOT CALLED OUT BUT IS REQUIRED TO COMPLETE THE PROJECT, IT SHALL BE PROVIDED BY THE CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE OWNER AND BE OF THE BEST MATERIALS AND WORKMANSHIP.
28. TEMPORARY WIRING SHALL BE REMOVED PRIOR TO COMPLETION OF THE PROJECT.

26 00 53 ELECTRICAL IDENTIFICATION: PROVIDE AS DEFINED BELOW:

1. ALL NEW JUNCTION BOX COVERS AND RECEPTACLE COVERPLATES TO HAVE PANEL, CIRCUIT AND SERVICE INFORMATION.
2. PANELS: ALL PANELS TO HAVE NEW TYPE WRITTEN REGISTERS.

26 50 00 MATERIALS & METHODS:

1. WORK INCLUDED: ELECTRICAL SYSTEMS INCLUDING DEVICES, BOXES, CONDUIT, DISCONNECTS, LIGHTING, MOTOR STARTERS, ETC. PROVIDE AND INSTALL ALL INCIDENTAL ITEMS REQUIRED FOR A COMPLETE AND FUNCTIONING SYSTEM.
2. ALL EQUIPMENT, CIRCUITRY, ETC. SHALL BE NEW UL LISTED AND INSTALLED PER NEC, AS FOLLOWS OR AS SPECIFIED OTHERWISE. THE ELECTRICAL CONTRACTOR SHALL VERIFY ALL NAMEPLATE RATINGS OF EQUIPMENT TO BE CONNECTED AND VERIFY ELECTRICAL COMPATIBILITY AND NEC COMPLIANCE. MANUFACTURER'S RECOMMENDATIONS SHALL TAKE PRECEDENCE UNLESS VERIFIED OTHERWISE.
3. MOTORS AND CIRCUITRY TO BE INSTALLED AND CONNECTED AS INDICATED ON THE PLAN. ALL MOTORS TO BE PROVIDED WITH A MOTOR CIRCUITS: DISCONNECTING MEANS PER THE N.E.C. EQUIPMENT CONNECTED WITH FLEXIBLE CONDUIT WITH GROUND WIRE WITHIN. VERIFY CORRECT ROTATION.

MOTORS AND STARTERS:
ALL MOTORS AND OTHER ELECTRICAL CONTROL EQUIPMENT SHALL BE LISTED PER THE REQUIREMENTS OF THE NATIONAL ELECTRICAL CODE (NEC).

RACEWAYS:

1. ½" SHALL BE MINIMUM SIZE.
2. APPROVED FOR USE IN LOCATION PER NEC.
    2.1. DRY LOCATIONS – GRC, IMC, EMT, MC, NM (AS ALLOWED BY NEC & CITY OF BILLINGS ONLY).
    2.2. FLEXIBLE CONDUIT – GALVANIZED STEEL, LIQUIDTIGHT.
3. SUPPORTS & ANCHORS: UL LISTED FOR SPECIFIC USE & APPROVED BY AHJ. CONTRACTOR SHALL ADD OR REPLACE ANY SUPPORTS & ANCHORS IDENTIFIED AS DEFICIENT BY AHJ AND/OR DESIGN TEAM.
4. RACEWAYS SHALL BE CONCEALED IN FINISH AREAS UNLESS NOTED OTHERWISE.
5. CUT CONDUIT SQUARE USING SAW OR PIPE CUTTER; DEBURR CUT ENDS.
6. INSTALL SUITABLE PULLSTRING OR CORD IN EACH EMPTY RACEWAY. INSTALL SUITABLE CAPS TO PROTECT INSTALLED CONDUIT AGAINST ENTRANCE OF DIRT AND MOISTURE.
7. INSTALL FITTINGS TO ACCOMMODATE EXPANSION AND DEFLECTION WHERE RACEWAY CROSSES CONTROL AND EXPANSION JOINTS.
8. SURFACE-MOUNTED RACEWAYS & WIREMOLD SHALL BE LIMITED IN TO WHERE INDICATED IN PLAN OR APPROVED BY ARCHITECT DURING CONSTRUCTION.
9. RACEWAYS IN NON-FINISHED SPACES, SUCH AS MECHANICAL ROOMS AND CRAWL SPACES:
    9.1. SHALL BE PERMITTED TO BE EXPOSED.
    9.2. ALL EXPOSED RACEWAYS SHALL BE ROUTED PLUMB AND SQUARE TO BUILDING SURFACES.
    9.3. RACEWAYS IN NON-FINISHED SPACES SHALL BE INSTALLED SUCH THAT MAJOR RELOCATION IS NOT REQUIRED IF CEILINGS AND WALLS ARE INSTALLED IN THE FUTURE.

JUNCTION AND PULL BOXES:

1. SIZE PER THE NEC.
2. DRY LOCATIONS – STEEL WITH COVERS.
3. WET LOCATIONS – CAST ALUMINUM.

COUPLINGS AND CONNECTORS:

1. GRC – THREADED
2. IMC – THREADED
3. EMT – COMPRESSION
4. PVC – CEMENT JOINT TYPE.
5. INDENTER TYPE CONNECTORS PROHIBITED.

ANCHORS:

1. METAL – MACHINE SCREWS, BOLTS, WELDING
2. WOOD – WOOD SCREWS

CONDUCTORS:

1. COPPER ONLY WITH THHN/THWN TYPE INSULATION IN RACEWAY.
    1.1. NO ALUMINUM CONDUCTORS ALLOWED.
2. MINIMUM SIZE:
    2.1. #12 AWG FOR POWER.
    2.2. CONTROL CIRCUITS MAY BE #14 OR SIGNAL CIRCUITS WHICH SHALL BE AS INDICATED.
    2.3. #10 & SMALLER SOLID WIRE, #8 & LARGER STRANDED IS ALLOWABLE.
3. INCREASE CONDUCTOR SIZE AS NECESSARY TO LIMIT BRANCH CIRCUIT VOLTAGE DROP TO 3% AND PANEL FEEDER VOLTAGE DROP TO 2%.
4. ALL WIRING SHALL BE NEW AND BROUGHT TO SITE IN UNOPENED PACKAGES.
5. UL LISTED LUGS AND CONNECTORS,
6. ALL WIRE SHALL HAVE AN INSULATION VOLTAGE RATING OF 600 VOLTS, AND AN INSULATION TEMPERATURE RATING OF 75 DEGREES C.
7. WIRE COLORS:
    7.1. 120/208-240V
        7.1.1. BLACK, BLUE & RED FOR CIRCUITS
        7.1.2. SWITCH TRAVELERS PINK
        7.1.3. NEUTRAL WHITE
        7.1.4. GREEN GROUND

GROUNDING:

1. THIS CONTRACTOR SHALL PROVIDE A COMPLETE GROUNDING SYSTEM FOR ALL EQUIPMENT DEVICES, AND STRUCTURES IN STRICT ACCORDANCE WITH THE NEC AND UTILITY COMPANY REGULATIONS.
2. GOOD MECHANICAL & ELECTRICAL CONNECTIONS SHALL BE MADE WITH APPROVED GROUNDING CONNECTIONS.
3. PANELS, CONDUIT, MOTOR FRAMES, LIGHTING FIXTURES, ETC. THAT ARE PART OF THIS INSTALLATION SHALL BE SECURELY GROUNDED.
4. PROVIDE COPPER GROUNDING CONDUCTOR IN ALL RACEWAYS.
5. PERMANENTLY ATTACH EQUIPMENT AND GROUNDING CONDUCTORS PRIOR TO ENERGIZING EQUIPMENT.
6. MAIN GROUND SYSTEM SHALL COMPLY WITH NEC 250.
7. PROVIDE CONDUIT TO PROTECT ALL EXPOSED GROUNDS BELOW 10' AFF.
8. MAKE ALL JOINTS AND CONNECTIONS TO MAINTAIN CONTINUITY OF GROUND.

WIRING DEVICES:

1. THE LOCATION OF RECEPTACLES, SWITCHES, TELE/DATA, FIXTURES ARE APPROXIMATE AND THE OWNER SHALL HAVE THE RIGHT TO ADJUST OR RELOCATE DEVICES BEFORE THEY ARE INSTALLED WITHOUT ADDITIONAL COST.
2. PROVIDE GROUND FAULT EQUIPMENT PROTECTION (GFEP) DEVICE OR BREAKER FOR ALL SNOWMELT AND HEAT TRACING DEVICES.

LIGHTING:

1. PROVIDE NEW LIGHT FIXTURES AS SCHEDULED COMPLETE WITH TRIMS, LAMPS, FUSES, GASKETS, BALLASTS, OPTIONS, ACCESSORIES, ETC. AS SCHEDULED.
2. INSTALL SUSPENDED LIGHT FIXTURES USING CHAIN HANGERS WITH SUFFICIENT LENGTH REQUIRED TO SUSPEND THE FIXTURE AT HEIGHT SPECIFIED.
3. SUPPORT LIGHT FIXTURES INDEPENDENT OF CEILING FRAMING.
4. CONNECT LIGHT FIXTURES TO BRANCH CIRCUITS, AS INDICATED.
5. INSTALL SPECIFIED LAMPS IN EACH FIXTURE.

OWNER FURNISHED EQUIPMENT:

1. COORDINATE ELECTRICAL CONNECTIONS FOR OWNER-SUPPLIED EQUIPMENT WITH OWNER, MANUFACTURER DATA, AND EQUIPMENT NAMEPLATE INFORMATION.

26 90 00 ELECTRICAL CLOSEOUT:

1. REMOVE MATERIALS, SCRAPS AND DEBRIS RELATIVE TO THIS CONTRACTOR'S WORK AND LEAVE THE PREMISES, INCLUDING CRAWL SPACES AND CHASES, IN CLEAN AND ORDERLY CONDITION.
2. CLEAN EXPOSED SURFACES OF LIGHT FIXTURES, DISTRIBUTION BOARDS, PANELS AND OTHER EXPOSED ITEMS OF GREASE, FINGER PRINTS, DIRT OR OTHER FOREIGN MATERIAL. REMOVE RUBBISH AND DEBRIS RESULTING FROM THE OPERATIONS OF THIS CONTRACTOR AND LEAVE SPACES CLEAN AND READY FOR USE.
3. BROOM CLEAN ELECTRICAL ROOMS.

ELECTRICAL LEGEND

- PANEL
- DISCONNECT SWITCH
- BRANCH CIRCUIT CONCEALED IN WALL OR CEILING
- BRANCH CIRCUIT CONCEALED IN OR UNDER FLOOR
- EMPTY CONDUIT -3/4" UNLESS OTHERWISE NOTED
- HOME RUN TO PANEL. NUMBER OF ARROWS INDICATES NUMBER OF CIRCUITS
- NUMBER OF HASHMARKS INDICATES NUMBER OF CONDUCTORS. NO HASHMARKS INDICATES TWO CONDUCTORS.
- LIGHT FIXTURE (RECESSED, SUSPEND OR SURFACE)
- TROFFER STYLE LUMINAIRE (RECESSED)
- LIGHT FIXTURE (SURFACE)
- LIGHT FIXTURE (SUSPENDED)
- WALL MOUNT LIGHT FIXTURE
- EXIT LIGHT
- EMERGENCY LIGHT
- COMBINATION EXIT/ EMERGENCY LIGHT
- EMERGENCY EXTERIOR LIGHTING
- DUPLEX CONVENIENCE RECEPTACLE
- GFCI DUPLEX RECEPTACLE
- SPLIT WIRED RECEPTACLE. REVIEW PLANS FOR SWITCHING REQUIREMENTS
- QUAD RECEPTACLE
- QUAD GFCI RECEPTACLE
- GFCI WEATHER RESISTANT DUPLEX RECEPTACLE W/ WEATHERPROOF COVER (WP)
- CEILING MOUNTED GFCI DUPLEX RECEPTACLE
- CEILING MOUNTED DUPLEX RECEPTACLE
- RANGE OUTLET (WITH CORD CAP) (R)
- DRYER OUTLET (WITH CORD CAP) (D)
- WELDING OUTLET, COORDINATE WITH OWNER FOR FINAL PLUG CONFIGURATION (W)
- MOTOR (M)
- SPECIAL EQUIPMENT OUTLET AS NOTED
- SWITCH (S)
- SWITCH-FUSE STATT (S_{FS})
- SWITCH-3 WAY (S_3)
- SWITCH-4 WAY (S_4)
- SWITCH-WITH PILOT (S_P)
- SWITCH-DIMMER (S_D)
- SWITCH-FUSE STATT (S_{FS})
- SWITCH-PROGRAMMABLE TIMER W/ BATTERY BACKUP (S_T)
- TELEPHONE/DATA OUTLET
- THERMOSTAT (T)
- SPECIAL EQUIPMENT OUTLET AS NOTED (E)
- PHOTOCELL (P)
- NOTE DESIGNATION
- MECHANICAL EQUIPMENT UNIT INDENTIFICATION
- JUNCTION BOX OR J-BOX (J)
- TELEPHONE BOARD
- TELEVISION OUTLET (TV)
- MOTION SENSOR-WATT STOPPER DT-355
- MOTION SENSOR-WATT STOPPER PW-100
- MOTION SENSOR-WATT STOPPER DW-2001 (-2)
- WALL SWITCH MOTION SENSOR LITHONIA WSX PDT
- DIMMING WALL SWITCH MOTION SENSOR LITHONIA WSX PDT D
- CEILING MOUNTED MOTION SENSOR LITHONIA CMPDT 9
- DIMMING CEILING MOUNTED MOTION SENSOR CMPDT 9 D
- FIRE ALARM PANEL
- FIRE ALARM BREAKGLASS STATION (F)
- FIRE ALARM SIGNAL HORN (FH)
- FIRE ALARM STROBE. (FS)
- SINGLE STATION RESIDENTIAL DETECTOR (S -1)
- COMBINATION RESIDENTIAL SMOKE/CO DETECTOR (S -2)
- DOOR BELL PUSH BUTTON (P)
- DOOR BELL SIGNAL (BX)

EXISTING PANEL SCHEDULE A

AMPS 225 / VOLTAGE 120 / 240 / PHASE 1 ø — WIRES 3 MAIN LUGS ONLY LOCATION: EXISTING; AISC 10,000 FEED TOP ENCLOSURE: NEMA 1; NEUTRAL 100% MOUNT SURFACE

CIRCUIT	LOAD TYPE	LOAD	CB SIZE	CKT #	PHASE	CKT #	CB SIZE	LOAD	LOAD TYPE	CIRCUIT
EXISTING #2 AC	A	2254	30	1	A	2	20	304	L	LIGHTING: 1ST FLOOR
	A	2254		3	B	4	20	200	L	LIGHTING: 1ST FLOOR SO CORD
EXISTING #1 AC	A	2254	30	5	A	6	20	1440	R	RECEPTACLES
	A	2254		7	B	8	20	1440	R	RECEPTACLES
LIGHTING: TYPE F FIXTURES (NORTH)	L	540	20	9	A	10	20	1440	R	RECEPTACLES
LIGHTING: TYPE F FIXTURES (SOUTH)	L	540	20	11	B	12	20	1440	R	RECEPTACLES
LIGHTING: TYPE B FIXTURES	L	125	20	13	A	14	20	1440	R	RECEPTACLES
LIGHTING: TYPE A FIXTURES	L	255	20	15	B	16	20	600	R	RECEPTACLES, CEILING
LIGHTING: TYPE C FIXTURES	L	321	20	17	A	18	20	600	R	RECEPTACLES: CEILING
EXISTING LOAD*		1000	20	19	B	20	100	4600	M	LIFT **
EXISTING LOAD*		1000	20	21	A	22		4600	M	
LIGHTING: ANTLER CHANDILIER	L	225	20	23	B	24	20	900	R	RECEPTACLES: 1ST FLOOR
LIGHTING: SIMPLEX RECEPTACLES	L	800	20	25	A	26	20	900	R	RECEPTACLES: 1ST FLOOR
LIGHTING: SIMPLEX RECEPTACLES	L	1000	20	27	B	28	20			SPARE
ECH-1***	H	2000	30	29	A	30	20			SPARE
	H	2000		31	B	32	20			SPARE
SPARE			20	33	A	34	20			SPARE
SPARE			20	35	B	36	20			SPARE
SPARE			20	37	A	38	20			SPARE
SPARE			20	39	B	40	20			SPARE
SPARE			20	41	A	42	20			SPARE

CONNECTED LOAD PER PHASE-WATTS — A: 20018, B: 18708

PANEL LOAD:	PHASE A	PHASE B	DEMAND FACTOR	PHASE A	PHASE B
A/C - MECH COOLING	4508	4508	1.25	5635	5635
EQUIPMENT/APPLIANCE	0	0	1.00	0	0
HEATING	2000	2000	0.50	1000	1000
LIGHTING	2090	2220	1.00	2090	2220
MOTOR	4600	4600	1.25	5750	5750
LARGEST MOTOR			1.00	0	0
OTHER	0	0	1.00	0	0
RECEPTACLE (FIRST 10KW)	5820	4380	1.00	5820	4380
RECEPTACLE (REMAINING)	0	0	1.00	0	0
TRANSFORMER	0	0	1.00	0	0
(S) SUBFEED= PNL LOAD ADDED TO ABOVE ITEMS			DEMAND KVA PER PHASE	20.3	19.0
			DEMAND AMPS PER PHASE	169.1	158.2
			SPARE CAPACITY (AMPS)	56	67

OPTIONS:

NOTES:
* IDENTIFY WHAT CIRCUIT BREAKERS ARE SERVING AND LABEL AS SUCH.
** REPLACE BREAKERS AS INDICATED WITH SHUNT TRIP BREAKER FOR LIFT. CONNECT SHUNT TRIP CIRCUIT BREAKER TO FIRE ALARM SYSTEM.
*** REPLACE BREAKERS AS INDICATED WITH BREAKER FOR ECH-1. RETURN SINGLE POLE 20A CIRCUIT BREAKERS TO OWNER.

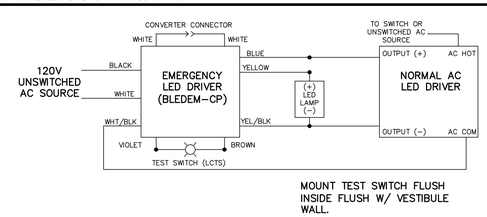
CONDUCTORS CU — WIRE SIZE EXISTING — GROUND EXISTING
SAFETY FACTOR 25% 30% — CONDUIT EMT FED FROM PNLEXISTING — SIZE 2.5

LUMINAIRE SCHEDULE

FIX PLAN ID	MANUFACTURER (1)	CATALOG #	MOUNTING LOCATION	MOUNTING TYPE	LAMP TYPE (2)	LAMP LUMENS	LAMP DIMMABLE	LAMP #	NOTES
A	VISUAL COMFORT	SL 4121BZ-WG	CEILING	SURFACE	NOTE 6	1600	YES	1	3
B	VISUAL COMFORT	CHC 4215BZ	CEILING	SURFACE	NOTE 8	500	YES	2	3
C	VISUAL COMFORT	TOB 2005BZ	WALL	SURFACE	NOTE 5	430	YES	3	3
D	VISUAL COMFORT	MS 5030ABV-WG	CEILING	SURFACE	NOTE 6	1600	YES	2	3
E	VISUAL COMFORT	S 2602BZ	WALL	SURFACE	NOTE 4	950	YES	1	3
F	WAC LIGHTING	SILO X10 - MO-2010-930	CEILING	SURFACE	NOTE 9	790	YES	1	3
G	TECH LIGHTING	E2S L 827 30A HL2W	CEILING	RECESSED	NOTE 10	852	YES	1	3
H	VISUAL COMFORT	SL 4121BZ-WG	CEILING	SURFACE	NOTE 7	2450	YES	1	3
J	TECH LIGHTING	E2S -LO 827 30A WTH -H SHOWER TRIM	CEILING	RECESSED	NOTE 10	852	YES	1	3,11
K	ASPECT LED	AL-WW-M-48 WTH AL-PS-W-60	EXTERIOR	STEEL STRUCTURE	36W LED	3240	YES	1	1,12
X	LITHONIA	LHQM LED R HO	CEILING	SURFACE	(2) 1.5W LED	--	NO	--	1
EM	CONCEALITE	F5000 LED6.5 90 FMS	CEILING	RECESSED			NO	1	1,13

1. OR EQUAL BY AS ACCEPTED BY OWNER
2. PROVIDE 2700K KELVIN COLOR TEMP LAMPS.
3. FURNISHED BY OWNER, INSTALLED BY CONTRACTOR. CONRACTOR SHALL FURNISH NECESSARY CABLING, HARDWARE AND LAMPS FOR FIXTURES.
4. SATCO S9415 13PAR30/SN/LED/40'/2700K120V/D
5. SATCO S9580 4.5T10/LED/E26/27K/120V
6. SATCO S29815 15A19/LED/2700K/1600L/12V/D (15W LED)
7. SATCO S8737 20WA21/LED/HID/2700K/120-277V/E26
8. TCP FB11D6027EC - B11 60W 2700K (5W LED)
9. INTEGRAL 10W 3K LED
10. INTEGRAL 12W 2.7K
11. PROVIDE REMOTE BATTERY PACK FOR EMERGENCY EGRESS LIGHTING FUNCTION. SEE DETAIL.
12. PROVIDE 150W POWER SUPPLY ABOVE ENTRY CEILING IN SPACE. PROVIDE CONNECTORS TO DAISY CHAIN (3) FIXTURES TOGETHER. SECURE BLACK POWER CABLE TO STEEL STRUCTURE. ORIENT LIGHTING TO WASH UPPER LITES AND STOREFRONT.
13. PROVIDE FINISH OF CONCEALED PLATE TO MATCH CEILING FINISH

2020/09/22



MOUNT TEST SWITCH FLUSH INSIDE FLUSH W/ VESTIBULE WALL.

LED EMERGENCY BATTERY PACK WIRING DIAGRAM

NO SCALE

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MONTANA — CORY HASIAK — No. 19927 — LICENSED PROFESSIONAL ENGINEER — 2020/09/22

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PROJECT NAME: STAPLETON BUILDING
KIBLBER & KURCH RETAIL TI
101 BROADWAY

LOCATION BILLINGS, MONTANA

DRAFTED CH
DESIGNED CH
CHECKED CH

DWG	REVISION	DATE

PROJECT NUMBER 2020.41.0031

DATE 2020/09/22

DRAWING TITLE ELECTRICAL SPECS & SCHEDULES

DRAWING NUMBER E0.1

DWG. 1 OF 3

3-WAY SWITCH a	3-WAY SWITCH b	3-WAY SWITCH c
CONTROLS TYPE A FIXTURES	CONTROLS TYPE C FIXTURES	CONTROLS ANTLER CHANDILIER

SWITCHES LOCATED WHERE INDICATED BY FLAG NOTE 7

DIMMER SWITCH a	DIMMER SWITCH b	DIMMER SWITCH c	DIMMER SWITCH d	DIMMER SWITCH e	4 WAY SWITCH g
CONTROLS TYPE F FIXTURES ON NORTH SIDE	CONTROLS TYPE F FIXTURES ON SOUTH SIDE	CONTROLS TYPE B FIXTURES	CONTROLS TYPE A FIXTURES	CONTROLS TYPE C FIXTURES	CONTROLS ANTLER CHANDILIER

DIMMER SWITCH g	DIMMER SWITCH h	DIMMER SWITCH i
CONTROLS SINGLE GANG CEILING RECEPT.	CONTROLS SINGLE GANG CEILING RECEPT.	CONTROLS SINGLE GANG CEILING RECEPT.

DIMMER SWITCH j	DIMMER SWITCH k	DIMMER SWITCH l	DIMMER SWITCH m	DIMMER SWITCH n	DIMMER SWITCH o
CONTROLS SINGLE GANG CEILING RECEPT.	CONTROLS SINGLE GANG CEILING RECEPT.	CONTROLS SINGLE GANG CEILING RECEPT.	CONTROLS SINGLE GANG CEILING RECEPT.	CONTROLS SINGLE GANG CEILING RECEPT.	CONTROLS SINGLE GANG CEILING RECEPT.

SWITCHES LOCATED WHERE INDICATED BY FLAG NOTE 2

DETAIL NOTES:

1. ALL DIMMER SWITCHES SHALL BE LEGRAND WATTSTOPPER, 120V, 450W CFL/LED.
2. SWITCH TO CONTROL EXTERIOR LIGHTING (TYPES J AND K) SHALL BE INTERMATIC ST01K ASTRONOMIC DIGITAL IN WALL TIMER SWITCH.
3. COVER PLATE FINISH SHALL BE BY ARCHITECT/OWNER.

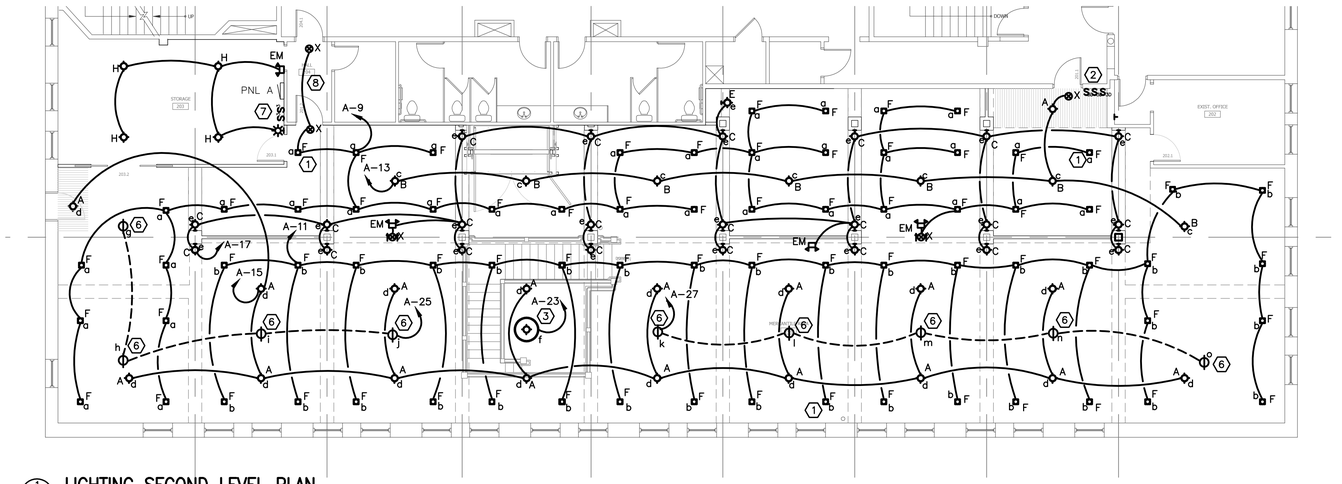
DIMMER SWITCH a	DIMMER SWITCH b	DIMMER SWITCH c	DIMMER SWITCH d	4 WAY SWITCH e	4 WAY SWITCH f
CONTROLS TYPE D, F, G, H FIXTURES	CONTROLS TYPE C FIXTURES	CONTROLS TYPE E FIXTURES	CONTROLS CEILING SO CORD	CONTROLS TYPE A FIXTURES (2ND LEVEL)	CONTROLS TYPE C FIXTURES (2ND LEVEL)

DIMMER SWITCH f	SWITCH h
CONTROLS ANTLER CHANDILIER	CONTROLS EXTERIOR J AND K FIXTURES

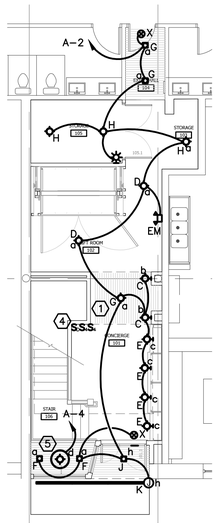
INTERMATIC ST01 PROGRAMMABLE BATTERY BACKED UP ASTRONOMICAL WALL TIMER

SWITCHES LOCATED WHERE INDICATED BY FLAG NOTE 4

3/E1.1 SWITCH COVER PLATE ELEVATION DETAIL
NO SCALE



1/E1.1 LIGHTING SECOND LEVEL PLAN
ONE EIGHTH INCH = ONE FOOT
0 4' 8' 16'



2/E1.1 LIGHTING MAIN LEVEL PLAN
ONE EIGHTH INCH = ONE FOOT
0 4' 8' 16'

GENERAL NOTES:

1. ALL WORK SHALL BE PERFORMED TO NEC REQUIREMENTS AND THE SATISFACTION OF THE CITY OF BILLINGS.
2. EXISTING DEVICES TO REMAIN SHOWN LIGHT, TYPICAL.
3. COLOR OF COVERPLATES AND DEVICES SHALL BE BY ARCHITECT/OWNER. VERIFY ALL SELECTIONS PRIOR TO ORDERING ANY ITEMS, AND VERIFY LOCATION/PLACEMENT PRIOR TO ROUGH-IN.
4. ROUTE WIRING IN JOIST SPACE PLAN WHERE CEILING IS TIGHT TO THE BOTTOM OF THE UPPER FLOOR JOIST. DRILL FLOOR JOISTS AT CENTERLINE OF JOISTS WHERE WIRING IS ROUTED THRU JOISTS.

LIGHTING NOTES: (##)

1. UPPER CASE LETTER BY FIXTURE DESIGNATES FIXTURE TYPE, LOWER CASE IS THE CONTROLLING SWITCH, TYPICAL.
2. DIMMER SWITCH BANK, SWITCHES TO CONTROL LIGHTING IN PUBLIC AREAS. SWITCHES SHALL BE 120V. SEE DETAIL 3/E1.1.
3. ELK ANTLER CHANDELIER BY OWNER. FIXTURE TO BE CIRCUITED AND SWITCHED AS SHOWN. SEE SWITCHBANK DETAILS FOR CONTROL.
4. DIMMER AND 4-WAY SWITCH BANK. SWITCHES SHALL BE 120V. SEE DETAIL 3/E1.1.
5. PROVIDE CEILING MOUNTED TWIST LOCK RECEPTACLE & PLUG END. FOR OWNER LIGHT FIXTURE, AND CIRCUIT AS SHOWN.
6. PROVIDE FLUSH MOUNTED CEILING SINGLE GANG RECEPTACLE FOR FUTURE USE. SWITCH AND CIRCUIT AS NOTED. COVER PLATE FINISH SHALL BE BY ARCHITECT. FRAME OUT BOX FOR ADDITIONAL WEIGHT, A MINIMUM OF 50 POUNDS.
7. THREE WAY SWITCHES FOR ON/OFF CONTROL OF FIXTURES AS SHOWN ON SWITCHBANK DETAIL 3/E1.1.
8. EXISTING FINISH CEILING TO REMAIN. ROUTE CIRCUITING ABOVE CEILING. MOUNT FIXTURE TO CEILING AS PREFERRED BY CONTRACTOR.

MONTANA
CORY HASAK
No. 19967PE
LICENSED PROFESSIONAL ENGINEER
2020/09/22

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PROJECT NAME: STAPLETON BUILDING
KIBLBER & KURCH RETAIL TI
101 BROADWAY

LOCATION: BILLINGS, MONTANA

DRAFTED CH
DESIGNED CH
CHECKED CH

DWG	REVISION	DATE

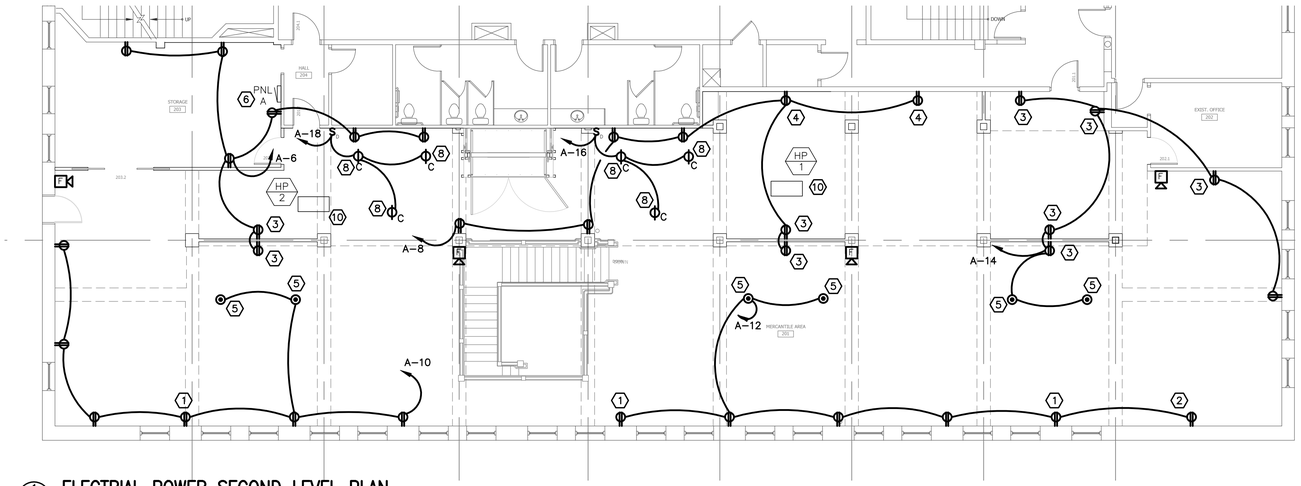
PROJECT NUMBER
2020.41.0031

DATE
2020/09/22

DRAWING TITLE
ELECTRICAL
LIGHTING PLAN

DRAWING NUMBER
E1.1

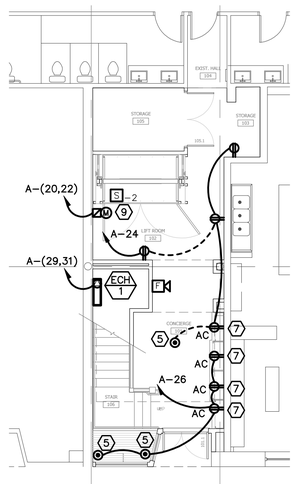
DWG. 2 OF 3



1 E1.1 **ELECTRIAL POWER SECOND LEVEL PLAN**

ONE EIGHTH INCH = ONE FOOT

0 4' 8' 16'



2 E1.1 **ELECTRICAL POWER MAIN LEVEL PLAN**

ONE EIGHTH INCH = ONE FOOT

0 4' 8' 16'

GENERAL NOTES:

1. ALL WORK SHALL BE PERFORMED TO NEC REQUIREMENTS AND THE SATISFACTION OF THE CITY OF BILLINGS.
2. EXISTING DEVICES TO REMAIN SHOWN LIGHT, TYPICAL.
3. COLOR OF ALL COVERPLATES AND DEVICES SHALL BE BY ARCHITECT/OWNER. ALL SELECTIONS MUST BE APPROVED PRIOR TO ORDERING ANY ITEMS, AND VERIFY LOCATION/PLACEMENT PRIOR TO ROUGH IN.
4. ALL WALL MOUNTED DUPLEX RECEPTACLES SHALL BE FLUSH MOUNTED IN BASEBOARD. COORDINATE INSTALLATION WITH ARCHITECT PRIOR TO ROUGH IN.

POWER NOTES: (##)

1. CENTER RECEPTACLE BETWEEN WINDOWS, TYPICAL.
2. CENTER RECEPTACLE ON WALL BETWEEN CORNER AND WINDOW.
3. CENTER RECEPTACLE ON WALL PLANE.
4. CENTER ON WALL BETWEEN COLUMNS.
5. FLUSH MOUNTED DUPLEX RECEPTACLE FLOOR BOX IN MERCHANDISE PEDESTAL. COVER PLATE FINISH SHALL BE BY ARCHITECT.
6. EXISTING PANEL A. MODIFY AS SHOWN TO ACCOMMODATE NEW CIRCUIT/LOADS.
7. FLUSH MOUNTED BOOKCASE DUPLEX RECEPTACLE. OUTLET SHALL BE INSTALLED ON PLATFORM TOP. COORDINATE LOCATION WITH CABINET DETAILS PRIOR TO ROUGH IN. COVER PLATE FINISH AND DEVICE COLOR SHALL BE BY ARCHITECT.
8. PROVIDE FLUSH MOUNTED CEILING SINGLE GANG RECEPTACLE FOR FUTURE USE. SWITCH AND CIRCUIT AS NOTED. COVER PLATE FINISH SHALL BE BY ARCHITECT/OWNER. FRAME OUT BOX FOR ADDITIONAL WEIGHT, A MINIMUM OF 50 POUNDS.
9. COORDINATE LOCATION AND ELECTRICAL REQUIREMENTS OF LIFT PRIOR TO ROUGH IN. CONNECT TO CIRCUIT AS NOTED WITH (2#6, 1#8G) 3/4"C, 100A FUSED DISCONNECT, 70A FUSE. ELECTRICAL DESIGN IS FOR 7-1/2 HP, 240V, SINGLE PHASE LIFT. IF REQUIREMENTS ARE DIFFERENT FROM ABOVE, CONTACT ENGINEER FOR RESIZING OF COMPONENTS.
10. EXISTING HEAT PUMP MECHANICAL UNIT TO REMAIN, INCLUDING ALL SERVING ELECTRICAL CONDUITS, CONDUCTORS AND DISCONNECT MEANS. PROVIDE UNISTRUT FRAME TO SUPPORT EXISTING DISCONNECT SWITCH FROM ABOVE, AND SECURE TYPE NM CABLING TO STRUCTURES.

MONTANA
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No. 19929PE
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2020/09/22

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PROJECT NAME: STAPLETON BUILDING
KIBLBER & KURCH RETAIL TI
101 BROADWAY

LOCATION BILLINGS, MONTANA

DRAFTED CH
DESIGNED CH
CHECKED CH

DWG	REVISION	DATE

PROJECT NUMBER 2020.41.0031

DATE 2020/09/22

DRAWING TITLE ELECTRICAL POWER PLAN

DRAWING NUMBER E2.1

DWG. 3 OF 3

Development Committee Action Item **Agenda Item 4-b**

Meeting Date: Friday, November 20, 2020, 7:30 am

Location: Remotely via Zoom

RE: Kibler and Kirch, LLC TIFD Assistance

Proposal:

Kibler and Kirch, LLC is a retail store of more than 30 years. It was located in Red Lodge until September of 2019 when the business decided to relocate to Billings. Since then, they have surveyed their clientele and considered their options in terms of most suitable spaces. Not only is it exciting that Kibler and Kirch is relocating to Billings but also they are relocating to Downtown, Billings, in the Historic Stapleton Building. While there has been major private investment in rehabilitating the building over the course of many years, which produced several thriving and quality businesses, there's an underutilized abandoned space that is planned to capture a new vision of the retail store. The vision is to work within the architectural spirit of the building to create a unique metropolitan retail store of nearly 6,000 square feet.

Kibler and Kirch will occupy a long-vacant, ground floor storefront between Rockets Gourmet Wraps and Le Fournil French Bakery. Inside that small footprint (and difficult space to use), they will recreate the building's original stairway to exacting detail; install an elevator shrouded by decorative ironwork, and connect two floors via a large opening. By creating access to this 2nd floor space, they intend to make the space architecturally interesting adding more vibrancy and life to the street level - both for pedestrians and traffic on 1st Avenue North. The new entrance will have new lighting, signage, awnings, and other frontstore elements.

If their past experience of drawing customers from a large geographical area holds true as they make a new store in Billings, they anticipate adding to the retail foot traffic of Downtown. They anticipate Kibler and Kirch to be a regional and national destination and shopping experience. By bolstering their professional design services, they foresee creating well-paying retail jobs. Other neighboring retail and restaurants will also benefit from the visitors they bring. The Stapleton Building was once an epicenter of shopping and they hope to continue that spirit. Finally, this sizable investment will generate a healthy increase in the tax value of the building. Because Kibler and Kirch has a long history of quality design and home furnishings, they hope to help in creating opportunities of growth by enriching their surroundings while being passionate and dedicated to the history of the building.

Kibler and Kirch, LLC has requested TIFD assistance in the amount of 143,927 dollars on a 5:1 matching basis. The total project is projected at $861,838. However, the Committee approved a grant of $79,940 on a 5:1 matching basis off of the total of qualified expenses of $478,681. The reasoning behind it is that while most improvements are qualified, access to it will be for the business and its clients. If approved, this TIFD assistance request will be subject to available Fund 203 cash and will only be applied to qualified expenditures.

Financial Breakdown Details

Private Investment	TIF Request	Ratio %
Construction = $861,838	$79,940	9%

Financials

If approved, reimbursement funds are available in the fiscal year following the year of project completion.

DBP Development Committee recommends approval of this project by the Board of Directors with the following contingencies:

1. The Applicant shall sign a development contract with the City of Billings and DBP within 90 days of City Council's approval.
2. This TIFD reimbursement is the maximum that can be received pending satisfactory submission of all paid invoices showing the completion of expenditures related to this project.
3. If funds are not available, reimbursement can be carried over to the next fiscal year.

DBP board of directors has authority to approve, modify and approve, or disapprove the recommendation prepared by the Development Committee.

Motion to approve: I make a motion to approve the recommendation of the Development Committee to award this applicant a reimbursement grant not to exceed $79,940 so long conditions above are met.

Motion to disapprove: I make a motion to disapprove the recommendation of the Development Committee in awarding this applicant a reimbursement grant of up to $79,940.

Motion to Modify: I make a motion to modify the Committee's recommendation...



Development Committee Action Item **Agenda Item 4-b**

Meeting Date: Friday, November 20, 2020, 7:30 am

Location: Remotely via Zoom

RE: Kibler & Kirch, LLC TIFD Assistance

Proposal:

Kibler & Kirch is a design and retail store of more than 30 years. The retail store was in Red Lodge until September of 2019 when the business decided to relocate to Billings. The Design portion of the business has been in the Stapleton building for six years. Since the closure of the Red Lodge store, the business has surveyed its clientele and considered its options in terms of most suitable spaces in Billings. Not only is it exciting that Kibler & Kirch is relocating to Billings but also, it is relocating to Downtown, Billings, in the Historic Stapleton Building. While there has been major private investment in rehabilitating the building over the course of many years, which produced several thriving and quality businesses, there's an underutilized abandoned space that is planned to capture a new vision of the retail store. The vision is to work within the architectural spirit of the building to create a unique metropolitan retail store of nearly 6,000 square feet.

Kibler & Kirch will occupy a long-vacant, 2nd floor space as well as ground floor storefront between Rockets Gourmet Wraps and Le Fournil French Bakery. Inside that small footprint (and difficult space to use), they will recreate the building's original stairway to exacting detail; install an elevator shrouded by decorative ironwork and connect two floors via a large opening. By creating access to this 2nd floor space, they intend to make the space architecturally interesting adding more vibrancy and life to the street level - both for pedestrians and traffic on 1st Avenue North. The new entrance will have new lighting, signage, awnings, and other storefront elements.

If their experience of drawing customers from a large geographical area holds true as they make a new store in Billings, they anticipate adding to the retail foot traffic of Downtown. They anticipate Kibler & Kirch to be a regional and national destination and shopping experience. By bolstering their professional design services, they foresee creating well-paying retail jobs. Other neighboring retail and restaurants will also benefit from the visitors they bring. The Stapleton Building was once an epicenter of shopping and they hope to continue that spirit. Finally, this sizable investment will generate a healthy increase in the tax value of the building. Because Kibler & Kirch has a long history of quality design and home furnishings, they hope to help in creating opportunities of growth by enriching their surroundings while being passionate and dedicated to the history of the building.

Kibler & Kirch has requested TIFD assistance in the amount of 143,927 dollars on a 5:1 matching basis. The total project is projected at $861,838. However, the Committee approved a grant of $79,940 on a 5:1 matching basis off the total of qualified expenses of $478,681. The reasoning behind it is that while most improvements are qualified, access to it will be for the business and its clients. Elimination of blight and the vacancy is valid but access to the public is minimal. If approved, this TIFD assistance request will be subject to available Fund 203 cash and will only be applied to qualified expenditures.

Financial Breakdown Details

Private Investment	TIF Request	Ratio %
Total Project = $861,838 QE = $478,681	$79,940	9%

Financials

If approved, reimbursement funds are available in the fiscal year following the year of project completion.

DBP Development Committee recommends approval of this project by the Board of Directors with the following contingencies:

1. The Applicant shall sign a development contract with the City of Billings and DBP within 90 days of City Council's approval.
2. This TIFD reimbursement is the maximum that can be received pending satisfactory submission of all paid invoices showing the completion of expenditures related to this project.
3. If funds are not available, reimbursement can be carried over to the next fiscal year.

DBP board of directors has authority to approve, modify and approve, or disapprove the recommendation prepared by the Development Committee.

Motion to approve: I make a motion to approve the recommendation of the Development Committee to award this applicant a reimbursement grant not to exceed $79,940 so long conditions above are met.

Motion to disapprove: I make a motion to disapprove the recommendation of the Development Committee in awarding this applicant a reimbursement grant of up to $79,940.

Motion to Modify: I make a motion to modify the Committee's recommendation…



DBP Board Meeting
November 20, 2020 – 7:30 am
Remote via Zoom

ATTENDED:	Andy Patten	Steve Tostenrud	Norman Miller	Denis Pitman
Sam Merrick	Dave Fishbaugh	Marguerite Jodry	Wyeth Friday	Ethan Kanning
Sean Lynch	Penny Ronning	Steve Arveschoug	Chris Montague	Jenny Ross
Joni Harman	Katy Easton	Mehmet Casey	James Chandler	Janna Hafer
GUESTS:	Pam Purinton	Randy Swenson & Kody Johnson	Jeremiah Young	The Burger Dive Team
Zack Terakedis				
ABSENT:	Steve Wahrlich	Kim Olsen	Ignacio Barron Viela	Jock West

1. **Call to Order** – Mr. Patten brought the meeting to order at 7:29 am.
2. **Regular Agenda**
    a. **Minutes** – October 23, 2020 –Patten motioned to approve the minutes and Mr. Montague approved, Mr. Fishbaugh seconded the motion and approved by all.

2. Presentations

1. Mr. Brad Halsten and Mrs. Halsten from The Burger Dive, they have been in business for 10 years and are working on purchasing and looking to expand greatly and bring revitalization to Minnesota Ave. They are working on purchasing the 3 vacant properties, expanding indoor seating by twice the amount, adding outdoor seating, a rental retail opportunity and eight apartments for housing. They feel like they could make this area a destination place and feel like The Burger Dive is a destination restaurant and have received funding by a bank.
    1. Mr. Casey opened the conversation to questions. Mr. Arveschoug commended the Halsten's and especially their area. Mr. Arveschoug brought up the concern about opening during a pandemic. The Halstens were recently forced to go to take out only and their business has stayed profitable during this time; they were able to keep all employees and have expanded into a dinner service and that has created 50% more jobs. Oct 2019 they were at $72k in gross sales in Oct 2020 they have increased by 50% in gross sales due to the addition of dinner service. On average, 30% of sales are from the dinner service and there has been social media and word of mouth advertising done, with no additional advertising. New restaurant capacity will be about two and half times what their current restaurant is and they are confident that their numbers will continue to remain high. If approved, they would not relocate for at least nine months to a year and believe that Covid could likely work in their favor for this. They are also looking at adding a beer and wine license as well which they anticipate to add 20-25% to their gross sales.

2. Mr. Casey introduced Jeremiah Young from Kibler and Kirch, who owns the Stapleton building and Kibler & Kirch. They have been in the process of relocating their furniture and home store that will complement their design business. Their desire is to keep the historical character and put good businesses in the building. They are working to finish occupying the 2nd floor and the ground level storefront that have been vacant for quite some time. They closed their store in Red Lodge and are wanting to bring their retail store to Downtown Billings. They are hoping to become a Staple like they were in Red Lodge. They are going to do a relatively small store front, recreate the original staircase from 1904, and continue to recreate and restore the building to what it once was. They desire to bring a sense of history back to downtown, and while on the surface it doesn't seem like they need assistance, there has been huge empty space within the building and they believe this is a novel way to finish the rest of their building. They project to be spending around 1 million dollars on this project and hope to bring affluent people downtown to shop, eat in local restaurants and spend dollars downtown. Based on research and polling their clients, they were overwhelmed with the response and encouragement for Billings.
    1. Mr. Patten opened the conversation. Mr. Montague thanked Mr. Young for being downtown.

b. **DBP Staff Update**:
    1.

c. Financials
    1.

3. **Old Business –**
    a.

4. **New Business –**
    a.

5. **Action Items –**

a. Large Project Incentive Grant -Burger Dive Committee Recommendations - Ms. Hafer recused herself for The Burger Dive presentation. Mr. Casey - provided a presentation on the Burger Dive - The acquisition for the building is currently ongoing and they are waiting on the appraisal ($239,579) and the projected total cost of construction is about $2,879,918 for not yet started construction and seek TIF approval for $466,373. Inclusive of interior rehabilitation and exterior restoration of the brick and facade to try to bring back as much original character to the building, in addition to work upstairs for the apartments and in the back for the patio. The building's Total estimated cost for the project is $3.1 Million. Mr. Casey also opened this up to the group for questions.

1. My. Lynch stated that he greatly supports this project and believes that Downtown has been searching for a business to revitalize MN Ave, he believes that there is all blight over there and couldn’t think of a better business for this and is the first to motion for approval on this project.

2. Mr. Montague seconded the motion. All were in favor and Mr. Patten moved into motion, all agreed and the motion carried.

b. Kibler and Kirch - Large Project Incentive Grant- Total project costs are anticipated to be $861,838, qualified expenses are $478,681 and TIF ask is for $143,927, however, committee recommends $79,940 out of the qualified expenses ($478,681). The committee sees value in this project but the reason for the reduction, more success has been seen historically in terms of approval, when the exterior of the site is visibly blighted and while there are pockets that are vacant, the perceived notion is that the Stapleton building is thriving, they decided for the 5:1 reimbursement ratio off of qualified expenses instead of total project costs.

1. Mr. Patten asked to clarify the ground floor purpose. Mr. Young clarified that the storefront is a little more than 700 sq ft and will present as a retail store front and it will be apparent that it is a store, but the bulk of the space will be on the second floor with the staircase and elevator on the first floor. Ms. Hafer recommended approval for this, and believes this will add to the aesthetics downtown, she believes in Mr.Young's ability to attract consumers in and would like to have it there, this is the first motion to approve. This was seconded by Ms. Jodry. Mr. Lynch likes this as a way to help get people to explore different ways to use downtown buildings and encourages people to tour the building to help open up ideas to the public to provide the opportunity to think outside of the box. Ms. Haman is excited to see retail come downtown, she believes in this downtown project and asked about the timeline on this. Mr. Young already has his plans approved by the city and contracted with an architect and hopes to have this complete by June - July of 2021. Mr. Patten moved for a motion to approve, all approved and motion carried.

c. The Stone Building - Large Project Incentive Grant- This was presented back in August but due to discrepancies in numbers and dates it was misrepresented; thus, needed to be revisited. Acquisition was on March 14, 2018 for $680,000. This is within the three year expectation for private investment. Phase I expenditure came about to be $1,010, 21 and Phase II expenditures are expected to be around $2.3 Million which have not yet started, the project is estimated to cost $3,986,617, the developer is asking for $700,000 which is about $34,235 over the 5:1 ratio at almost 18% instead of 16% and will only be reimbursed for the remaining expenses in Phase II. The committee still recommends this for approval because of the added value of this project to the district despite the site’s challenges. This property is a bit difficult as the land where the property sits is owned by the railroad and the building owner leases the land from them, in addition to the pandemic, banks don’t often like to see these variables that present many risks.

1. Mr. Patten asked about what was accomplished during Phase I? Kody shared a general outline of the Phase I expenses, he stated that the majority of the expenses were done with Masonry, corners were falling off, windows, they have had a fair amount of demo, the basement had concrete slab issues, they had to pull about 70% of the concrete slab, had to stabilize the soil, re-pour the concrete, rebuild 2 staircases, moved the elevator entrance to the N entrance, and additional extensive structural repairs. On the NW corner, an additional entrance on the ground floor, and fire suppression is about 90% complete, added a 2 inch water service, demoed and rebuilt the dock and canopy structure in the back.

2. Mr. Montague asked about what's changed since the last meeting. Mr. Casey clarified that the year of acquisition was in question and reviewed the history of issues of the application process.
3. Mr. Arveschoug asked about the deadline set in the project, Mr. Casey clarified that the deadline is June 30, 2021. Randy, the developer clarified current issues of funding needed and shared that they intended to sell additional buildings to gap the finances that will not be required by the bank. Mr. Arveschoug asked for clarification and justification about going past the 5:1 ratio for this particular project and wants to know if it's because of the challenge because the property is owned by the railroad. Mr. Casey confirmed that this is the reason for the property land being owned by the railroad as well as the pandemic and to try to consider occasional exceptions for projects like this that provide heavily blighted buildings that have these types of challenges. Mr. Kanning mentioned that this is one of the first buildings you see when you come downtown and the size of the building (33,000 sq ft.) is of significance. Ms. Easton shared that it is important to consider the public safety and this is a high call volume for complaints about this building and area. Ms. Easton mentioned that an occupied and lit building is a safer building. Randy mentioned that safety downtown is key, the parking lot south of the tracks is part of it and they are putting up LED lights and fencing it up, security is of utmost importance for them. Ms. Hafer commented that she supports this project, but thinks we open up a can of worms if we do not stick to the 5:1 ratio. Mr. Patten asked for comments. Norman asked if anyone has asked the railroad if anyone is going to approve this development. Mr.Casey shared that the only opposition that the railroad has is putting in residential units. He also shared that the increments added to the district from the new ownership and future improvements of the building are going to add benefits, which is another valid reason to entertain the potential of making an exception to the 5:1.
4. Mr. Arveschoug stated to make a motion to accept the recommendation that the development committee put together without disrespecting Ms. Hafer's concerns because he shares the same concern about going past the 5:1 ratio. He believes that in this particular case that we need to have an open mind with all of the previously mentioned factors and the importance of this corner that he thinks it needs to get moving and get developed. He suggested one caveat to his motion which is not to push the deadline to try to meet financing and wants to see if this project can be a go. Ms. Harman seconded the motion. Mr. Patten moved the motion for approval with the committee's recommendation and with the exception to the hard deadline of June 30th, 2021. Commissioner Pitman stated that he'd like to make an amendment to the recommendation and he believes that sticking to the ratio on the policies is very important. He understands the reasons why deviation in this instance is desired but separating it out as an amendment to the motion is what he'd like to see. Ms. Hafer seconded the amended motion. The amendment to the motion is to keep the 5:1 reimbursement

ratio. My Lunch agreed with the amendment. Mr. Arveschoug requested clarification on the 5:1 was adopted by the board in agreement with the city and the context is not urban renewal legislation. Ms. Easton confirmed that he was correct and Mr. Casey confirmed that this is the preferred threshold but allows for room for deviance. Mr. Patten moved a motion to amend the motion to limit the TIF funding to the 5:1 ratio. Most were in favor, there were three nays. Mr. Patten believed the motion to carry. Mr. Patten then put into vote to move to the motion to carry with the amendment of the 5:1 ratio with the hard financial deadline of June 30th, 2021. All were in favor and the motion carried.

6. **Partner Reports –**
    a. City of Billings
        1. Mr. Friday - is reminding a public safety survey has gone out and wants to make sure it gets sent out far and wide with a deadline of Dec 2nd to be pushed across the whole city. The city council will be revisiting their capital improvement plan with a more in depth conversation on Dec 7th. Ms. Ronning reminded everyone that clients for Project Re:code with any objection or support with very specific recommendations to call in during this meeting.
    b. Yellowstone County
        1. Commissioner Pitman - asked for questions from the group - working on establishing the connection between Metra Park and downtown and the improvements at MetraPark
    c. SD#2
        1. Ms. Hafer - School is still in session, they are doing all they can to keep them open because they believe it benefits the students. They still have a small portion who is remote by choice or necessity, a decision has not yet been made on indoor sporting events for winter sports, and the State football championships are tonight, Mr. Kanning asked about an expectation on when the decision is going to be made on indoor winter supports but Ms. Hafer clarified the process and is unknown until otherwise heard.
    d. Big Sky Economic Development (BSED)
        1. Mr. Arveschoug , shared about the healthcare appreciation day and 9,000 $10 gift cards and a gift with a link from the Billings Symphony to watch their holiday program online went to 9,000 healthcare workers in Billings.They gave City Council an update on downtown a good overview on One Big Sky and catalyst projects and identifying common elements and objects over various plans and layers and believe it to have been well received and their design work continues on The Montana Building downtown redevelopment, Mr. Arveschoug asked for about 10 minutes in the December or future meeting to present this to the board, the Economic response and recovery team continue to meet every thursday. Dec 10th at 3:15 is hosting a progress report to the community, asking us to save the date and participate in the meeting from various community members.

e. Downtown Billings Association
    1. Ms. Easton - Gift Card program - launched due to healthcare appreciation day. We sent out 1,500 cards in $15,000 dollars on these cards which spurred additional interest of an additional 2,500 cards purchased totaling $50,000 dollars coming downtown. Ms. Easton shared statistics and the excitement for dollars headed to downtown. She also encouraged people to shop local and that if people need help with a gift guide this year, to contact the DBA because we believe that you can find most things locally.

f. Business Improvement District -
    1. Mr. Lynch shared that the team is ready early due to early snow - CPTED certification program going on at the Pubstation in December. Ms. Easton shared that holiday decorations are going up this weekend.

g. Billings Cultural Partners – Not present

h. Parking Advisory Board – Mr. Fishbaugh - working on an application process for pedlets - a sub committee is going to work with Mehmet and are going to touch base with Great Falls as they have been doing this for awhile, the application will eventually be turned over to public works and they will be meeting again in January. Mr. Casey, was incontact with a reporter with a bunch of news pieces and Joan from Great Falls BID.

i. Downtown Billings Property Owners Association – Ms. Hafer provided an update and elected new officers and they will be having another meeting in December and are looking for more members. Property owners decided on a vote not to support the 27th street options or endeavors.

Mr. Casey asked if there was interest for a meeting in December, Mr. Lynch asked about pending TIF application, Mr. Casey confirmed no at the moment, but could come up for CPTED and signage. Mr. Lynch said we move to not have a meeting unless something comes up to where we need to call the meeting to order.

Meeting Adjourned at 8:58 AM

NOTE: SUPPORTING DOCUMENTS FOLLOW AGENDA

CITY OF BILLINGS

CITY OF BILLINGS' VISION STATEMENT:

"THE MAGIC CITY – A VIBRANT, WELCOMING PLACE WHERE PEOPLE FLOURISH AND BUSINESS THRIVES"

AGENDA

COUNCIL CHAMBERS December 8, 2008 6:30 P.M.

CALL TO ORDER – Mayor Tussing
PLEDGE OF ALLEGIANCE – Mayor Tussing
INVOCATION – Councilmember McCall
ROLL CALL
MINUTES – November 13, 2008, Special Meeting
November 24, 2008
COURTESIES – Presentation to Al Winegardner and family in appreciation of donation in memory of Jayne Winegardner
PROCLAMATIONS
ADMINISTRATOR REPORTS – Tina Volek

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Item: 1 ONLY. Speaker sign-in required. (Comments offered here are limited to 1 minute per speaker. Please sign up on the clipboard located at the podium. Comment on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item.)
(NOTE: For Items not on this agenda, public comment will be taken at the end of the agenda. Please sign up on the clipboard located at the back of the room.)

CONSENT AGENDA:

1. A. Change Order #3, W.O. 08-09, Waste Water Treatment Plant Primary Effluent Pipe Replacement and Sludge Drying Bed Expansion, Western Municipal, $20,468.65, and **increase** the City Administrator's change order authority by $50,000.

B. Approval of compensation agreement for Private Contract No. 599, Emmanuel Baptist Church Sanitary Sewer Extension project, $325,360.

C. **Approval** of amended Purchase and Sale Agreement with School District Two for ten acres within Cottonwood Park for $200,000, and **authorization** for the Mayor to execute associated documents to consummate the sale and transfer of ownership of the property.

D. **Approval** of grant application submittal to Safe Route to School Program for the Elementary School Traffic Plan, $50,000.

E. **Resolution** relating to financing of proposed Zone 3 Storage, Zone 4 Reservoir project and Water Rehabilitation project; establishing compliance with reimbursement bond regulations under the Internal Revenue Code for the purpose of reimbursing the City with bond sale proceeds for financing water projects prior to the availability of funds.

F. **Resolution** relating to financing of a proposed Wastewater treatment plant disinfection system project; establishing compliance with reimbursement bond regulations under the Internal Revenue Code for the purpose of reimbursing the City with bond sale proceeds for financing sewer projects prior to the availability of funds.

G. **Second/Final reading** ordinance expanding the North 27th Street Urban Renewal Area – 2008.

H. **Second/Final reading** ordinance modifying the South Billings Boulevard Urban Renewal District.

I. **Exempt Amended Plat** of Tract 1 of Certificate of Survey 1815.

J. **Bills and Payroll**
(1) November 7, 2008
(2) November 14, 2008

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION GRANTING NEW OR EXPANDING INDUSTRY TAX INCENTIVES FOR BIG SKY ECONOMIC DEVELOPMENT AUTHORITY/GENERAL ELECTRIC CAPITAL CORPORATION** for a new building at 3333 Hesper Road. Staff recommends approval. (**Action**: approval or disapproval of staff recommendation).

3. **PUBLIC HEARING AND RESOLUTION GRANTING NEW OR EXPANDING INDUSTRY TAX INCENTIVES FOR DALCO INDUSTRIES DBA TETON STEEL** for property improvements at Gabel Road and South 29th Street. Staff

recommends approval. (**Action**: approval or disapproval of staff recommendation).

4. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR REVISIONS TO BOARDS AND COMMISSIONS:** Revisions that provide consistency in procedural areas for advisory boards, commissions and committees, and reorganizes ordinances into one Article of the Code. Staff recommends approval. (**Action**: approval or disapproval of staff recommendation).

5. **PUBLIC HEARING FOR EXTENSION OF INTERIM ZONING ORDINANCE:** A proposed one-year extension of the Interim Zoning Ordinance that amends Section 27-611, Sexually Oriented Businesses, and allows the interim zoning ordinance to be effective until December 23, 2009. Staff recommends approval. (**Action**: approval or disapproval of staff recommendation).

6. **DOWNTOWN BILLINGS PARKING STUDY.** Delayed from 11/24/08. Staff recommends approval of contract with Rich and Associates, Inc. for $68,500. (**Action**: approval or disapproval of staff recommendation).

7. **PUBLIC COMMENT on <u>Non-Agenda</u> Items --** <u>Speaker sign-in required.</u> *(Restricted to <u>ONLY</u> items not on this printed agenda; comments limited to 3 minutes per speaker. Please sign up on the clipboard located at the back of the Council Chambers.)*

(Action: approval or disapproval of Consent Agenda.)

ADJOURN

(NOTE: Additional information on any of these items is available in the City Clerk's Office)

Visit our Web site at:
http://ci.billings.mt.us

ATTACMENT A

ORDINANCE NO. _____

AN ORDINANCE MODIFYING THE URBAN RENEWAL PLAN OF THE NORTH 27TH STREET DISTRICT URBAN RENEWAL AREA; MODIFYING THE BOUNDARIES OF THE DISTRICT; ADOPTING A MODIFIED URBAN RENEWAL PLAN INCLUDING A TAX INCREMENT PROVISION; APPROVING URBAN RENEWAL PROJECTS THEREIN AND AUTHORIZING THE ISSUANCE OF TAX INCREMENT URBAN RENEWAL REVENUE BONDS OF THE CITY TO FINANCE COSTS THEREOF

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

WHEREAS, on July 11, 2005 the City Council adopted Ordinance No. 05-5333, which created the North 27th Street District Urban Renewal Area (hereafter "North 27th Street District") and adopted the Urban Renewal Plan of the North 27th Street District Urban Renewal Area ("N. 27th Street Plan") that included a tax increment provision and endorsed urban renewal projects.

WHEREAS, on November 13, 2006 the City Council adopted Ordinance No. 06-5394 which expanded the boundaries and amended the N. 27th Street Plan to create the Extended N. 27th Street District that included a tax increment provision and endorsed urban renewal projects.

WHEREAS, it has been determined that the Extended North 27th Street District and the N. 27th Street Plan should be modified to include additional property contiguous to the Extended North 27th Street District.

WHEREAS, this Council on November 24, 2008, conducted a public hearing on a proposal to modify the N. 27th Street Plan by adopting the Urban Renewal Plan of the Expanded North 27th Street District Urban Renewal Area - 2008, thereby establishing a modified urban renewal area to be formally designated as the Expanded North 27th Street District Urban Renewal Area - 2008 (the "Expanded North 27th Street District - 2008" or "the Property"), and to undertake urban renewal projects therein, all as authorized by Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the "Act").

WHEREAS, the Expanded North 27th Street District - 2008 is depicted on Attachment 1 (depicting the relationship of the Expanded North 27th District – 2008 to the Extended N. 27th Street District) and which is hereby incorporated herein and made a part hereof. Pursuant to this Ordinance, the boundaries of the Redevelopment Area are modified to reflect the addition of the Property depicted on the map on Attachment 1. The Redevelopment Area, as modified, is depicted on Attachment 1 and legally described on Attachment 2 (the "Resulting Redevelopment Area") (each of which is hereby incorporated herein and made a part hereof). The Resulting Redevelopment Area is contiguous.

WHEREAS, opportunities have been presented to the City that makes it desirable for the City to consider urban renewal projects within the Expanded North 27th Street District - 2008 consisting of demolishing certain blighted structures within the district; improving such properties with new construction, landscaping, utilities, and other similar improvements; and making the properties so improved available for private redevelopment in accordance with the Act (the "Projects"). Development proposals to be considered for funding include mixed use projects, building renovations, services for the District and the construction or expansion of City owned parking structures within the District.

WHEREAS, the proposed modified urban renewal plan titled the Urban Renewal Plan of the Expanded North 27th Street District - 2008 is attached hereto as Attachment 3 (which is hereby incorporated herein and made a part hereof) (the "Modified Plan"). The Modified Plan contains a tax increment provision and will govern the operation and administration of the Expanded North 27th Street District - 2008.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Billings, Montana, as follows:

1. Findings. This Council hereby finds, determines and declares, based on the comments received at the public hearing and other studies and information available to this Council, that:

a. The Property presently contains structures and improvements that are in a state of substantial deterioration, are obsolete or defective, pose unsanitary or unsafe conditions, are vacant and unused, and have inappropriate uses. The present condition of the Property substantially impairs the sound functioning of the downtown area of the City and its environs, is conducive to juvenile delinquency and crime, poses the threat of vandalism or mischief and fire or loss, constitutes an economic and social liability, and is a menace to the public health, safety, and welfare of the residents of the City. Accordingly, the Council reaffirms its previous findings that the Property is a blighted area within the meaning of Section 7-15-4210 of the Act. This Council finds that the rehabilitation, redevelopment or a combination thereof of the Property is necessary and in the interest of the health, safety, morals or welfare of the residents of the City. This Council finds that undertaking measures to eradicate or diminish the blight affecting the Property will help to foster a more dynamic, livable, and vibrant downtown.

b. If Projects require relocation of displaced persons, a detailed relocation plan is required and will be prepared.

c. The Modified Plan conforms to the 2003 Billings and Yellowstone County Growth Policy and the City's Downtown Framework Plan.

d. The Modified Plan will afford maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the District by private enterprise.

e. A sound and adequate financial program is required for the financing of Projects, which program includes substantial private investment and financing and the sale and issuance by the City of Tax Increment Bonds in proportions yet to be determined, for the purpose of financing a portion of the costs of the Projects as set forth above.

f. Approved Projects will constitute urban renewal projects within the meaning of the Act and are authorized to be undertaken by the City.

2. Plan Adoption. The Modified Plan is hereby adopted and approved in all respects, including without limitation, the segregation and application of tax increments as provided in Sections 7-15-4282 through 7-15-4293 of the Act as provided therein. For purposes of allocating taxes according to the Act, the "prior assessed value" of taxable property within the Expanded North 27th Street District - 2008 is that value shown on the assessment rolls as of January 1, 2008.

3. Project Approval. Authorized Projects are hereby approved.

4. Bonds. This Council approves financing the costs of Urban Renewal Projects, or a portion thereof, with proceeds of the Bonds. The City is hereby authorized and directed to undertake activities and analysis ordinarily prerequisite to the issuance of tax increment urban renewal revenue bonds in a principal amount not to exceed $10 million for financing of the costs of Urban Renewal Projects or a portion thereof.

5. Conditional Commitment. The adoption of the Plan does not constitute a guarantee or a firm commitment that the City will issue the Bonds or undertake Projects. If, based on comments or information made available to or obtained by the City, it appears that the issuance of the Bonds or Projects is not in the public interest or consistent with the purposes of the Act, the City reserves the right not to issue the Bonds or undertake the Project.

7. Repealer. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

8. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

9. Effective Date. This Ordinance shall be in full force and effect from and after the date that is 30 calendar days after the date set forth below.

ADOPTED by the City Council of the City of Billings, Montana, on second reading this 8th day of December, 2008.

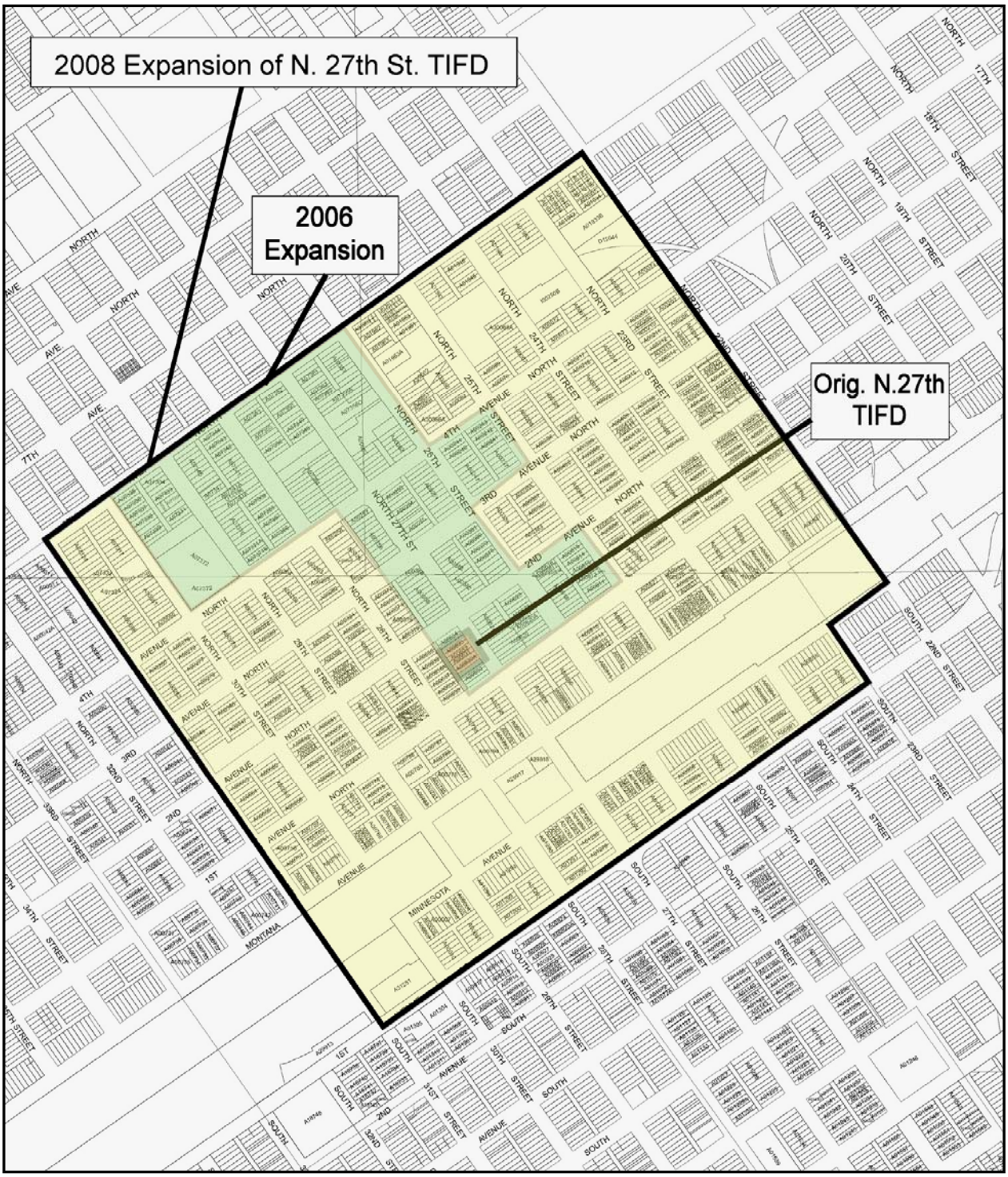
_____
Ron Tussing, Mayor

ATTEST:

_____
Cari Martin, City Clerk

ATTACHMENT 1

Expanded North 27th Street Urban Renewal District – 2008 Boundaries, Boundaries of the Extended N. 27th Street District (2006) and the Boundaries of the N. 27th Street District (2005)



ATTACHMENT 2

Expanded North 27th Street Urban Renewal District – 2008
Boundary Description

Beginning at a point at the intersection of the centerlines of 6th Avenue North and North 31st St. proceeding east along the centerline of 6th Ave. North to a point at the intersection of the centerlines of 6th Avenue North and N. 22nd Street proceeding south along the centerline of North 22nd Street, crossing the centrally assessed Burlington Northern Railroad property, to a point at the intersection of South 22nd Street and Minnesota Avenue proceeding west along the centerline of Minnesota Avenue to a point at the intersection of Minnesota Avenue and South 23rd Street proceeding south along the centerline of South 23rd Street to a point at the intersection of South 23rd Street and 1st Avenue South proceeding west along the centerline of 1st Avenue South to a point at the intersection of the centerlines of 1st Avenue South and South 31st Street proceeding north along the centerline of South 31st Street, crossing the centrally assessed Burlington Northern Railroad property, to the starting point at the intersection North 31st Street and 6th Avenue North encompassing all parcels and tax codes therein.

ATTACHMENT 3
Expanded North 27th Street Urban Renewal Area – 2008
Modified Plan

EXPANSION OF THE BILLINGS, MONTANA NORTH 27TH STREET URBAN RENEWAL AREA, WITH TAX INCREMENT, AND AMENDMENT TO THE URBAN RENEWAL PLAN

FOR CITY OF BILLINGS AND PLANNING REVIEW
October 14, 2008

Prepared by

Downtown Billings Partnership, Inc
2815 2nd Ave. North – Billings, MT 59101 – gregk@downtownbillings.com

SECTION 1 – INTRODUCTION

On July 11, 2005, the City Council adopted an ordinance that (a) created the North 27th Street District Urban Renewal Area ("North 27th Street District") and (b) adopted an urban renewal plan for the district. On November 13, 2006 the City Council adopted an ordinance that (a) expanded the North 27th Street District and (b) modified the urban renewal plan for the district. For reasons discussed in this Amendment to the Urban Renewal Plan of the North 27th Street District ("Plan"), it has been determined that the North 27th Street District should be expanded again to include other contiguous blighted properties in need of redevelopment. Further, it has been determined that this area, known as the Central Business District of Billings, has been and is in need of expanded public parking, enhanced pedestrian connections and experiences, improved public safety, and infrastructure improvements to public and private properties that will lead to increased taxable values. The existing urban renewal plan may be modified by ordinance in accordance with the procedure described in M.C.A. § 7-15-4221. The Urban Renewal Plan of the North 27th Street District approved by the City Council on July 11, 2005 and modified on November 13, 2006 is hereby included by reference as part of this amended Plan and shall remain applicable hereto except to the extent the original plan is explicitly or impliedly amended by this Plan. It is recognized as part of this Plan that the basic vision of the document known as Downtown Billings Framework Plan, adopted by the Billings City Council on December 22, 1997 and by the Yellowstone County Commissioners on December 23, 1997, is still valid and should be considered a part hereof. The terms defined in "Part I – DEFINITIONS" of the North 27th Street District Plan shall have the same meanings in this Plan unless a contrary meaning is expressed herein. The expanded district proposed in this Plan is hereafter referred to as the Expanded North 27th Street District - 2008 or the "District."

SECTION 2 – BACKGROUND

The original Downtown Redevelopment District, a downtown tax increment finance district, was created on December 20, 1975 by a resolution which cited hazardous conditions existing in the district due to overhead utility wires, inefficient land use, problems of access and circulation, physical constraints to development, random location of mixed uses and deteriorated building

conditions, and found that rehabilitation and redevelopment of the District would be in the public interest. That original district (hereafter "1975 District") comprised one hundred and twenty four (124) blocks in the city center after the 1985 south expansion and the 2004 east expansion. The 1975 District expired March 1, 2008 but the Urban Renewal Plan and the Framework Plan used for that district, in many parts and in relation to this District remain valid.

Because the 1975 District has terminated, but many of the undesirable conditions continue to exist, it was determined that it would be in the best interest of the City to expand the North 27th Tax Increment District to assist the construction of public improvements, stabilize and grow the tax base, increase the parking inventory, increase the inventory of downtown residential property, stimulate multi-use development ("Multi-Use Facility Projects"), fill street level vacancies, provide expanded security, develop safe event locations with appropriate traffic control devices, expand the Business Improvement District, make modifications to street and intersection lighting, increase traffic calming and reduce the noise in the district through Quiet Zone management and further implement the vision of the Downtown Framework Plan.

Currently, there is a need to expand the North 27th Street District to encompass development needs on the North 27th Street corridor, the North Broadway corridor, the Old Town Neighborhood and the Montana Avenue Historic District (including expansion of the Historic District to include areas south of the railroad tracks), the Civic District, areas adjacent to the Medical Corridor, adjacent to the East Billings Urban Renewal Area and other underutilized properties within the Central Business District of Billings. Although there has been significant improvement in the valuation of property in much of the 1975 District, the area defined by this proposed expanded tax increment district has major properties that have been neglected for many years and continue to show signs of serious blight and tax base decline. Many parcels have been removed from the tax rolls and/or are delinquent on payments of taxes and fees. The Expanded North 27th Street District creates an opportunity to continue redevelopment of the center of downtown with a mixture of public and private investment in a roughly seventy-one-square-

block district (just over half of the size of the 1975 expanded district) encompassing the existing North 27th Street District.

The area has several pockets of low taxable value, with several lots of the land being owned by government and other non-profit entities and several buildings that are over 50% vacant.

The creation of the Expanded North 27th Street District is essential to any planned development at 4th Avenue North and North Broadway, redevelopment of the vacant Northern Hotel, improving security and expanding the clean safe and vibrant programs of the Business Improvement District, continuing redevelopment of the Civic Plaza area, developing the boundary areas of the Medical Corridor and the East Billings Urban Renewal Area, and expanding the Historic District. It could also assist with the essential remodeling of the Northern Hotel, the Babcock Theatre, the Westwood Building, the Lincoln Hotel Building. Public infrastructure construction within this expanded District could assist with the renovation and/or relocation of various City facilities, such as the public library. It is currently expected that the expanded North 27th Street District may help fund the following projects:

I. Business Programs and Projects

a. Business Retention
    i. Targeted assistance and review of existing street level businesses
    ii. Retail market survey
b. Business Recruitment
    i. Development of a "chainlet" network
    ii. Business plan development assistance
    iii. Association networking
    iv. Business Improvement District support
    v. Business cluster analysis
    vi. Pedestrian study
        1. demographics
        2. directions
        3. linkages
        4. destinations
        5. wayfinding

II. Parking and Transportation

a. Increase use of public transit
b. Parking structures to support current and future needs

c. Explore parking linkages to adjacent destinations
d. Explore parking management practices and programs
    i. Off street parking
    ii. On street parking

III. Crime Prevention and Public Safety

a. Cooperative Security Program
b. Business Watch Program
c. Crime and Fraud prevention programs
    i. Geared towards street level businesses

IV. Management, Implementation and Maintenance

a. Downtown Billings Partnership, Inc. or its successor, management agreement
    i. Project development
    ii. Public awareness
    iii. Advocacy and liaison between public and private sectors
b. Business Improvement District expansion and development
    i. Cooperative work agreements with PMDs
    ii. Development and promotion of Conference Corridor
    iii. BID expansion
    iv. "Green" Management
        1. Recycling programs
        2. Tree management

V. Infrastructure Improvements

a. Public
    i. Expansion of Historic District
    ii. New Library
    iii. New Planning Department Offices
    iv. Public Parking and Greenspace
    v. Intersection Lighting by Public Works
    vi. New SILMDs for mid-block lighting
    vii. Streetscapes and traffic calming plans
    viii. Sidewalks, curbs and gutter improvements
        1. stabilization of vaults
    ix. Relocation of public and private utility lines
b. Public infrastructure improvements that would support the following development projects/programs
    i. Workforce housing development
    ii. Loft and Condo development
    iii. Lodging development
    iv. Conference Facilities

v. Entertainment venues

SECTION 3 – SUMMARY OF BLIGHT FINDINGS

The area in the proposed expansion of the North 27th Street District contains a great deal of blight. Within the district there is substantial structural deterioration, long-term land vacancy, a railroad spur line that has been abandoned and a major rail line that continues to divide the Central Business District. Several of the commercial buildings in the district are deteriorated and/or vacant and need demolition or renovation. Many of the storefronts and upper floors are vacant or under-occupied. Sidewalks are cracked; alleys are deteriorated, and, in general, much of the area is below accepted standards. In contrast to the above, there are certain properties within the district in good repair but included in the district to allow for a contiguous block of land within the district and because pockets of revitalization cannot be sustained if areas of neglect and blight surround them. Over time, without continued managed urban renewal, even these success stories will once again decline in taxable value. Most of the district falls into the blighted, neglected and under-utilized categories.

SECTION 4 – DESCRIPTION OF BLIGHTED AREA

The expanded urban renewal area described in this amended Plan incorporates most of the Central Business District. Within the district there are several older, single-story structures that have been retrofitted for offices and warehousing, numerous surface parking lots, and several vacant structures. Many of these structures are unsuited to their current uses because of age obsolescence and physical deterioration.

Montana‘s Urban Renewal Law (Montana Code Annotated Title 7, Chapter 15, Parts 42 and 43) provides the authority to declare the existence of blighted areas and to target them for improvements. “Blighted area” is defined in Section 7-15-4206(2), M.C.A., as follows:

> *[A]n area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs or arrests the sound growth of the city or its environs; retards the provision of housing accommodations; or constitutes an economic or social liability or is detrimental*

or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use, by reason of:

- *(a) the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential;*
- *(b) inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;*
- *(c) inappropriate or mixed uses of land or buildings;*
- *(d) high density of population and overcrowding;*
- *(e) defective or inadequate street layout;*
- *(f) faulty lot layout in relation to size, adequacy, accessibility, or usefulness;*
- *(g) excessive land coverage;*
- *(h) unsanitary or unsafe conditions;*
- *(i) deterioration of site;*
- *(j) diversity of ownership;*
- *(k) tax or special assessment delinquency exceeding the fair vale of the land;*
- *(l) defective or unusual conditions of title;*
- *(m) improper subdivision or obsolete platting;*
- *(n) the existence of conditions that endanger life or property by fire or other causes; or*
- *(o) any combination of the factors listed in this subsection (2).*

The land being added to the Plan area includes 405 (Exhibit A) property tax codes plus a segment of centrally assessed BN Railroad property. The complete, expanded Urban Renewal Area will have 481 property tax codes plus the segment of BN Railroad property. Within that total area, and as noted in the 2006 approved Urban Renewal Plan, there are many "target areas" that should be immediately considered for redevelopment. The properties on N. Broadway between 4th Avenue North and 6th Avenue North will need additional parking to facilitate the construction of a Stockman Bank facility. The area adjacent to the Northern Hotel on North Broadway is in need of parking due to the closure of the privately owned parking structure in that area due to unsafe and blighted conditions of the structure. The area east of the Yellowstone County Courthouse Lawn is targeted for a new federal courthouse and will need additional parking and green spaces. The area between the new MET transit facility on N. 25th Street and to the east boundary of the East Billings Urban Renewal Area (N. 22nd Street) is in need of redevelopment that could include workforce housing and parking. The status of the Battin Federal Courthouse is still unclear. The facility is contaminated with asbestos and is destined to become vacant with the completion of a new federal courthouse and office building. This

vacancy will present a redevelopment opportunity in the near future. The area surrounding City of Billings Park IV contains many surface parking lots that could be developed if Park IV is sold to a private developer. This area lacks high-rise housing with mixed use occupancy on the first floor. The future use of the Lincoln Center is unclear and it could be a redevelopment opportunity if the school district ceases its administrative and continuing education functions in the building. The properties on 1st Ave. S. and Minnesota Avenue are not currently in a Historic District and values remain stagnant as compared to the Montana Avenue area. The redevelopment of the south side of the railroad tracks has not kept up with the redevelopment north of the tracks and should be a target area. Several properties located between Montana Avenue and 1st Avenue North are severely underutilized and in need of redevelopment. Without attention to some of this blight, over time, the value of the Montana Avenue redevelopment will most likely be negatively impacted.

SECTION 5 – DETERMINATION OF BLIGHT

The proposed expansion area of the North 27th Street District contains a number of underdeveloped properties. The Council previously determined that the property included in the North 27th Street District was "blighted" within the meaning of the Act in Resolution 05-18276 adopted June 13, 2005 and Resolution 06-18488, adopted September 25, 2006. The Redevelopment Area, including the portion that is to be expanded to form the Expanded North 27th Street District - 2008, was previously determined to be blighted and an appropriate area for an urban renewal project in Resolution No. 12107 dated January 5, 1976. Deficiencies in public and private properties located in the district lead to a determination that the area continues to be blighted, as defined by state statute. Specific areas of blight on the site are listed below:

Deficient Structures in Expanded Area

There are several buildings that are over 50 years in age and do not qualify as being historically significant. Many are in poor repair and may contain potentially hazardous asbestos and lead paint.

Deficient Public Facilities in Extended Area

The streets, curbs, gutters and sidewalks in much of the area are in satisfactory repair. However, sewer and water utilities in the area are aging and have required frequent repairs in recent years. Several parking lots generally do not meet code requirements for paving, striping and landscaping. Many of them are cracked and crumbling. The city owned parking ramps within the area, except for Park IV have extensive "waiting lists" and public parking for adjacent office and commercial structures continues to be inadequate. Demand for parking will continue and additional and expanded parking structures will be required to accommodate commercial growth.

Deficient Land Use in Extended Area

In general, the area is under-utilized due to the significant amount of surface parking areas and a large number of single-story structures. The taxable value of this district must be stabilized and encouraged to grow.

SECTION 6 – THE SITE AND ITS RELATIONSHIP TO THE CITY

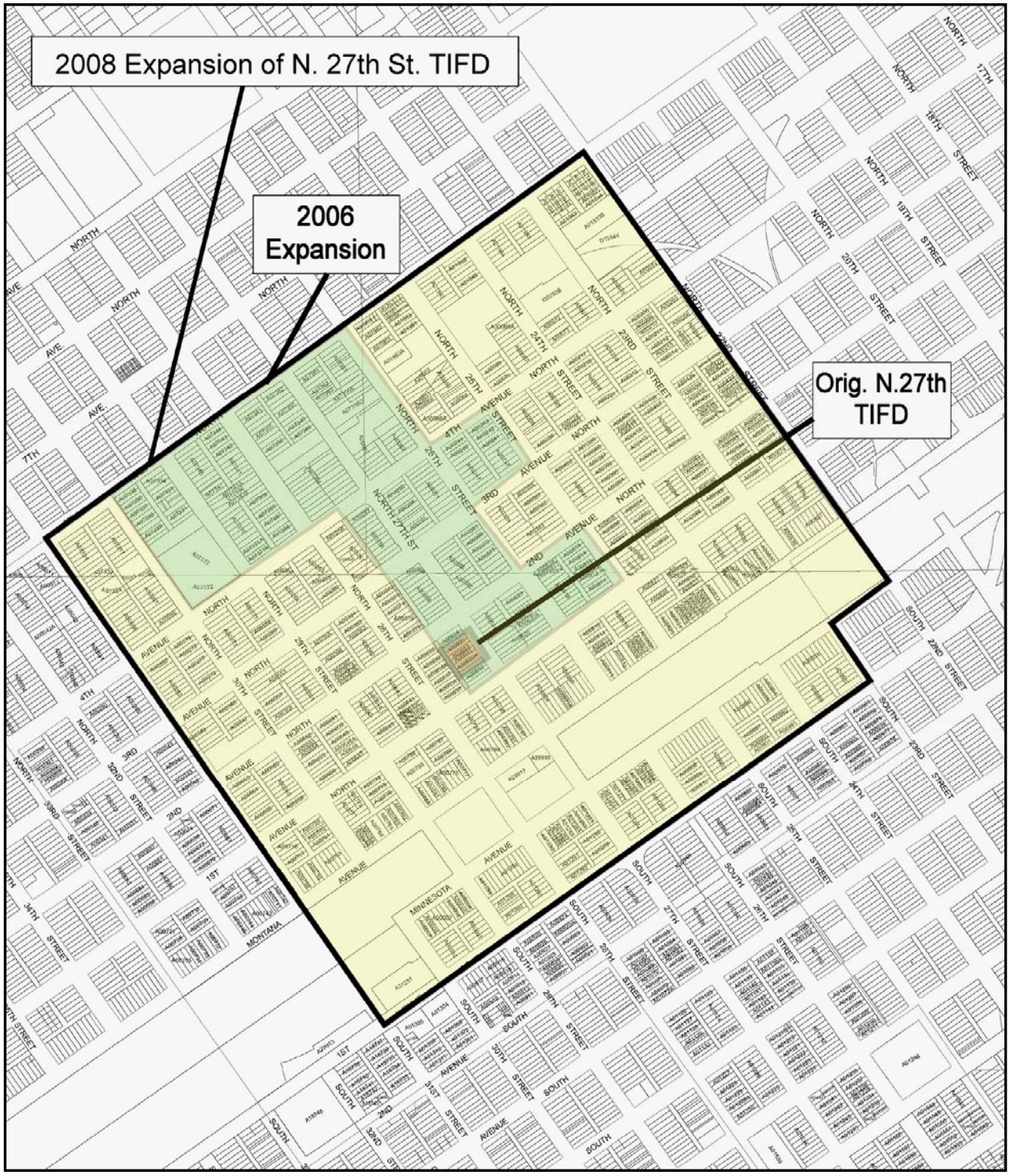
As noted, the expanded North 27th Street Urban Renewal Area comprises most of the Central Business District (CBD) of the City of Billings.

SECTION 7 – LEGAL DESCRIPTION

The legal description of the proposed Expanded North 27th Street District – 2008 is as follows:

Beginning at a point at the intersection of the centerlines of 6th Avenue North and North 31st St. proceeding east along the centerline of 6th Ave. North to a point at the intersection of the centerlines of 6th Avenue North and N. 22nd Street proceeding south along the centerline of North 22nd Street, crossing the centrally assessed Burlington Northern Railroad property, to a point at the intersection of South 22nd Street and Minnesota Avenue proceeding west along the centerline of Minnesota Avenue to a point at the intersection of Minnesota Avenue and South 23rd Street proceeding south along the centerline of South 23rd Street to a point at the intersection of South 23rd Street and 1st Avenue South proceeding west along the centerline of 1st Avenue South to a point at the intersection of the centerlines of 1st Avenue South and South 31st Street proceeding north along the centerline of South 31st Street, crossing the centrally assessed Burlington Northern Railroad property, to the starting point at the intersection North 31st Street and 6th Avenue North encompassing all parcels and tax codes therein, all inclusive.

Map of entire Expanded N. 27th District



SECTION 8 – PROPERTY DEVELOPERS

New development in the proposed tax increment district will also be accomplished through the implementation of the Downtown Framework Plan. These Projects are described in Section 2 of this plan.

SECTION 9 – PROJECT RELATIONSHIP TO THE FRAMEWORK PLAN

The proposed urban renewal area and expanded tax increment district is located generally in the center of the City and encompasses most of the "districts" as defined by the Billings Framework Plan ("Framework Plan"). One goal of the Framework Plan was to remove barriers to downtown circulation and development created by 4th Avenue North and 6th Avenue North and establish the area between the avenues as both a discreet district and a recognized extension of the CBD, thereby allowing potential ties to the medical corridor and MSU-Billings from the CBD. Generally, the Framework Plan stressed the downtown's ability to make a positive impact on the entire city. The Framework Plan also recommended a private non-profit organization to assist the City of Billings with the management of the Tax Increment District through an annual work plan and contract. This Expanded N 27th Street District may be managed in a similar manner and could make use of the redevelopment and facilitation established through that management entity.

Framework Plan Recommendation: Housing

The Framework Plan states that housing should be a top priority and that the City should continue to work with builders and developers to encourage downtown housing through various methods. Specifically, the plan states that high-rise housing is to be located in the east transition zone and portions of the north transition zone.

The formation of an expanded tax increment district will help to raise funds that can be used for construction or rehabilitation of public infrastructure necessary to attract and retain housing in the area.

Framework Plan Recommendation: Priorities

The top priorities identified in the Framework Plan include the following:

- Development incentives, including business retention and recruitment
- Housing – demonstration projects
- Streetscape Kit of Parts – expand kit to include Minnesota Avenue
- Events Kit of Parts – Modern and safer traffic control devices may be needed
- Paring configuration adjustments – several one-way streets could be converted to 2-way
- 5th Avenue North Corridor preservation and enhancement

This amendment to the Plan and the urban renewal projects that it contemplates specifically address all six of these priorities.

SECTION 10 – CONFORMANCE TO THE GROWTH POLICY

One of the requirements of Montana's Urban Renewal Law (Title 7, Chapter 15, Parts 42 and 43) is that the urban renewal plan must conform to the community's growth policy. The Yellowstone County and City of Billings Growth Policy ("Growth Policy") refers to and promotes downtown redevelopment in a variety of ways. This amendment to the Plan is consistent with the current Growth Policy.

SECTION 11 – CERTAIN PLAN FEATURES AND FINANCIAL MATTERS

Section 7-15-4217, M.C.A., of the Act requires cities to make certain findings when they adopt an urban renewal plan and approve Urban Renewal Projects. These are addressed below:

1. Most of the District contains no existing dwelling units or housing, and planned projects would not displace any persons from housing. Accordingly, there is no need to have a workable and feasible plan for substitute housing until and unless such a project is developed in the future.

2. This amended Plan conforms to the Growth Policy for the City as a whole and to the

Framework Plan.

3. This Modified Plan affords maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the Expanded North 27th Street District by private enterprise. It is unreasonable to expect that the district will be remain stabilized and/or redeveloped without substantial public support. Numerous properties within the area are dilapidated. As presently constituted, property in the district is not conducive to any sort of uniform or integrated development and, as presently existing, cannot compete with other areas of the City for substantial developments, particularly areas at the outskirts of the City. Experience has validated the foregoing facts and observations. This amended Plan is intended to facilitate the identification and construction of significant Urban Renewal Projects, which would not be possible without this Plan.

4. A sound and adequate financial program exists for financing projects, which include the sale and issuance by the City of the Bonds in an amount not to exceed the costs of the project, including administration costs and costs of issuance of the Bonds. Any approved Development Project will require commitments of substantial private financing that will provide the primary means for funding construction of the improvements.

5. This Expanded N. 27th Street District - 2008 may be modified at any time by the City Council as necessary to eliminate and prevent the development or spread of blighted areas, and encourage urban rehabilitation. The process for plan modification shall follow the procedures set forth in 7-15-4212 through 7-15-4219 MCA, with respect to initial adoption of this plan. For purposes of urban renewal district boundary changes only, the notice of public hearing, as described in 7-15-4215 MCA, may be mailed only to those owners whose properties are situated within the area of expansion or contraction of the Urban Renewal District boundaries. In cases where the boundaries are not modified, but the contents of the urban renewal plan are substantially modified, notification shall be mailed to all owners of property within the Urban Renewal District area.

SECTION 12 – TAX INCREMENT

Tax increment financing is necessary to encourage private reinvestment within the District, which will further encourage economic growth in the District and Downtown Billings, create substantial employment opportunities, and increase the tax base of the City and other taxing jurisdictions. The expanded North 27th Street District is hereby established as a tax increment financing urban renewal area within the meaning of the Act, and, in particular, Section 7-15-4282 through 7-15-4293 of the Act. This Section constitutes a tax increment provision within the meaning of the Act. In connection therewith:

1. For the purpose of calculating the incremental taxable value each year for the life of the district, the base taxable value shall be calculated as current base taxable value of the district plus the base taxable value of all real and personal property added to the district by this amended plan and as show in Exhibit B as of **January 1, 2008.**

2. The City is hereby authorized to segregate the tax increment derived in the district and use and deposit such increment into the tax increment fund of the district for use as authorized by the Act and as authorized herein from time to time, including, without limitation, pledging the tax increment to repayment of Bonds.

3. The tax increment received from the district may be used to pay directly costs of an approved Development Project as may from time to time be approved by the Council. The Council also hereby authorizes the use of tax increment in the district to pay debt service on Bonds issued to finance a portion of the costs of these Development Projects, and costs associated with the sale and security of such Bonds in compliance with the Act, subject to any limitations imposed by the Montana Constitution and federal law.

4. The tax increment provision of the district will terminate upon the latter of:
   a. The fifteenth (15th) year following the original creation of the district; or
   b. The payment or provision for payment in full or discharge of all Bonds, and the payment of interest thereon, for which the tax increment has been pledged.

After termination of the tax increment provision, all taxes shall continue to be levied upon the actual taxable value of the taxable property in the district, but shall be paid into funds of the taxing bodies levying taxes within the district.

SECTION 13 – CONCLUSIONS

The creation of this expanded North 27th Street Urban Renewal District will have a positive impact on Downtown Billings and no impact on the total taxable value flowing to the taxing entities from the now expired 1975 Urban Renewal District.

Expansion of the North 27th Street District is an essential first-step in completing what may be a number of urban renewal projects. If completed, mixed use projects approved within the first two years could stimulate over $30 million in new construction, and possibly as much as $15 million in re-sales and redevelopment. Approximately 500 new employees and new downtown residents could be located on the commercial and upper floors of possible mixed use projects. Thus, expansion of the district, in addition to further stabilizing the tax base, eliminating blight and providing renaissance to the CBD, will also bring new employees and residents to the CBD.

Mixed use development within the Expanded District ties in favorably with and actually stimulates the remodeling plans that are currently underway for several downtown properties. Additionally, like any major new development, the anticipated Stockman Bank construction at 4th Avenue North and North Broadway will have a stimulating effect on the surrounding area. Specific examples of this are:

1. It will tie the CBD to the medical corridor located immediately to the north of the development.
2. The Billings Clinic has purchased the Underriner property to the north and west of the Library. The Clinic's plans at this point have not been determined; however, the development proposed in this amended Plan will enhance and encourage future development by this group.

3. The Framework Plan encourages the development of the 5th Avenue North corridor. An enhanced Library, as accomplished by projects described in this Plan, will provide an excellent entrance to this corridor.
4. Future redevelopment and revitalization of structures like the Northern Hotel and the Babcock Theatre Building are enabled by this district.
5. This expanded district may assist with the completion of and continued modernization of City owned downtown parking structures.

In conclusion, expansion of the North 27th Street Urban Renewal District to include the property described in this amended Plan will have a positive effect on the CBD and the City.

RESOLUTION NO. 18-10750

A RESOLUTION OF THE CITY OF BILLINGS FORMING A POLICY FOR THE ADMINISTRATION OF URBAN RENEWAL AREAS OR DISTRICTS (URD) IN THE CITY.

WHEREAS, MCA, Title 7, Chapter 15, Part 42, Section 51 declares: General powers of municipalities in connection with urban renewal. Every municipality shall have all the power necessary or convenient:

(1) To carry out and effectuate the purposes and provisions of this part and part 43;

(2) To undertake and carry out urban renewal projects within the municipality, to make and execute contracts and other instruments necessary or convenient to the exercise of its powers under this part and part 43, and to disseminate blight clearance and urban renewal information;

(3) To organize, coordinate, and direct, within the municipality, the administration of the provisions of this part and part 43 as they apply to such municipality in order that the objective of remedying blighted areas and preventing the causes thereof within such municipality may be most effectively promoted and achieved and to establish such new office or offices of the municipality or to reorganize existing offices in order to carry out such purpose most effectively;

(4) To exercise all or any part or combination of powers granted in this part or part 43; and

WHEREAS, the City of Billings reviews and adopts Urban Renewal Plans for each of its Urban Renewal Districts, and those Plans specify goals for each Urban Renewal District; and

WHEREAS, the City of Billings may establish local policies that guide the establishment, operations, funding and governance of urban renewal districts; and

WHEREAS, development of TIF (Tax Increment Financing) Policies would be in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

That the City Council now makes and adopts the following TIF Policy:

CITY OF BILLINGS TAX INCREMENT FINANCE POLICY

1. PERMITTED USES OF TIF FUNDS. TIF funds may be used for costs outlined in MCA, Title 7, Chapter 15, Part 42, Section 88. Urban Renewal Plans adopted by the City may limit what TIF funds may be spent on in any Urban Renewal District. Eligible costs may include, but are not limited to:
   a. Land acquisition and assemblage, demolition and removal of structures, relocation of occupants, analysis to determine needs of an urban renewal area, administrative cost for redevelopment activities.
   b. Public infrastructure, including, but not limited to: streets, storm drains, parking, public buildings, water and sewer lines, sidewalks, utility connections.
   c. Private infrastructure with public benefit, including, but not limited to, building façades, windows, doors, fire suppression or alarm systems, storm drainage, environmental remediation, parking, and ADA access.

2. FINANCIAL ASSISTANCE THROUGH TIF. All financial assistance must be approved by the City Council prior to any activity receiving funding. Financial assistance should be requested prior to beginning construction. All activity (design and construction) must be completed prior to issuance of TIF funds from the City Finance Department. Financial thresholds and assistance tools are as follows:
   a. A minimum of $\geq$ $5 of private investment for every $1 of public investment is the preferred threshold to be met for each TIF application. The City Council reserves the right to approve any application that does not meet this minimum. The City Council also may make exceptions for projects of less than $100,000, and for publicly owned projects, properties or facilities.
   b. Grants may be made for uses listed in Part 1 above benefitting any government owned-land or buildings and for profit and non-profit businesses.
   c. Bonding may be available at the discretion of the City Council.
   d. All TIF grants will be formalized by a development agreement that must be signed by the grantee before the City will reimburse eligible expenses.

3. URD MANAGEMENT. Each URD in the City of Billings will be managed as follows:
   a. Each URD should maintain a non-profit advisory board to make recommendations to the City Council regarding TIF expenditures. Unless specifically authorized by a Memorandum of Understanding (MOU) referenced in 3(b) below, a majority of board members must own or lease property within the district, or must represent such owner or lessee, and may include representation from residential or commercial property owners or lessees. Advisory Boards must carry insurance for their members and provide proof of insurance to the City.
   b. A MOU must be executed between the advisory board and the City Council that defines the board's roles, responsibilities, authority, and processes, including for hiring and maintaining board support staff. The MOU must

contain language addressing conflict of interest situations for board members whose property may directly benefit from a TIF expenditure and for board support staff. The MOU also must include language that if there is the appearance of a conflict of interest the issue will be reviewed by City legal staff before moving forward.

c. Training for all URD advisory boards will be conducted biannually in coordination with City staff and URD support staff. The training must include, but is not limited to: review of URD and TIF laws, Administrative Rules, ethics, conflicts of interest, meeting management, and maintenance of minutes and records.

d. URD financial reporting will be consistent across all URDs and be set by coordination between the City Finance Director and the Planning and Community Services Director, and URD support staff.

e. TIF application review and City Council staff report preparation will be conducted by the Planning and Community Services Department Director, in coordination with the Assistant City Administrator, Finance Director, and URD support staff.

PASSED by the City Council and APPROVED this 9th day of July, 2018.

CITY OF BILLINGS

BY: William A Cole
William A. Cole, Mayor

CITY OF BILLINGS SEAL YELLOWSTONE COUNTY, MONTANA

ATTEST

BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk

KIBLER & KIRCH

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is entered into as of_____, 2020 by and between the Downtown Billings Partnership, Inc., an I.R.C. S501(c)(4) Montana nonprofit corporation ("DBP"), The City of Billings, Montana, a municipality of the State of Montana ("City"), and Kibler and Kirch, LLC, a Montana limited liability company ("Developer"). DBP, the City and Developer shall each be referred to herein as a "party" and shall collectively be referred to as the "parties."

RECITALS

WHEREAS, DBP is the entity responsible for administration of Tax Increment Financing ("TIF") funds for the City; and

WHEREAS, on or about October 15, 2020, Developer submitted a Funding Application (defined below) to DBP requesting a TIF grant for a project to renovate, rehab, and remodel property located at 104 North Broadway in downtown Billings (the "Property" as further defined below); and

WHEREAS, on or about November 20, 2020, DBP's Board of Directors approved the Application for a TIF grant; and

WHEREAS, on December 14, 2020, the City of Billings City Council approved a reimbursement grant using TIF funds to Developer in an amount of up to $79,940 (the "TIF Grant") to be dedicated to qualified expenditures for the Project (defined below) and to be disbursed as described in this Agreement; and

WHEREAS, the parties wish to enter into a development agreement, in accordance with DBP's TIF Funding Criteria (defined below), to establish the terms and conditions under which DBP will allocate the TIF Grant funds to Developer from the City in accordance with the DBP agreement with the City regarding urban renewal in Downtown Billings,

NOW, THEREFORE, the parties agree as follows:

SECTION 1
SUBJECT OF AGREEMENT AND DEFINITIONS

1.1 Effect of Recitals. The foregoing Recitals are true and correct and are incorporated into the terms and conditions of this Agreement.

1.2 Purpose of Agreement. The purpose of this Agreement is to set forth the terms and conditions of the TIF Grant to Developer to effectuate the urban renewal project for certain real property located at 104 North Broadway in Billings, Montana, and legally described on the attached Exhibit A (the "Property"). This Project will eliminate blight and compliment and further the objectives of the Expanded North 27th Street Urban Renewal District and Urban Renewal Plan.

DRAFT

1.3 The Funding Application. The DBP and the City have approved the TIF Grant based on Developer's Downtown Tax Increment Financing Application attached hereto as Exhibit B ("Funding Application"), subject to the terms and conditions of this Agreement. The Funding Application includes a preliminary estimated cost of construction of Developer's Improvements (the "Preliminary Developer's Budget")

1.4 TIF Grant Funding Criteria. The term “TIF Funding Criteria” shall mean the Tax Increment Financial Assistance Program criteria for urban renewal projects in the Expanded North 27" Street Urban Renewal District as set forth in the attached Exhibit C.

1.5 Developer's Improvements. The term "Developer's Improvements” shall mean the improvements described on Exhibit B to be constructed by Developer on the Property pursuant to this Agreement and as described in Section 5.

1.6 Conceptual Design Drawings. The term "Conceptual Design Drawings" shall mean the conceptual preliminary depictions of the Developer's Improvements attached hereto as Exhibit B.

1.7 Project. The term "Project" shall mean the Property as improved by the Developer's Improvements.

1.8 Definitive Documents. The term "Definitive Documents' shall mean this Agreement and all Exhibits attached or to be attached hereto.

SECTION 2
PROPERTY

2.1 Ownership. The Property, described on Exhibit A, is currently owned by Stapleton Property Investment, LLC.

SECTION 3
CONDITIONS PRECEDENT

3.1 Conditions Precedent. The DBP's and the City's obligation to be bound by this Agreement with Developer is subject to satisfaction or written waiver of each of the following conditions to the reasonable satisfaction of DBP ("Conditions Precedent”):

a) Developer has presented DBP proof of ownership of the Property by proof of title insurance reflecting Developer as the fee owner of the Property, subject only to liens and encumbrances satisfactory to DBP.

b) Developer has obtained financing and provided the DBP with proof of financing in the form of commitment letters or loan documents, for the construction of Developer's Improvements in accordance with the Funding Application within the time period set forth in the Performance Schedule (as defined in Section 6).

c) Developer has prepared and submitted a detailed budget setting forth the final estimated cost of construction of Developer's Improvements ("Developer's Budget"). When completed, the Developer's Budget will be made a part of this Agreement and will be appended as Exhibit E.

d) Developer has prepared and submitted final design drawings ("Design Drawings") and construction documents for the Developer's Improvements (collectively, the "Final Plans") in accordance with the terms of this Agreement and the Final Plans have been reviewed and approved by DBP and the City and the estimated cost of the approved design is within Developer's Budget. When completed and approved, the Final Plans will be made a part of this Agreement and will be attached as Exhibit F.

e) Developer has provided DBP with proof of zoning compliance and approval by any necessary governmental entities.

f) Developer has executed the Agreement no later than 90 days following the City Council's approval.

3.2 Satisfaction of Conditions. DBP and DBP's representatives, agents and consultants will work with the Developer to obtain satisfaction of the Conditions Precedent.

3.3 Termination for Failure of Conditions. If the Conditions Precedent are not satisfied or waived within 90 days of the date of this Agreement, then any party may terminate the Definitive Documents by written notice to the others and upon such termination the parties shall have no further liability to one another, however, Developer shall remain responsible for indemnifying DBP and the City in accordance with Section 5.12.

SECTION 4:
GRANT AND RELEASE OF FUNDS

4.1 Use of TIF Grant Funds. The TIF Grant funds which are the subject of this Agreement shall be used only for urban renewal activities, including the renovation and rehabilitation of the Property, in accordance with the Definitive Documents and the Urban Renewal Law of the State of Montana, §§7-15-420l., et seq., Mont. Code Ann.

4.2 Grant of Funds. City, as recommended by DBP, agrees to grant to Developer the TIF Grant in an amount of up to $79,940 from funds in the City's Fund 203 account, release of which shall be conditioned upon satisfaction of the conditions precedent set forth in Section 3.1 above, the conditions set forth in this Section 4, and the Developer's obligations, covenants and warranties set forth in this Agreement and the Definitive Documents.

4.3 Availability of TIF Grant Funds. TIF funds are not available to be encumbered (committed) to the Project by the City until they are received as unencumbered TIF funds.

a) Subject to the availability of unencumbered TIF funds, City agrees that, starting the January 1st after the Project is complete and occupied, it will encumber TIF funds to reimburse Developer for the Project during the fiscal year following completion of the Project according to the requirements of this Agreement. Reimbursements will not be

greater than $143,927 during the reimbursement period. The deadline for the reimbursement period to start is July 1, 2022.

(In the event unencumbered TIF funds are not available to the City to meet the foregoing schedule, the City may continue to fully encumber, in its sole discretion, to the Project available unencumbered TIF funds until the full TIF Grant is encumbered to the Project.)

b) Developer reimbursements shall be limited to only those funds that have been encumbered to Project by the City. Notwithstanding anything to the contrary, the payment of the Developer reimbursements is hereby expressly made subordinate in all respects to any and all bonds issued by the City pursuant to the Resolution No. [20-10878] adopted by the City Council of Billings on [June 22, 2020], as amended and supplemented, and the Development reimbursements are a Subordinate Obligation thereunder.

c) Reimbursements will be made to Developer as explained in Section 4.2 and restricted to TIF funds that have to date been encumbered to the Project.

4.4 Release of Funds following Project Completion. DBP will release the TIF Grant funds approved by the City to the Developer upon the Developer's completion of Developer's Improvements and the Project, determined as follows:

a) Developer has substantially completed construction of Developer's Improvements in accordance with the Funding Application, as supplemented by the Budget and Design Drawings, and the deadline set forth in Section 6.

b) Developer has submitted all paid invoices showing the completion and lien-free status of all expenditures related to this Project and Property, including evidence that all construction liens have been satisfied and/or released.

c) Project costs shall be paid and proof of payment shall be provided in an amount consistent with the Funding Application, as supplemented by the Budget, and this Agreement.

d) The Project satisfies the public benefit provisions of the Funding Application and the TIF Funding Criteria.

e) Developer has received a Certificate of Occupancy from the City for the Project.

f) Developer has received from DBP a Certificate of Satisfaction as defined in Section 5.8 below.

g) Reimbursement cannot begin before the January 1st following the completion of the Project, as defined in Sections 3, 4, 5, and 6 of this Agreement.

4.5 Satisfaction of Project Completion Conditions. DBP and DBP's representatives, agents and consultants may assist the Developer to obtain satisfaction of the conditions for completion of the Project set forth in Section 4.4 (where applicable).

4.6 Extent of Commitment. DBP and the City shall have no obligation for any costs associated with the Project which exceed the amount of the TIF Grant funds approved in accordance with this Agreement.

SECTION 5:

DEVELOPERS IMPROVEMENTS AND COVENANTS

5.1 Construction of Developer's Improvements. Developer agrees to construct and develop the Developer's Improvements, at its sole cost and expense, consistent with the Design Drawings and the other Definitive Documents.

5.2 Architects and Contractors. Developer will have the right to select its architects, contractor and other subcontractors and consultants in its sole discretion. Developer will require all architects, engineers, or other professional consultants to maintain professional liability insurance in an insurable amount not less than $1,000,000 combined single limit, covering all professional activities performed by them in connection with the Developer's Improvements. Further, Developer shall require its contractor to maintain broad form commercial general liability insurance in an insurable amount of not less than $1,000,000 combined single limit, covering all work performed by contractor in connection with the Developer's Improvements. Developer shall demonstrate proof of coverage to DBP upon request by providing a Certificate of Insurance.

5.3 Insurance. Developer shall maintain fire and casualty insurance covering the Project and the Developer's Improvements in an amount commensurate with the replacement cost of the Project during development and construction of the Project and until issuance of the Certificate of Satisfaction. DBP may, in its sole discretion, recommit funds for reconstruction of the Project in the event Developer determines to reconstruct the Project.

5.4 DBP Access. DBP and DBP’s representatives, agents and designees will have the right, at reasonable times and upon reasonable notice to the Developer, to enter upon the Property, in connection with inspection of construction of Developer's Improvements. Upon reasonable notice and request, DBP shall have access to all records and contracts pertaining to the Project. Developer shall keep and maintain accounting records for the Project, and shall make the same available to DBP upon request, including but not limited to all purchase orders, invoices, statements, payment documents, and journals and ledgers related to the Project.

5.5 Governmental Permits. Before commencement of construction of Developer's Improvements, Developer shall obtain all necessary land use, building and other governmental permits. Developer shall maintain all necessary land use, building and other governmental permits during construction of the Project.

5.6 Local, State and Federal Laws. Developer shall carry out the construction of the Developer's Improvements in conformity with all applicable local, state and federal laws.

5.7 Prohibition Against Transfer. Prior to the issuance by DBP of the Certificate of Satisfaction, Developer shall not, except as permitted by this Agreement, without the prior approval of DBP, transfer its interest in the Property or the buildings or structures on the Property. Notwithstanding the foregoing, this prohibition shall not apply to:

a) The transfer of the Property effective after issuance of the Certificate of

Satisfaction; or

b) Transfers of property involving transactions in place prior to the date of this Agreement; or

c) The leasing of space in the Developer's Improvements.

5.8 Certificate of Satisfaction. After substantial completion of Developer's Improvements as determined by DBP, DBP shall furnish Developer with a Certificate of Satisfaction of this Agreement upon written request therefore by the Developer, substantially in the form of Exhibit H. Upon issuance of the Certificate of Satisfaction, Developer and the Property shall be fully relieved of all obligations and restrictions under this Agreement, excluding the obligations to indemnify City and DBP in Sections 4.6, 5.12, 5.13 and 5.14. DBP shall not unreasonably withhold, condition or delay the Certificate of Satisfaction. Such Certificate of Satisfaction shall be a conclusive determination of satisfactory completion of the construction of the Developer's Improvements required by this Agreement as to the Property and such Certificate shall so state. No Certificate of Satisfaction shall constitute a Certificate of Occupancy or evidence thereof under the building permit or codes of the City of Billings.

5.9 No Speculation. Developer represents that its interest in the Property is for redevelopment and not for speculation in land holding.

5.10 Environmental History. To the best of Developer's knowledge, the Property does not contain any hazardous substances found in violation of applicable laws and all mandatory requirements of applicable law with respect to environmental hazards or hazardous substances have been complied with by Developer.

5.11 Compliance with Definitive Documents. Developer has received, reviewed, and approved the Definitive Documents and shall be bound by the terms of the Definitive Documents.

5.12 Control/Indemnification. Developer shall have sole control and responsibility for the construction of the Project. Developer will indemnify, defend and hold the DBP, the City, and their directors, officers, officials, employees and agents harmless for, from and against any and all claims, damages, costs, liabilities and losses arising out of or related in any way to the use, condition, construction or development of the Property, the Project, or the Developer's Improvements, including without limitation to any claims for personal injury, property damage, or for liability to any contractor or its subcontractors, agents or employees.

5.13 Taxes/Assessments. Developer shall pay all applicable taxes, special assessments, and other assessments on the Property and the Developer's Improvements, if any, when due.

5.14 No Tax Protest. Developer shall not protest, or attempt in any way to avoid or dispute, any property taxes, special improvement district assessments, and other assessments on the Property for three (3) years from the date on the Certificate of Occupancy, without prior written consent of DBP, which consent shall not be unreasonably withheld. In the event Developer believes that a property tax or other assessment of the Project is unreasonable, it may request DBP's written consent to protest such assessment to the appropriate authority.

SECTION 6:

SCHEDULE OF PERFORMANCE

6.1 Deadline. A Schedule of Performance of construction of Developer's Improvements is attached as Exhibit G and incorporated herein (the "Performance Schedule"). Developer shall proceed expeditiously to complete construction of the Project in accordance with the Performance Schedule. All construction work for the Project shall be completed by the completion date set forth in the Performance Schedule of June 30, 2021. Developer will be excused for delays resulting from the following circumstances: an act of God or public enemy, fire; storm; wind; flood; earthquake; epidemic; explosion; lightning; continuous loss of power of other utilities for more than thirty days; nuclear radiation; geological or archeological condition; quarantine restrictions; riot or public discord; act of terrorism; Criminal damage; the suspension of the national or state banking system due to financial crises; a union strike, unanticipated pre-existing but undiscovered conditions; or appeal of governmental permits.

SECTION 7:

WARRANTIES

7.1 Developer Representations and Warranties. Developer Warrants and represents that the information and documentation provided pursuant to Sections 3.1 and 5 are accurate and complete and that Developer will promptly notify DBP of any changes in such information and documentation.

7.2 Joint Representations and Warranties. The following representations and Warranties are made by each party to the others as of the date hereof:

a) Authority. Each party has the legal power, right and authority to enter into this Agreement and the instruments referenced herein, and to consummate this transaction.

b) Actions. All requisite action has been taken by each party in connection with the entering into of this Agreement, the instruments referenced herein, and the consummation of this transaction. No further consent of any partner, shareholder, creditor, investor, judicial or administrative body, governmental authority or other party is required.

c) Due Execution. The individuals executing this Agreement and the instruments referenced herein on behalf of each party and the partners, officers or trustees of each party, if any, have the legal power, right, and actual authority to bind each party to the terms and conditions of those documents.

SECTION 8:

DEFAULTS AND REMEDIES

8.1 Default/General. Subject to the extensions of time set forth in Section 6, and subject to the notice and opportunity to cure provisions contained in this Agreement, the failure or delay by any party to perform any term or provision of this Agreement constitutes a default; however, if the defaulting party commences to cure such default within 60 days after receipt of a notice specifying the default, and thereafter diligently prosecutes such cure to completion, then such party shall not be deemed to be in default. The injured party shall give written notice of default to the defaulting party, specifying the default. The injured party may not institute proceedings, whether

judicial or otherwise, against the party in default until 60 days after giving such notice. Any failure or delay by any party in asserting any of its rights or remedies as to any default shall not operate as a waiver of any default or of any rights or remedies or deprive such party of its rights to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

8.2 Rights and Remedies. Subject to the provisions of Section 8.1 hereof, in addition to its other rights or remedies, if Developer fails to cure a default or withdraws from the Project for any reason, DBP and City shall have no obligation to release grant funds to Developer. If the Developer fails to cure a default, or withdraws from the Project for any reason, after funds have been released for the Project, Developer shall repay City the amount of any funds released to Developer for the Project. Either party may seek any legal or equitable remedy to cure, correct or remedy any default, to recover any damages for any default, or to obtain any other remedy consistent with the purpose of this Agreement in accordance with the terms of this Section 8.

8.3 Rights and Remedies Not Cumulative. Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are not cumulative, and the exercise by any party remedies provided in this Section 8 shall preclude the exercise by it, at a different time, of any other rights or remedies for the same default.

8.4 Dispute Resolution. In the event a dispute arises, whether due to a default or the interpretation of any term of this Development Agreement, the complaining party shall deliver notice of the matter in dispute to the other party at the address and in the manner provided for in Section 9.1 hereof. Each party shall within 7 calendar days thereafter designate a representative to address the matter, which representatives shall attempt, in good faith, to resolve the disputed matter within 7 calendar days of the last designation of a representative.

In the event the designated representatives are unable, despite their good faith efforts, to timely resolve the disputed matter within fourteen calendar days of the initial notice thereof, then, and in that event, either any party may request in writing that the matter be resolved through informal mediation. Informal mediation must be completed within 14 calendar days of the request.

If the matter remains unresolved after mediation, or if the mediation is not timely completed - either party may demand binding arbitration in accordance with § 8.5. A complaining party who refused or failed to timely participate in the informal mediation (i) may not seek binding arbitration (ii) waives any demand, claim, or relief from the other party, and (iii) releases the other party from the complaining party's demand, claim, or relief.

8.5 Arbitration. In the event of any dispute arising between the parties to this Agreement, and the conditions of § 8.4 have been met, any such dispute shall be submitted to binding arbitration as provided herein. The parties shall select an independent and unbiased arbitrator who is not affiliated directly or indirectly with either party within ten days after any party demands arbitration. If the parties fail to select, or cannot agree upon, an arbitrator within this time, then either party may apply to the District Court of Yellowstone County pursuant to §27-5-211 et seq. of the Montana Uniform Arbitration Act for an order appointing an arbitrator. Such applications may be made at any time after the ten-day period has expired. Upon application to the

court for an arbitrator, the Court shall select a single arbitrator, who shall render his/her decision no later than 60 days after his/her appointment. If the arbitrator requests a hearing prior to rendering his/her decision, such hearing shall be held in Yellowstone County, Montana within 30 days of the arbitrator's appointment. The arbitrator's decision shall be binding on both parties. Each party shall bear its own expenses associated with the arbitration but shall share equally the costs of the arbitrator.

8.6 Authorized mediators/arbitrators. Any formal mediation or arbitration shall select one of the following as the mediator and/or arbitrator unless all are either conflicted or unable to serve: (i) Charles Cashmore (CCashlaw@aol.com); (ii) Russell Fagg (rfagg@icloud.com); (iii) Greg Murphy (greg.murphy10@gmail.com); (iv) Mike Anderson (manderson@a-llaw.com).

8.7 Waiver. Upon written agreement of both parties, any provision of this Section 8 may be waived. Unless waived, the terms of this Section 8 shall be strictly applicable to any dispute between the parties hereto.

SECTION 9:
GENERAL PROVISIONS

9.1 Notices. All notices or other communications required or permitted hereunder must be in writing, and must be personally delivered (including by a professional messenger service) or sent by overnight courier, or sent by registered or certified mail, postage prepaid, return receipt requested to the addresses set forth below. All notices sent by mail will be deemed received 2 (two) days after the date of mailing and all notices sent by other means permitted herein shall be deemed received on the date delivered. Notices will be sent as follows:

Developer: Kibler and Kirch, LLC
Attn: Jeremiah Young
Address: 104 North Broadway
Billings, MT 59101
Telephone: (406) 446-2226
Email: Jeremiah@kiblerandkirch.com

City: The City of Billings, Montana
Attn: Brent Brooks, City Attorney
Address: 20 North 27th Street
Billings, MT 59101
Telephone; (406) 657-8202
Email: BrooksB@ci.billings.mt.us

DBP: Downtown Billings Partnership, Inc.
Attn: Mehmet Casey
Address: 116 N 29th Street Suite A
Billings, MT 59101
Telephone (406) 294-5060

Email: mehmetc@downtownbillings.com

9.2 Nonliability of Officials and Employees. No director, officer, member, official, employee or agent of Developer, DBP or the City shall be personally liable to any party or any successor-in-interest thereto, in the event of any default or breach by any party or for any amount which may become due to any party or its successor, or any obligations under the terms of this Agreement.

9.3 Headings. Any title of the several parts and sections of this Agreement are inserted for convenience or reference only and shall be disregarded in construing or interpreting any of its provisions.

9.4 Time of Essence. Time is of the essence of this Agreement. All obligations of the parties to one another shall be due at the time specified by the Agreement, or as the same may be extended by mutual agreement of the parties in writing.

9.5 Construction/Governing Law, and Venue. The parties and their respective advisors believe that this Agreement is the product of all of their efforts, that it expresses their agreement and that it should not be interpreted in favor of or against any party. The parties further agree that this Agreement will be construed to effectuate the normal and reasonable expectations of sophisticated parties. The parties hereto expressly agree that this Agreement will be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of Montana. Any action in law or equity, or judicial proceeding for the enforcement of this Agreement or any of the provisions contained herein, shall be instituted and maintained only in Thirteenth Judicial District Court for Yellowstone County, Montana.

9.6 Severability. If any clause, sentence or any other portion of the terms and conditions of this Agreement become illegal, null or void for any reason, or held by any court of competent jurisdiction to be so, the remaining portion will remain in full force and effect.

9.7 No Partnership. Neither anything in this Agreement nor any acts of the parties hereto shall be deemed or construed by the parties hereto, or any of them, or by any third person, to create the relationship of principal and agent, or of partnership, or of joint venture, or of any association between any of the parties to this Agreement.

9.8 Government Rights. Except as provided herein, by making this Agreement, DBP and the City are not obligating themselves or any other agency with respect to any discretionary action relating to the development of the Property or development, operation and use of the improvements to be constructed on the Property, including but not limited to, condemnation, comprehensive planning, re-zoning, variances, environmental clearances or any other governmental agency approvals which are or may be required.

9.9 Non-Waivers. No Waiver of any breach of any covenant or provision contained herein will be deemed a Waiver of any preceding or succeeding breach thereof, or of any other covenant or provision contained herein. No extension of time for performance of any obligation or act will be deemed an extension of the time for performance of any other obligation or act except those of the waiving party, which will be extended by a period of time equal to the period of the

delay.

9.10 Entire Agreement/Counterparts. This Agreement, together with the Definitive Documents, integrates all of the terms and conditions mentioned herein or incidental hereto and supersedes all negotiations or previous agreements between the parties or the predecessors in interest with respect to all or any part of the subject matter hereof. This Agreement may be signed by counterparts.

9.11 Successors. This Agreement shall be binding upon and inure the benefit of the parties, their successors and assigns.

DOWNTOWN BILLINGS PARTNERSHIP ("DBP")

By: _____

Its: President

STATE OF MONTANA)
:
County of Yellowstone)

This record was acknowledged before me on _____, 2020 by _____, as President of Downtown Billings Partnership.

_____
Notary Public for the State of Montana

THE CITY OF BILLINGS, MONTANA ("CITY")

By: _____

Its: Mayor

By: _____
Its: City Clerk

STATE OF MONTANA)
:
County of Yellowstone)

This record was acknowledged before me on _____, 2020 by _____ and _____ as Mayor and City Clerk of the City of Billings, Montana.

_____
Notary Public for the State of Montana

Kibler and Kirch, LLC, a Montana limited liability company ("DEVELOPER")

By: _____

Its: _____

STATE OF MONTANA)
:
County of Yellowstone)

This record was acknowledged before me on _____, 2020 by _____ as _____ of Downtown Properties, LLC, a Montana limited liability company.

_____
Notary Public for the State of Montana

Regular **7.**

Regular City Council Meeting

Meeting Date: 12/14/2020

TITLE: Downtown Billings Partnership - Tax Increment Assistance - Burger Dive, 2712 Minnesota Avenue

PRESENTED BY: Wyeth Friday

Department: Planning & Community Services **Division:** Planning

RECOMMENDATION

The Downtown Billings Partnership Board has reviewed this TIF application and recommends the City Council approve up to a maximum reimbursement of $466,373 from Downtown Urban Renewal tax increment finance district funds to the Halsten Holdings, LLC (Burger Dive). Actual reimbursement will be based upon 100% of the actual costs incurred for demolition/renovation of the applicant's property at 2712 Minnesota Avenue, subject to the following conditions:

1. The Applicant shall sign a development contract with the City of Billings and DBP within 90 days of City Council's approval.
2. This TIFD reimbursement is the maximum that can be received pending satisfactory submission of all paid invoices showing the completion of expenditures related to this project.
3. If funds are not available, reimbursement can be carried over to the next fiscal year.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The DBP staff received and reviewed this TIF Application in October. It was then reviewed and recommended by the DBP Development Committee on November 12 and the full DBP Board on November 20, 2020 (See DBP Meeting Minutes attached).

The Development Committee and Board verified/clarified several issues during review, including:

- That Board was comfortable including the building acquisition cost in the total project cost calculations for the possible TIF award, which made the proposal remain under the recommended 5:1 private to public investment ratio (the ratio including property acquisition is about 15%).
- The Development Committee and Board were very supportive of the project and found the application was a very strong match for accessing urban renewal funds because:

  A) Existing businesses and the surrounding neighborhood on Minnesota Avenue will benefit in a variety of ways, including safety, filling a long-lasting vacancy and having a present and engaged landlord for the property.
  B) The Burger Dive is a very successful for-profit business that will increase the property value and reinvest in a critical area of the downtown core.
  C) The qualified expenses are relate to demolition, building structural stabilization, infrastructure (water and sewer replacement/connections), safety and accessibility for the public, and exterior improvements that will be enjoyed by the public both using the facility and visiting this area of Minnesota Avenue.

The application aligns with elements/goals of the DBA Strategic Plan (may be viewed through

this link https://downtownbillings.com/about/about-the-dba/), City TIF Policy, MCA, and the North 27th Street District Urban Renewal Plan (See table below and attachments) For example, the adopted Urban Renewal Plan for the North 27th Street District, contemplated TIF funding assistance for business retention in its Business Programs and Projects section.

Item	DBA Strategic Plan	Urban Renewal Plan	City TIF Policy	Montana Code Annotated
Exterior demo, lighting, facade & brick restoration, signage, windows, streetscape & landscaping, entrances & exits Interior demo, energy efficiency, electrical, plumbing, code, utilities	Strong Downtown Identity – P.15 Vibrant & Connected Downtown – P.15 Diverse Economic Engine - P. 13	Business Programs & Projects – P.54 Infrastructure Improvements (Entertainment Venues) – P.55	Permitted uses of TIF Funds: Private infrastructure with Public Benefit (Facades, Windows, – P.2 Financial Assistance Through TIF – P.2	7-15-4233 7-15-4288

The Burger Dive plans to revitalize the Western & Wheel Bars Building, which is located at 2712/2714 Minnesota Avenue, a key section of Minnesota Avenue in downtown Billings that has been vacant for several years. This project eliminates blight by rehabilitating four buildings that have come under serious disrepair, addressing concerns of dilapidation, unsanitary conditions, and a deteriorating site.

The Burger Dive is an award-winning and nationally known and reputable local gourmet burger restaurant that is looking to expand after 10 years at its present location on 27th Street. The new location will increase the seating capacity by 2 & ½ times, expand the kitchen, add a retail shop, outdoor dining area, “speakeasy-like” basement bar, and an event space. There will be commercial space for a tenant to offer more business or retail at the street level, and above the Burger Dive portion of the project, the old boarding house rooms will be re-purposed and combined into six new, energy efficient residential apartments. Two additional new apartments also will be built in a new, second-story addition above the old Wheel building making it a total of eight new apartments as part of the project. Overall, the project will fill four empty storefronts while increasing activity, visitation, and the aesthetic appeal of this area of downtown.

The Burger Dive is requesting TIF funds to reimburse it for improvements and modifications, including some demolition, building structural stabilization, infrastructure (water and sewer replacement/connections), safety and accessibility for the public, and exterior improvements including removing old stucco, repairing the brick, rehabilitating and improving existing windows, and restoring the overall historic character. The total reimbursement requested is $466,373. If the total value of cash invested ($3,119,497) and land and buildings ($292,000) are factored into the request, the private investment is 85% and the public investment is 15%, or about a 7 to 1

ratio. Even if the building acquisition is removed from the total project cost, bringing the project total to $2,831,497, the private investment remains at about 84% and public investment is about 16%, or about a 6:1 ratio. The DBP Development Committee and the DBP Board both fully supported this application request, recognizing this project will make a significant commitment and investment in Downtown Billings and transform another portion of Minnesota Avenue, making the area safer, more active and more valuable as an asset in the community.

ALTERNATIVES

City Council may:

- Approve the recommendation from the DBP Board for the expenditure of these TIF funds consistent with some elements/goals of the DBA Strategic Plan, North 27th Street Urban Renewal Plan, City TIF Policy and MCA, or;
- Modify the recommendation from the DBP Board for the expenditure of these TIF funds before taking action, or;
- Disapprove the recommendation from the DBP Board for the expenditure of these TIF funds. If the Council chooses not to approve this TIF application, specific reasoning for the denial is helpful to provide further direction to the DBP Board and staff, and City staff for future applications.

FISCAL EFFECTS

The request is for up to a maximum of $466,373 to be reimbursed to the Burger Dive for qualified expenses identified, including building demolition, remodeling and exterior improvements (See TIF Application Attachment). The estimated total project cost is $2,831,497 (less building cost), making the private to public investment ratio for this project about 6:1. The funds are payable pending satisfactory submission of all paid invoices showing actual cost incurred for the project. The current FY21 project budget for the Downtown District is $310,501, so a budget amendment would be needed to cover this project if it were all reimbursed in FY21. The Downtown District has $1,343,295 in total available TIF funds in the FY21 Budget, so this project can be covered and $876,922 would be remaining for other projects or programs. If all three Downtown District projects being reviewed by the Council at this meeting were approved and expended in FY21, the Downtown District would have $131,217 remaining in its FY21 Budget.

Attachments

Burger Dive Application
Burger Dive Application Narrative
DBP Meeting Minutes November 2020
2008 CC Adopted Downtown Urban Renewal Plan
City TIF Policy
Burger Dive Draft Agreement

DOWNTOWN BILLINGS PARTNERSHIP
DOWNTOWN (N 27TH STREET) URBAN RENEWAL DISTRICT

TAX INCREMENT FINANCING FUND APPLICATION

THE NEW BURGER DIVE PROJECT

LOCATED AT:
2712 MINNESOTA AVENUE
BILLINGS, MONTANA

BY:

HALSTEN HOLDINGS, LLC

ANDI & BRAD HALSTEN
909 EDGEHILL VISTA DRIVE
BILLINGS, MONTANA

WITH:

HIGH PLAINS ARCHITECTS, P.C.
2720 MINNESOTA AVENUE
BILLINGS, MONTANA

AND

T.W. CLARK CONSTRUCTION, LLC
609 CHARLES STREET
BILLINGS, MONTANA

DATE:

OCTOBER 15, 2020

DOWNTOWN (N 27TH STREET) URBAN RENEWAL DISTRICT

N27URD

Tax Increment Financing Fund Application

APPLICANT INFORMATION			
Name:			
Address:			
City/State/Zip			
Phone:		E-mail:	
If the applicant is not an individual doing business under his/her own name, the applicant has the status indicated below and is organized or operating under the laws of:			
A corporation/LLC: ☐	A non-profit or charitable institution or corporation ☐	A partnership: Known as: ☐	Other: ☐
Date of Organization:			
PROJECT INFORMATION			
Building Address:			
City:		State:	ZIP Code:
Legal Description:			
Property Owner (if property is not owned by the Applicant, list leasehold interests and attach evidentiary materials)			
Property Owner (name or entity):			
Property Owner Contact Name:		Contact Phone:	
Lessor's Address:			
City:		State:	ZIP Code:
PROJECT ARCHITECTURAL FIRM			
Firm Name**:**			
Address:			
Representative:			
Phone:		E-mail:	
PROJECT CONTRACTOR (OR PARTY RESPONSIBLE FOR CONSTRUCTION)			
Name/Representative:			
Address:			
Phone:		E-mail:	
PROJECT FINANCIAL LENDING INSTITUTION (leave blank if not applicable)			
Name/Representative:			
Address:			
Phone:		E-mail:	

PROJECT INFORMATION

Description of Project:

Attach a narrative explanation and any other design information. Use this section to pitch your project and explain how it will eliminate blight and/or benefit the public.

Rehabilitation Plans:

Attach schematic design drawings and/or completed construction document plans - including site, landscaping, and other engineering design information.

Project Schedule:

Attach a timeline or schedule through completion.

To receive maximum funding all applications must be submitted to the DBP and approved by the CITY prior to the start of the relevant phase of construction.

PROJECT FINANCING See attached Pro forma and financial analysis.

Please complete Sources of Funds detail and summarize below.

Applicant Equity

Cash Invested $_____

Land & Buildings $_____ If land & building value is more than the State of Montana valuation, a current appraisal must be submitted (within 3 years)

Other (Specify) _____ $_____

Subtotal $_____

Lender Commitments (Attach evidence i.e. Letters of Credit or other documentation)

Lender	Loan Amount	Interest	Term	Payment/Period
_____	$_____	_____%	_____yrs	$_____/Month
_____	$_____	_____%	_____yrs	$_____/Month

Total Loan Amount $_____

TIF Request

Eligible Improvements

_____ $_____

_____ $_____

_____ $_____

_____ $_____

_____ $_____

_____ $_____

Subtotal of TIF Funds Requested $_____

Sources of Funds Summary (Post totals from above)

Applicant Equity $_____

Lender Commitments $_____

TIF Funds Request $_____

Other Funds (Specify)_____ $_____

Total Project Cost **$**_____ See attached Pro forma and financial analysis.

To receive maximum funding all applications must be submitted to the DBP and approved by the CITY prior to the start of the relevant phase of construction.

CERTIFICATION

I (we), Andrea Halsten (please print), the APPLICANT, certify that the statements and estimates within this Application as well as any and all documentation submitted as attachments to this Application or under separate cover are true and correct to the best of my (our) knowledge and belief.

Signature A Halsten

Title member LLC

Address 909 Edgehill Vista Dr.
Billings, MT 59101

Date 10-14-20

Signature

Title Member LLC

Address 909 Edgehill Vista
Billings, MT 59101

Date 10-14-20

URD TIF GRANT PROGRAMS – Governing Body: City of Billings, City Council

To receive maximum funding all applications must be submitted to the DBP and approved by the CITY prior to the start of the releva
phase of construction.

DOWNTOWN BILLINGS PARTNERSHIP
DOWNTOWN (N 27TH STREET) URBAN RENEWAL DISTRICT
TAX INCREMENT FINANCING FUND APPLICATION

THE NEW BURGER DIVE PROJECT

2712 MINNESOTA AVENUE
BILLINGS, MONTANA
OCTOBER, 2020

PROJECT INFORMATION

Description of Project:

Andi and Brad Halsten (Applicant) of the Burger Dive, have engaged High Plains Architects, P.C., for their New Burger Dive Project. High Plains Architects worked with the Applicant in preparing the following project narrative, design plans, financial pro forma analysis, and other related attachments.

The Burger Dive is a Billings culinary institution with over 10-years of experience feeding Downtown Billings some of the best burgers in the country out of their little "hole in the wall" at 114 N. 27th Street. The award-winning burgers are known nationally, and the 'Dive' has become a local favorite for not just gourmet burgers and fries but also their real, handmade milkshakes. Andi and Brad Halsten look to further grow their business, expand their offerings and hours, and plan to move the Burger Dive to the old Western and Wheel Bars located at 2712/2714 Minnesota Avenue, still in Downtown Billings. The move will increase their seating and service capacity more than 2-½ times, expand their kitchen, add a retail shop and outdoor dining area, with plans for a "speak easy-like" basement bar and event space. Additionally, a new commercial tenant space is planned for the front half of the old Wheel Bar (2714 Minnesota Ave.), providing new retail space in Downtown Billings. Above the Burger Dive, in the Western, the old boarding house rooms will be repurposed and combined into six new, energy efficient residential apartments. Two new apartments will be built in a new, second-story addition above the old Wheel for a total of eight new workforce apartments as part of the project.

The Western Bar—or Collins Building as it was known when it was built in 1894—is a two-story brick building located at the heart of the Billings Old Town Historic District, and part of the 2700 block of Minnesota Avenue, the oldest block in Billings. East of the Western, and also part of the project, are two, single-story brick buildings that make up 2710 and 2710 ½ Minnesota Avenue—both formally cigar factories, barber shops, radio and hobby supplies stores before falling into disrepair. These three buildings are prime candidates for rehabilitation and due to their historic nature are also candidates for the Historic Tax Credit program administered by the National Park Service and the Department of the Interior. This project will pursue those credits as a critical component of project financing and to continue the effort of restoring Billings's historic buildings to the highest of standards.

This project eliminates blight in Downtown by rehabilitating four buildings that have come under serious disrepair, addressing concerns of dilapidation, unsanitary conditions, and a deteriorating site. The buildings have been vacant for several years (to decades), and this project will fill four empty storefronts along a main downtown street and increase the density of activity, visitation, and aesthetic appeal of the downtown. The building facades will receive a complete overhaul, removing old stucco, repairing the brick, rehabilitating and improving existing windows, and restoring the overall historic character. The Burger Dive is a destination and with new façade improvements, signage, and streetscape improvements—including street trees—the restaurant will only become more so, effectively filling the underutilized diagonal and parallel parking in the neighborhood. By regularly filling parking space in the neighborhood, the street feels narrower to drivers which is a proven traffic calming strategy for reducing speeds and increasing pedestrian safety. The south-facing patio space has one-of-a-kind potential with no space quite like it in Downtown, and with the right application of greenery, lighting, and art the patio will become a true amenity for not just the restaurant but also the alley. Bringing public eyes, lighting, and public art/murals to the shared boundary with the alley are part of a system of strategies aimed at reducing crime through the built environment—also referred to Crime Prevention Through Environmental Design (CPTED).

The Burger Dive is a job creator, and with expanded service and hours, additional staff are expected to be hired to cover the demand. Additionally, the project is incorporating a leasable commercial space to provide space for synergistic retail business, increasing business development in downtown and on Minnesota Avenue. Not only will the project increase business revenue but will also reactivate underutilized

taxable properties leading to increased value for the buildings and their neighbors, and revenue to the City. The upper stories will provide additional housing opportunities in downtown with a mixture of studio, one-, and two-bedroom units that people can afford to live in—both in terms of rent and operations costs. These apartments will benefit not only from rehabilitated historic windows with new, efficient double-glazing, wall and ceiling insulation, and LED lighting, but also the high-performance mechanical and ventilation systems planned for the restaurant that include innovative new ideas for waste-heat reclaim and redistribution.

The projected budget at Schematic Design is $2.3 million for building construction including contingency and contractor overhead and profit. Soft costs for the project are budgeted around $532,500 (see attached 'Financial Pro Forma Analysis' for additional details) and includes architectural and engineering fees, building acquisition costs and taxes, legal fees, and a building reserve. With the building purchase costs the total project budget is approximately $3,119,500. As mentioned above, the applicants are pursuing Historic Tax Credits, which could yield up to $678,400 of equity available to the project. Taking into consideration a Large Project Grant 1:5-match (=16.67% of project costs) of approximately $466,373, and favorable bank financing, the project is extremely viable accounting for income from rents alone. Using standard leasable rates for the commercial spaces and competitive rates for the residential units, the buildings' projected annual income is over $208,000, and with conservative annual operating expenses and debt service, net annual income is expected between $40,000 and $50,000.

The Burger Dive has a tried and true business model that, even in these uncertain times, continues to thrive. Their project on Minnesota Avenue is a prime example of supporting economic revitalization and stabilization to a neighborhood in need. The Burger Dive has a stable and growing clientele that will only continue to grow and provide benefits to the community with their move to Minnesota Avenue. Rehabilitating the buildings will help generate additional property taxes—both their own and neighboring properties—and the Applicant's mixture of private investment, public grant matches and tax credits can serve as a useful model for other development ventures in Downtown. Finally, the neighborhood is excited to have them! A renaissance is underway along Minnesota Avenue and the Burger Dive project is a signal of what good has happened and provides a much-desired catalyst for future projects working to restore our historic downtown buildings.

ATTACHMENTS:

Project Timeline (1 page)

Rehabilitation Plans (4 pages) provided by High Plains Architects

1. Historic Western Bar Photo, ca. 1940
2. First Floor Plan – Burger Dive restaurant, retail, office, and patio space; 1500 SF of commercial lease space
3. Basement Plan – "Speak-easy" bar, event space, storage and mechanical
4. Second Floor Plan – Eight residential apartments

Project Financing (11 pages)

1. Financial Pro Forma Analysis provided by High Plains Architects
   1) Remodel Costs
   2) Tax Credits and Grants
   3) Sources of Cash
   4) Income/Expenses
   5) 2-Year Cash Flow Analysis (2 pages)
   6) 10+-Year Income/Cash Flow
   7) Projected Income Worksheet (2 pages)
2. "Burger Dive 1st Budget 10.5.20" provided by T.W. Clark Construction (2 pages)
3. Qualifying Expenditures (QE) Continuation Sheet (2 pages)

Application Scorecard (2 pages)

DOWNTOWN BILLINGS PARTNERSHIP
DOWNTOWN (N 27TH STREET) URBAN RENEWAL DISTRICT
TAX INCREMENT FINANCING FUND APPLICATION

THE NEW BURGER DIVE PROJECT

2712 MINNESOTA AVENUE
BILLINGS, MONTANA
OCTOBER, 2020

PROJECT TIMELINE

- Building Purchase: November 1, 2020

- Design Development: October – December 2020

- Construction Documents (Phased): October 2020 – March 2021

- Construction Sequence One: January 2021 (three months)
    - Selective interior demolition, structural repairs, façade rehabilitation, roof and window repair. Includes work on 2710, 2710 ½, and 2712 Minnesota Ave.

- Construction Sequence Two: April 2021 (four months)
    - Burger Dive Restaurant fit out: main kitchen, prep kitchen, seating areas, new entrance, retail space, restrooms, storerooms, mechanical, and accessible lift.
    - Patio, landscape and streetscape improvements.
    - Some preparatory work, MEP, for upper level apartments.
    - Begin new restaurant operations by August 2021.

- Construction Sequence Three: August 2021 (three months)
    - Apartment renovations and additions. Commercial space prep or fit out for tenant.
    - Open to leasing by November 2021.

- Project Completion: November 2021



Historic "Western Bar" ca. 1940

2712 Minnesota Ave, Billings, MT

HIGH PLAINS
ARCHITECTS
Designing places people love for over 20 years!

THE NEW BURGER DIVE
2712 MINNESOTA AVENUE
BILLINGS, MT
FACADE DESIGN SKETCH
1/4" = 1'-0" 11/9/20



NEW BURGER DIVE - CONCEPT OPTION 2.3 1/8" = 1'-0" 9/10/20 HIGH PLAINS ARCHITECTS

HIGH PLAINS ARCHITECTS
Designing places people love for over 20 years!

SAUCE KITCHEN & RETAIL

OFFICE
±150 SF

PATIO
±2000 SF

ENTRY

DN

DN

DN

SHAKE BAR

MOP

DN

UP

EXIT

DN

±124 SEATS

PICK UP

SHOW KITCHEN

BAR

DN

UP

20' HOOD

WALK-IN

PREP-KITCHEN & SCULLERY

FAMILY R.R.

DN

STORAGE/ RECEIVING/ GREASE TRAP

LEASABLE SPACE(S)
(1) 1500SF OR
(2) ±750SF

JAN.

WOMEN R.R.

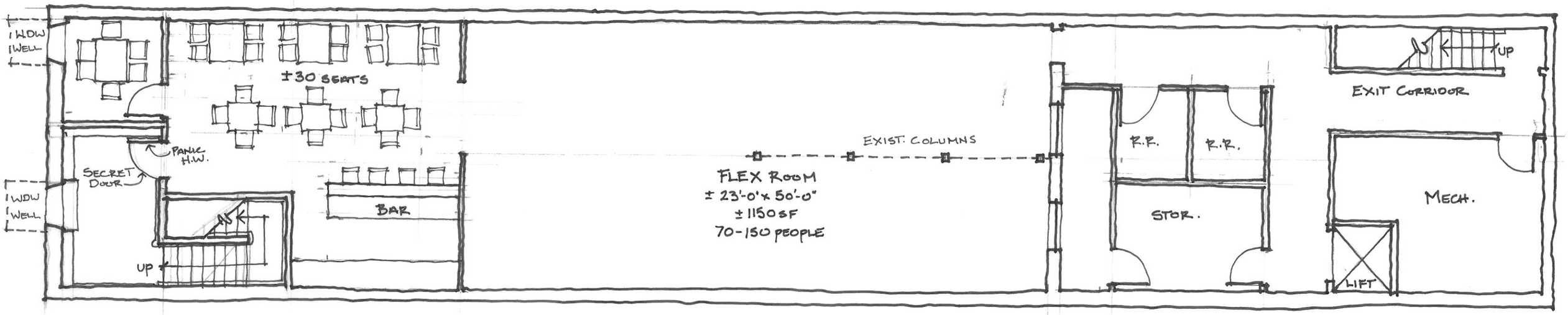
MEN R.R

EXIT

FIRST FLOOR PLAN

NEW BURGER DIVE - CONCEPT OPTION 2.3 1/8"=1'-0" 9/10/20 HIGH PLAINS ARCHITECTS

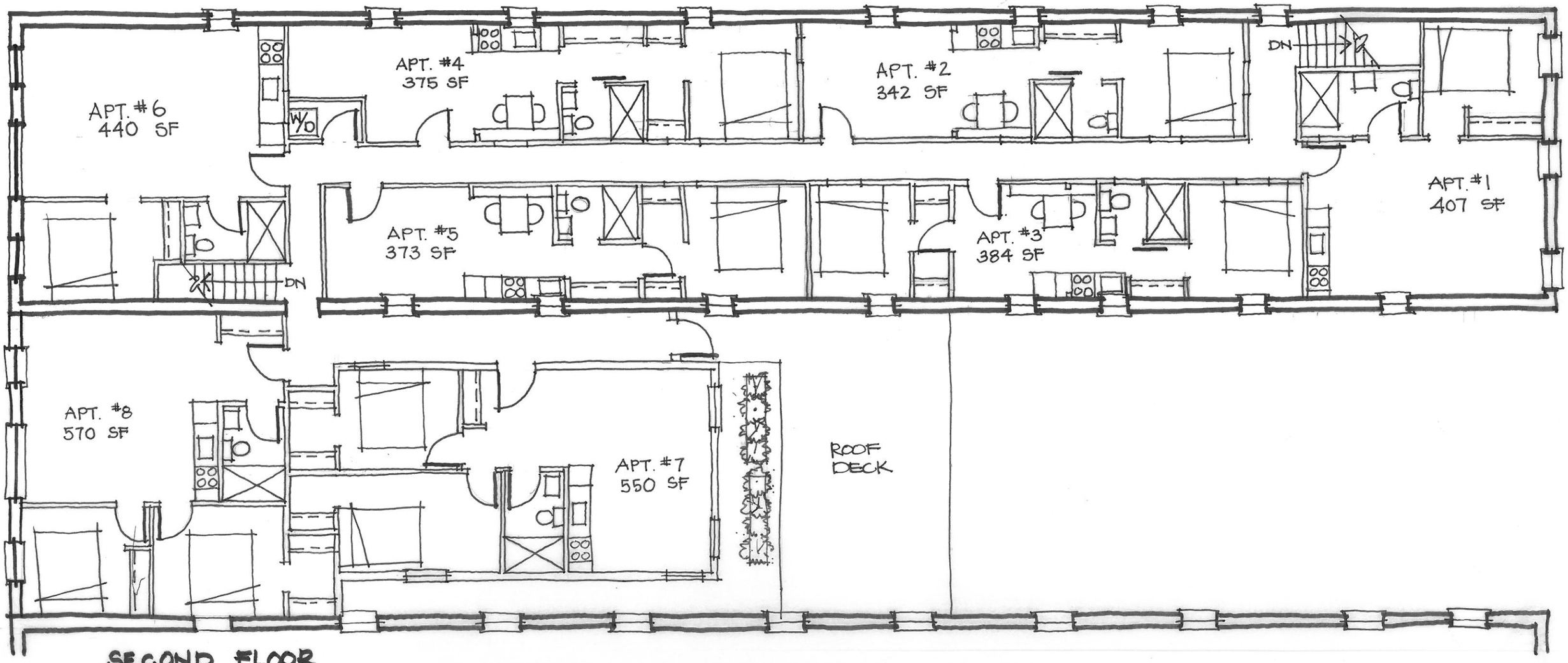
HIGH PLAINS ARCHITECTS
Designing places people love for over 20 years!



BASEMENT PLAN

NEW BURGER DIVE - CONCEPT OPTION 2.3 1/8"=1'-0" HIGH PLAINS ARCHITECTS

HIGH PLAINS ARCHITECTS
Designing places people love for over 20 years!



SECOND FLOOR

THE NEW BURGER DIVE PROJECT

2712 MINNESOTA AVENUE
BILLINGS, MONTANA
OCTOBER, 2020

FINANCIAL PRO FORMA ANALYSIS

1. REMODEL COSTS

	Amount	Unit	$/Unit	Subtotal	QE? (y/n)	QE Value	Notes
							QE=Qualifying Expenditure
BUILDING PURCHASE	1	EA	$ 290,000	$ 290,000	n	$ -	
Less Earnest Money	2	EA	$ 1,000	$ (2,000)			
				$ 288,000		**$ -**	
HARD COSTS							
	Amount	**Unit**	**$/Unit**	**Subtotal**			
Construction	1	EA	$ 1,990,000	$ 1,990,000	y	*	
Construction Contingency	9.7%	of	Construction	$ 192,000	y	*	
SUBTOTAL				$ *2,182,000*			Subtotal
Contractor O+P	5.5%	of	$ 2,182,000	$ 118,000	n	$ -	
Const. Cost Total				**$ 2,300,000**		**$ 2,101,513**	* Approx. value from TW Clark Const. See attached Continuation Sheet
SOFT COSTS							
	Amount	**Unit**	**$/Unit**	**Subtotal**			**Notes**
Design Fee	11.3%	of	$ 2,300,000	$ 260,130	y	$ 260,130	Architectural + Engineering as % of Const. Cost Total
Reimbursable Expenses ±	3.0%	of	$ 260,130	$ 7,804	n	$ -	estimate
Supplementary Services	1	EA	$ 15,000	$ 15,000	y	$ 15,000	Acoustic engineering, Commissioning
Supplemental services - Historic Tax Credit application	1	EA	$ 30,000	$ 30,000	y	$ 30,000	
Supplemental services - LEED documentation	0	EA	$ -	$ -	n	$ -	
Developer Fee (UFDS)	1	EA	$ 10,000	$ 10,000	n	$ -	Placeholder, if needed
Wisneff Hist. Tax Credit Legal Services	1	EA	$ 50,000	$ 50,000	y	$ 50,000	Fee for setting up syndication of tax credits, assuming development team finds local buyer
Appraisal	1	EA	$ 8,000	$ 8,000	y	$ 8,000	
Closing Costs	1.1%	of	$ 2,963,000	$ 32,593	y	$ 32,593	from set aside for Commercial Loan
Insurance (bldr's risk and liability)	1	EA	$ 8,000	$ 8,000	y	$ 8,000	Could be included with Construction Cost
Property Taxes, until occupancy	1	EA	$ 4,970	$ 4,970	n	$ -	1 year estimate
Legal	1	EA	$ 5,000	$ 5,000	y	$ 5,000	Placeholder, if needed
Interest during construction	1	EA	$ 50,000	$ 50,000	n	$ -	from set aside in Sources of Cash
Building Reserve	1	EA	$ 50,000	$ 50,000	n	$ -	
				$ 531,497		**$ 408,723**	
TOTAL PROJECT COSTS (PURCHASE, SOFT + HARD COSTS)				**$ 3,119,497**		**$ 2,510,236**	**Total Large Project Grant Qualifying Expenditures**

1.A ADDITIONAL COSTS (Other Financing)

FF&E	**Amount**	**Unit**	**$/Unit**	**Subtotal**
Kitchen Equipment	10%	of	$ 1,990,000	$ 199,000
Furniture and Fixtures	6%	of	$ 1,990,000	$ 119,400
SUBTOTAL				$ 318,400
Interior Design Fee	10%	of	$ 318,400	$ 31,840
FF&E Total				**$ 350,240**

THE NEW BURGER DIVE PROJECT

2712 MINNESOTA AVENUE
BILLINGS, MONTANA
OCTOBER, 2020

FINANCIAL PRO FORMA ANALYSIS

2. TAX CREDITS and GRANTS

Historic Tax Credit

QRE (Qualified Rehabilitation Expenditures - soft costs + est. 75% of hard costs)			$	2,621,997
IRS Allowed Developer Fee @	15%		$	393,299
Total QRE			$	3,015,296
Federal Tax Credit @	20%	of QRE	$	603,059
State of Montana Tax Credit @	5%	of QRE	$	150,765
Total Fed + State Hist. Tax Credits			$	753,824
Portion of Tax Credits available for Equity @:		**90%**	**$**	**678,442**

Other Credits

	kW	$/kW		
PV array cost	6	$ 2,500	$	15,000
Renewable Energy Tax Credit	22%		$	3,300
Total Renewable Tax Credits			**$**	**3,300**

Total Grants

Downtown TIF Large Project Grant	16.67%	of QE Const. Costs & Purchase Price	**$**	**466,373**	1:5 Match
			$	**466,373**	

DOWNTOWN BILLINGS PARTNERSHIP
DOWNTOWN (N 27TH STREET) URBAN RENEWAL DISTRICT
TAX INCREMENT FINANCING FUND APPLICATION

THE NEW BURGER DIVE PROJECT

2712 MINNESOTA AVENUE
BILLINGS, MONTANA
OCTOBER, 2020

Project Financing - Qualifying Expenditures (QE) Continuation Sheet

	A	B	C	D	E
1	**The following is based on "Burger Dive 1st Budget 10.5.20" provided by TW Clark**				
2	**Construction (attached)**				
3	**DIVISION**	**DESCRIPTION**	**Budget Value**	**QE? (y/n)**	**QE Value**
4	1	General Conditions	$ 163,800	y	$ 163,800
5		Final Cleaning	$ 15,300	y	$ 15,300
6		Performance / Payment Bond	$ -	n	$ -
7		Insurance (Builders Risk / General Liability)	$ 18,543	y	$ 18,543
8		Plan Review Fee / Permits (No system development fees)	$ 9,950	y	$ 9,950
9	2	Demolition (Buildings)	$ 64,978	y	$ 64,978
10		Basement			
11		Main Floor			
12		2nd Floor			
13		East Buildings			
14		Elevated Concrete Slab (Burger Dive South)			
15	2.1	Excavation	$ 27,853	y	$ 27,853
16		Hand Dig in Basement (South End)			
17		Clear / Grub Patio Area			
18		East Building Prep for New Concrete Slab			
19	2.2	Site Concrete (Ramps and Stairs)	$ 15,750	y	$ 15,750
20		Patio Hardscape Allowance	$ 19,350	y	$ 19,350
21	2.3	Landscaping	$ 4,500	y	$ 4,500
22	2.5	Utilities			
23		New Fire Service	$ 13,200	y	$ 13,200
24		Street patch / concrete patch / traffic control	$ 8,500	y	$ 8,500
25	3	Slab on Grade (east building)	$ 14,400	y	$ 14,400
26		Slab on Grade Basement (South Burger Dive)	$ 11,520	y	$ 11,520
27		Footings / Pads in Basement	$ 4,600	y	$ 4,600
28	4	Masonry			
29		Brick on 2nd Floor Addition North Side	$ 16,800	n	$ -
30		Restoration Street Side	$ 35,000	y	$ 35,000
31		Tuck Point East / West / South	$ 8,500	y	$ 8,500
32		CMU at patio area	$ 11,880	y	$ 11,880
33	5	Misc. Steel (lintels, columns, beams, etc)	$ 13,060	y	$ 13,060
34		Railings at ramps / stairs	$ 9,012	y	$ 9,012
35	6	Rough Carpentry			
36		New Stairs / Landings	$ 29,200	y	$ 29,200
37		Elevated Floor (lease space)	$ 8,757	y	$ 8,757
38		New Floor System at Elevated Slab Removal (Burger Dive South)	$ 12,560	y	$ 12,560
39		New Interior Walls	$ 51,940	y	$ 51,940
40		Dye walls	$ 2,300	y	$ 2,300
41		New Roof Structure (east building)	$ 15,072	y	$ 15,072
42		New Floor System 2nd floor addition	$ 25,120	y	$ 25,120
43		Rework / New Roof Structure (south lease building)	$ 12,330	y	$ 12,330
44		Nail Base 2nd floor apartments	$ 18,924	y	$ 18,924
45		Floor / Roof Framing for kitchen hood	$ 3,768	y	$ 3,768
46	6.1	Finish Carpentry			
47		Wood Base / Base	$ 22,221	n	$ -
48		Kitchen Cabinets (Apts)	$ 17,434	y	$ 17,434
49		Vanities	$ 3,256	y	$ 3,256
50		Wood Case / Misc Trim	$ 18,929	n	$ -
51	6.2	Refinish Wood Flooring 2nd Floor	$ 40,300	y	$ 40,300
52	6.3	Plastic Fabrication (Exterior Façade)	$ 15,860	y	$ 15,860

DOWNTOWN BILLINGS PARTNERSHIP
DOWNTOWN (N 27TH STREET) URBAN RENEWAL DISTRICT
TAX INCREMENT FINANCING FUND APPLICATION

53	7	Batt Insulation	$	11,200	y	$ 11,200
54		Close off / Seal stacks	$	2,412	y	$ 2,412
55		Siding at new Addition	$	7,000	y	$ 7,000
56		EPDM Roofing	$	114,600	y	$ 114,600
57		Caulking / Foam Sealant	$	14,080	y	$ 14,080
58	8	New Front Entry Windows / Galzing	$	38,700	y	$ 38,700
59		New Entry Doors	$	12,628	y	$ 12,628
60		New Windows	$	15,120	y	$ 15,120
61		Refurbish Existing Windows	$	21,744	y	$ 21,744
62		New Interior Doors	$	30,700	y	$ 30,700
63		Barn Doors at Restrooms (Apts)	$	9,632	n	$ -
64		Skylights	$	15,000	n	$ -
65	9	Gypsum	$	65,835	y	$ 65,835
66		Flooring	$	47,950	n	$ -
67		Wall Paneling Public restrooms	$	7,200	y	$ 7,200
68		Paint	$	42,075	y	$ 42,075
69	10	Specialties (toilet partitions / Accessories, FE / Cabinets, Signage)	$	5,156	y	$ 5,156
70	12	Kitchen Equipment			n	$ -
71		Furnishings			n	$ -
72		Window Treatments	$	6,500	n	$ -
73	21	Fire Suppression	$	55,845	y	$ 55,845
74	22	Plumbing	$	121,300	y	$ 121,300
75	23	HVAC	$	344,250	y	$ 344,250
76	26	Electrical	$	191,250	y	$ 191,250
77	99	Contingency	$	191,700	y	$ 191,700
78		Profit / Overhead	$	117,150	n	$ -
79		**Total Budget**	**$**	**2,273,494**		**$ 2,019,312**
80						89%
81		**Items not Included in Total Budget Above**			n	$ -
82	1	Builders Risk Insurance	$	7,709	n	$ -
83	2	Performance / Payment Bond	$	19,480	n	$ -
84	3	Replace Sewer to Alley	$	10,000	y	$ 10,000.00
85	4	New Water Service (doesn't include meter)	$	13,200	y	$ 13,200.00
86	5	Asbestos abatement allowance	$	20,000	y	$ 20,000.00
87	6	Relocate Existing Bars (Burger Dive)	$	4,248	n	$ -
88	7	Two Stop Lift	$	39,000	y	$ 39,000.00
89	8	Kitchen Equipment	$	20,000	n	$ -
90	9	Landlord Items Lease Space	$	30,000	n	$ -
91	10	FF&E (By Owner)	$	114,452	n	$ -
92			**$**	**2,551,583**		**$ 2,101,513**
						82%

Development Committee Action Item **Agenda Item 4-a**

Meeting Date: Friday, November 20, 2020, 7:30 am

Location: Remotely via Zoom

RE: Halsten Holdings, LLC TIFD Assistance

Proposal:

Halsten Holding, LLC is pursuing to own and revitalize the Western & Wheel Bars Building, which is located at 2712/2714 Minnesota Avenue. Andi & Brad Halsten own and operate the award-winning Burger Dive, a nationally known and reputable local favorite gourmet burgers, fries, and milkshakes establishment. After 10 years of service, they look to further grow their business as well as expand their offerings and hours by moving from their current location to their new permanent home. The new capacity will increase their seating by 2 & ½ times, expand their kitchen, add a retail shop, outdoor dining area, "speakeasy-like" basement bar, and event space. Additionally, there will be commercial space for a tenant to offer more business or retail at the street level. Above the Burger Dive, the old boarding house rooms will be repurposed and combined into six new, energy efficient residential apartments. Furthermore, two new apartments will be built in a new, second-story addition above the old Wheel building making it a total of eight new workforce apartments as part of the project.

This project eliminates blight by rehabilitating four buildings that have come under serious disrepair, addressing concerns of dilapidation, unsanitary conditions, and a deteriorating site. The buildings have been vacant for several years to decades and this project will fill four empty storefronts. This will increase the density of activity, visitation, and aesthetic appeal of the downtown. The building facades will receive a complete overhaul, removing old stucco, repairing the brick, rehabilitating and improving existing windows, and restoring the overall historic character. This project will also reactivate underutilized taxable properties leading to increased value for the buildings and their neighbors and ultimately, revenue for the City.

The Burger Dive is a destination and with the new facade improvements, signage, and streetscape improvements - including street trees - the restaurant will only become more so, effectively filling the underutilized diagonal and parallel parking in the neighborhood. By regularly filling parking spaces, the street feels narrower for drivers which is a proven traffic calming strategy for reducing speeds and increasing pedestrian safety. The South-facing patio space has one-of-a-kind potential with the right application of greenery, lighting, and art, the patio will become a true amenity for not just the restaurant but also the alley. Bringing public eyes, lighting, and public art are CPTED approved strategies. The Burger Dive is also a job creator, and with the expanded services and hours of operation, additional staff is expected to be hired to cover the demand. Not to mention the leasable commercial space that the project is incorporating to provide room for synergistic retail business to further energize business development downtown and on Minnesota Avenue.

Halsten Holdings, LLC is requesting TIFD assistance in the amount of $466,373 dollars on a 5:1 matching basis. The total project is projected at $3,119,497. If approved, this TIFD assistance request will be subject to available Fund 203 cash and will only be applied to qualified expenditures.

Financial Breakdown Details

Private Investment	**TIF Request**	**Ratio %**
Property Acquisition = $239,579 Construction = $2,879,918		
Total = $3,119,497	$466,373	15%

Financials

If approved, reimbursement funds are available in the fiscal year following the year of project completion.

DBP Development Committee recommends approval of this project by the Board of Directors with the following contingencies:

1. The Applicant shall sign a development contract with the City of Billings and DBP within 90 days of City Council's approval.
2. This TIFD reimbursement is the maximum that can be received pending satisfactory submission of all paid invoices showing the completion of expenditures related to this project.
3. If funds are not available, reimbursement can be carried over to the next fiscal year.

DBP board of directors has authority to approve, modify and approve, or disapprove the recommendation prepared by the Development Committee.

Motion to approve: I make a motion to approve the recommendation of the Development Committee to award this applicant a reimbursement grant not to exceed $466,373 so long conditions above are met.

Motion to disapprove: I make a motion to disapprove the recommendation of the Development Committee in awarding this applicant a reimbursement grant of up to $466,373.

Motion to modify: I make a motion to modify the Committee's recommendation…





Historic "Western Bar" ca. 1940
2712 Minnesota Ave, Billings, MT

Development Committee Action Item **Agenda Item 4-a**

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Location: Remotely via Zoom

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Historic "Western Bar" ca. 1940
2712 Minnesota Ave, Billings, MT

DBP Board Meeting
November 20, 2020 – 7:30 am
Remote via Zoom

ATTENDED:	Andy Patten	Steve Tostenrud	Norman Miller	Denis Pitman
Sam Merrick	Dave Fishbaugh	Marguerite Jodry	Wyeth Friday	Ethan Kanning
Sean Lynch	Penny Ronning	Steve Arveschoug	Chris Montague	Jenny Ross
Joni Harman	Katy Easton	Mehmet Casey	James Chandler	Janna Hafer
GUESTS:	Pam Purinton	Randy Swenson & Kody Johnson	Jeremiah Young	The Burger Dive Team
Zack Terakedis				
ABSENT:	Steve Wahrlich	Kim Olsen	Ignacio Barron Viela	Jock West

1. **Call to Order** – Mr. Patten brought the meeting to order at 7:29 am.
2. **Regular Agenda**
    a. **Minutes** – October 23, 2020 –Patten motioned to approve the minutes and Mr. Montague approved, Mr. Fishbaugh seconded the motion and approved by all.

2. Presentations

1. Mr. Brad Halsten and Mrs. Halsten from The Burger Dive, they have been in business for 10 years and are working on purchasing and looking to expand greatly and bring revitalization to Minnesota Ave. They are working on purchasing the 3 vacant properties, expanding indoor seating by twice the amount, adding outdoor seating, a rental retail opportunity and eight apartments for housing. They feel like they could make this area a destination place and feel like The Burger Dive is a destination restaurant and have received funding by a bank.
    1. Mr. Casey opened the conversation to questions. Mr. Arveschoug commended the Halsten's and especially their area. Mr. Arveschoug brought up the concern about opening during a pandemic. The Halstens were recently forced to go to take out only and their business has stayed profitable during this time; they were able to keep all employees and have expanded into a dinner service and that has created 50% more jobs. Oct 2019 they were at $72k in gross sales in Oct 2020 they have increased by 50% in gross sales due to the addition of dinner service. On average, 30% of sales are from the dinner service and there has been social media and word of mouth advertising done, with no additional advertising. New restaurant capacity will be about two and half times what their current restaurant is and they are confident that their numbers will continue to remain high. If approved, they would not relocate for at least nine months to a year and believe that Covid could likely work in their favor for this. They are also looking at adding a beer and wine license as well which they anticipate to add 20-25% to their gross sales.

2. Mr. Casey introduced Jeremiah Young from Kibler and Kirch, who owns the Stapleton building and Kibler & Kirch. They have been in the process of relocating their furniture and home store that will complement their design business. Their desire is to keep the historical character and put good businesses in the building. They are working to finish occupying the 2nd floor and the ground level storefront that have been vacant for quite some time. They closed their store in Red Lodge and are wanting to bring their retail store to Downtown Billings. They are hoping to become a Staple like they were in Red Lodge. They are going to do a relatively small store front, recreate the original staircase from 1904, and continue to recreate and restore the building to what it once was. They desire to bring a sense of history back to downtown, and while on the surface it doesn't seem like they need assistance, there has been huge empty space within the building and they believe this is a novel way to finish the rest of their building. They project to be spending around 1 million dollars on this project and hope to bring affluent people downtown to shop, eat in local restaurants and spend dollars downtown. Based on research and polling their clients, they were overwhelmed with the response and encouragement for Billings.
    1. Mr. Patten opened the conversation. Mr. Montague thanked Mr. Young for being downtown.

b. **DBP Staff Update**:
    1.

c. Financials
    1.

3. **Old Business –**
    a.

4. **New Business –**
    a.

5. **Action Items –**

a. Large Project Incentive Grant -Burger Dive Committee Recommendations - Ms. Hafer recused herself for The Burger Dive presentation. Mr. Casey - provided a presentation on the Burger Dive - The acquisition for the building is currently ongoing and they are waiting on the appraisal ($239,579) and the projected total cost of construction is about $2,879,918 for not yet started construction and seek TIF approval for $466,373. Inclusive of interior rehabilitation and exterior restoration of the brick and facade to try to bring back as much original character to the building, in addition to work upstairs for the apartments and in the back for the patio. The building's Total estimated cost for the project is $3.1 Million. Mr. Casey also opened this up to the group for questions.

1. My. Lynch stated that he greatly supports this project and believes that Downtown has been searching for a business to revitalize MN Ave, he believes that there is all blight over there and couldn’t think of a better business for this and is the first to motion for approval on this project.

2. Mr. Montague seconded the motion. All were in favor and Mr. Patten moved into motion, all agreed and the motion carried.

b. Kibler and Kirch - Large Project Incentive Grant- Total project costs are anticipated to be $861,838, qualified expenses are $478,681 and TIF ask is for $143,927, however, committee recommends $79,940 out of the qualified expenses ($478,681). The committee sees value in this project but the reason for the reduction, more success has been seen historically in terms of approval, when the exterior of the site is visibly blighted and while there are pockets that are vacant, the perceived notion is that the Stapleton building is thriving, they decided for the 5:1 reimbursement ratio off of qualified expenses instead of total project costs.

1. Mr. Patten asked to clarify the ground floor purpose. Mr. Young clarified that the storefront is a little more than 700 sq ft and will present as a retail store front and it will be apparent that it is a store, but the bulk of the space will be on the second floor with the staircase and elevator on the first floor. Ms. Hafer recommended approval for this, and believes this will add to the aesthetics downtown, she believes in Mr.Young's ability to attract consumers in and would like to have it there, this is the first motion to approve. This was seconded by Ms. Jodry. Mr. Lynch likes this as a way to help get people to explore different ways to use downtown buildings and encourages people to tour the building to help open up ideas to the public to provide the opportunity to think outside of the box. Ms. Haman is excited to see retail come downtown, she believes in this downtown project and asked about the timeline on this. Mr. Young already has his plans approved by the city and contracted with an architect and hopes to have this complete by June - July of 2021. Mr. Patten moved for a motion to approve, all approved and motion carried.

c. The Stone Building - Large Project Incentive Grant- This was presented back in August but due to discrepancies in numbers and dates it was misrepresented; thus, needed to be revisited. Acquisition was on March 14, 2018 for $680,000. This is within the three year expectation for private investment. Phase I expenditure came about to be $1,010, 21 and Phase II expenditures are expected to be around $2.3 Million which have not yet started, the project is estimated to cost $3,986,617, the developer is asking for $700,000 which is about $34,235 over the 5:1 ratio at almost 18% instead of 16% and will only be reimbursed for the remaining expenses in Phase II. The committee still recommends this for approval because of the added value of this project to the district despite the site’s challenges. This property is a bit difficult as the land where the property sits is owned by the railroad and the building owner leases the land from them, in addition to the pandemic, banks don’t often like to see these variables that present many risks.

1. Mr. Patten asked about what was accomplished during Phase I? Kody shared a general outline of the Phase I expenses, he stated that the majority of the expenses were done with Masonry, corners were falling off, windows, they have had a fair amount of demo, the basement had concrete slab issues, they had to pull about 70% of the concrete slab, had to stabilize the soil, re-pour the concrete, rebuild 2 staircases, moved the elevator entrance to the N entrance, and additional extensive structural repairs. On the NW corner, an additional entrance on the ground floor, and fire suppression is about 90% complete, added a 2 inch water service, demoed and rebuilt the dock and canopy structure in the back.

2. Mr. Montague asked about what's changed since the last meeting. Mr. Casey clarified that the year of acquisition was in question and reviewed the history of issues of the application process.
3. Mr. Arveschoug asked about the deadline set in the project, Mr. Casey clarified that the deadline is June 30, 2021. Randy, the developer clarified current issues of funding needed and shared that they intended to sell additional buildings to gap the finances that will not be required by the bank. Mr. Arveschoug asked for clarification and justification about going past the 5:1 ratio for this particular project and wants to know if it's because of the challenge because the property is owned by the railroad. Mr. Casey confirmed that this is the reason for the property land being owned by the railroad as well as the pandemic and to try to consider occasional exceptions for projects like this that provide heavily blighted buildings that have these types of challenges. Mr. Kanning mentioned that this is one of the first buildings you see when you come downtown and the size of the building (33,000 sq ft.) is of significance. Ms. Easton shared that it is important to consider the public safety and this is a high call volume for complaints about this building and area. Ms. Easton mentioned that an occupied and lit building is a safer building. Randy mentioned that safety downtown is key, the parking lot south of the tracks is part of it and they are putting up LED lights and fencing it up, security is of utmost importance for them. Ms. Hafer commented that she supports this project, but thinks we open up a can of worms if we do not stick to the 5:1 ratio. Mr. Patten asked for comments. Norman asked if anyone has asked the railroad if anyone is going to approve this development. Mr.Casey shared that the only opposition that the railroad has is putting in residential units. He also shared that the increments added to the district from the new ownership and future improvements of the building are going to add benefits, which is another valid reason to entertain the potential of making an exception to the 5:1.
4. Mr. Arveschoug stated to make a motion to accept the recommendation that the development committee put together without disrespecting Ms. Hafer's concerns because he shares the same concern about going past the 5:1 ratio. He believes that in this particular case that we need to have an open mind with all of the previously mentioned factors and the importance of this corner that he thinks it needs to get moving and get developed. He suggested one caveat to his motion which is not to push the deadline to try to meet financing and wants to see if this project can be a go. Ms. Harman seconded the motion. Mr. Patten moved the motion for approval with the committee's recommendation and with the exception to the hard deadline of June 30th, 2021. Commissioner Pitman stated that he'd like to make an amendment to the recommendation and he believes that sticking to the ratio on the policies is very important. He understands the reasons why deviation in this instance is desired but separating it out as an amendment to the motion is what he'd like to see. Ms. Hafer seconded the amended motion. The amendment to the motion is to keep the 5:1 reimbursement

ratio. My Lunch agreed with the amendment. Mr. Arveschoug requested clarification on the 5:1 was adopted by the board in agreement with the city and the context is not urban renewal legislation. Ms. Easton confirmed that he was correct and Mr. Casey confirmed that this is the preferred threshold but allows for room for deviance. Mr. Patten moved a motion to amend the motion to limit the TIF funding to the 5:1 ratio. Most were in favor, there were three nays. Mr. Patten believed the motion to carry. Mr. Patten then put into vote to move to the motion to carry with the amendment of the 5:1 ratio with the hard financial deadline of June 30th, 2021. All were in favor and the motion carried.

6. **Partner Reports –**
    a. City of Billings
        1. Mr. Friday - is reminding a public safety survey has gone out and wants to make sure it gets sent out far and wide with a deadline of Dec 2nd to be pushed across the whole city. The city council will be revisiting their capital improvement plan with a more in depth conversation on Dec 7th. Ms. Ronning reminded everyone that clients for Project Re:code with any objection or support with very specific recommendations to call in during this meeting.
    b. Yellowstone County
        1. Commissioner Pitman - asked for questions from the group - working on establishing the connection between Metra Park and downtown and the improvements at MetraPark
    c. SD#2
        1. Ms. Hafer - School is still in session, they are doing all they can to keep them open because they believe it benefits the students. They still have a small portion who is remote by choice or necessity, a decision has not yet been made on indoor sporting events for winter sports, and the State football championships are tonight, Mr. Kanning asked about an expectation on when the decision is going to be made on indoor winter supports but Ms. Hafer clarified the process and is unknown until otherwise heard.
    d. Big Sky Economic Development (BSED)
        1. Mr. Arveschoug , shared about the healthcare appreciation day and 9,000 $10 gift cards and a gift with a link from the Billings Symphony to watch their holiday program online went to 9,000 healthcare workers in Billings.They gave City Council an update on downtown a good overview on One Big Sky and catalyst projects and identifying common elements and objects over various plans and layers and believe it to have been well received and their design work continues on The Montana Building downtown redevelopment, Mr. Arveschoug asked for about 10 minutes in the December or future meeting to present this to the board, the Economic response and recovery team continue to meet every thursday. Dec 10th at 3:15 is hosting a progress report to the community, asking us to save the date and participate in the meeting from various community members.

e. Downtown Billings Association
    1. Ms. Easton - Gift Card program - launched due to healthcare appreciation day. We sent out 1,500 cards in $15,000 dollars on these cards which spurred additional interest of an additional 2,500 cards purchased totaling $50,000 dollars coming downtown. Ms. Easton shared statistics and the excitement for dollars headed to downtown. She also encouraged people to shop local and that if people need help with a gift guide this year, to contact the DBA because we believe that you can find most things locally.

f. Business Improvement District -
    1. Mr. Lynch shared that the team is ready early due to early snow - CPTED certification program going on at the Pubstation in December. Ms. Easton shared that holiday decorations are going up this weekend.

g. Billings Cultural Partners – Not present

h. Parking Advisory Board – Mr. Fishbaugh - working on an application process for pedlets - a sub committee is going to work with Mehmet and are going to touch base with Great Falls as they have been doing this for awhile, the application will eventually be turned over to public works and they will be meeting again in January. Mr. Casey, was incontact with a reporter with a bunch of news pieces and Joan from Great Falls BID.

i. Downtown Billings Property Owners Association – Ms. Hafer provided an update and elected new officers and they will be having another meeting in December and are looking for more members. Property owners decided on a vote not to support the 27th street options or endeavors.

Mr. Casey asked if there was interest for a meeting in December, Mr. Lynch asked about pending TIF application, Mr. Casey confirmed no at the moment, but could come up for CPTED and signage. Mr. Lynch said we move to not have a meeting unless something comes up to where we need to call the meeting to order.

Meeting Adjourned at 8:58 AM

NOTE: SUPPORTING DOCUMENTS FOLLOW AGENDA

CITY OF BILLINGS

CITY OF BILLINGS' VISION STATEMENT:

"THE MAGIC CITY – A VIBRANT, WELCOMING PLACE WHERE PEOPLE FLOURISH AND BUSINESS THRIVES"

AGENDA

COUNCIL CHAMBERS December 8, 2008 6:30 P.M.

CALL TO ORDER – Mayor Tussing
PLEDGE OF ALLEGIANCE – Mayor Tussing
INVOCATION – Councilmember McCall
ROLL CALL
MINUTES – November 13, 2008, Special Meeting
November 24, 2008
COURTESIES – Presentation to Al Winegardner and family in appreciation of donation in memory of Jayne Winegardner
PROCLAMATIONS
ADMINISTRATOR REPORTS – Tina Volek

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Item: 1 ONLY. Speaker sign-in required. (Comments offered here are limited to 1 minute per speaker. Please sign up on the clipboard located at the podium. Comment on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item.)
(NOTE: For Items not on this agenda, public comment will be taken at the end of the agenda. Please sign up on the clipboard located at the back of the room.)

CONSENT AGENDA:

1. A. Change Order #3, W.O. 08-09, Waste Water Treatment Plant Primary Effluent Pipe Replacement and Sludge Drying Bed Expansion, Western Municipal, $20,468.65, and **increase** the City Administrator's change order authority by $50,000.

B. Approval of compensation agreement for Private Contract No. 599, Emmanuel Baptist Church Sanitary Sewer Extension project, $325,360.

C. **Approval** of amended Purchase and Sale Agreement with School District Two for ten acres within Cottonwood Park for $200,000, and **authorization** for the Mayor to execute associated documents to consummate the sale and transfer of ownership of the property.

D. **Approval** of grant application submittal to Safe Route to School Program for the Elementary School Traffic Plan, $50,000.

E. **Resolution** relating to financing of proposed Zone 3 Storage, Zone 4 Reservoir project and Water Rehabilitation project; establishing compliance with reimbursement bond regulations under the Internal Revenue Code for the purpose of reimbursing the City with bond sale proceeds for financing water projects prior to the availability of funds.

F. **Resolution** relating to financing of a proposed Wastewater treatment plant disinfection system project; establishing compliance with reimbursement bond regulations under the Internal Revenue Code for the purpose of reimbursing the City with bond sale proceeds for financing sewer projects prior to the availability of funds.

G. **Second/Final reading** ordinance expanding the North 27th Street Urban Renewal Area – 2008.

H. **Second/Final reading** ordinance modifying the South Billings Boulevard Urban Renewal District.

I. **Exempt Amended Plat** of Tract 1 of Certificate of Survey 1815.

J. **Bills and Payroll**
(1) November 7, 2008
(2) November 14, 2008

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION GRANTING NEW OR EXPANDING INDUSTRY TAX INCENTIVES FOR BIG SKY ECONOMIC DEVELOPMENT AUTHORITY/GENERAL ELECTRIC CAPITAL CORPORATION** for a new building at 3333 Hesper Road. Staff recommends approval. (**Action**: approval or disapproval of staff recommendation).

3. **PUBLIC HEARING AND RESOLUTION GRANTING NEW OR EXPANDING INDUSTRY TAX INCENTIVES FOR DALCO INDUSTRIES DBA TETON STEEL** for property improvements at Gabel Road and South 29th Street. Staff

recommends approval. (**Action**: approval or disapproval of staff recommendation).

4. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR REVISIONS TO BOARDS AND COMMISSIONS:** Revisions that provide consistency in procedural areas for advisory boards, commissions and committees, and reorganizes ordinances into one Article of the Code. Staff recommends approval. (**Action**: approval or disapproval of staff recommendation).

5. **PUBLIC HEARING FOR EXTENSION OF INTERIM ZONING ORDINANCE:** A proposed one-year extension of the Interim Zoning Ordinance that amends Section 27-611, Sexually Oriented Businesses, and allows the interim zoning ordinance to be effective until December 23, 2009. Staff recommends approval. (**Action**: approval or disapproval of staff recommendation).

6. **DOWNTOWN BILLINGS PARKING STUDY.** Delayed from 11/24/08. Staff recommends approval of contract with Rich and Associates, Inc. for $68,500. (**Action**: approval or disapproval of staff recommendation).

7. **PUBLIC COMMENT on <u>Non-Agenda</u> Items --** <u>Speaker sign-in required.</u> *(Restricted to <u>ONLY</u> items not on this printed agenda; comments limited to 3 minutes per speaker. Please sign up on the clipboard located at the back of the Council Chambers.)*

(Action: approval or disapproval of Consent Agenda.)

ADJOURN

(NOTE: Additional information on any of these items is available in the City Clerk's Office)

Visit our Web site at:
http://ci.billings.mt.us

ATTACMENT A

ORDINANCE NO. _____

AN ORDINANCE MODIFYING THE URBAN RENEWAL PLAN OF THE NORTH 27TH STREET DISTRICT URBAN RENEWAL AREA; MODIFYING THE BOUNDARIES OF THE DISTRICT; ADOPTING A MODIFIED URBAN RENEWAL PLAN INCLUDING A TAX INCREMENT PROVISION; APPROVING URBAN RENEWAL PROJECTS THEREIN AND AUTHORIZING THE ISSUANCE OF TAX INCREMENT URBAN RENEWAL REVENUE BONDS OF THE CITY TO FINANCE COSTS THEREOF

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

WHEREAS, on July 11, 2005 the City Council adopted Ordinance No. 05-5333, which created the North 27th Street District Urban Renewal Area (hereafter "North 27th Street District") and adopted the Urban Renewal Plan of the North 27th Street District Urban Renewal Area ("N. 27th Street Plan") that included a tax increment provision and endorsed urban renewal projects.

WHEREAS, on November 13, 2006 the City Council adopted Ordinance No. 06-5394 which expanded the boundaries and amended the N. 27th Street Plan to create the Extended N. 27th Street District that included a tax increment provision and endorsed urban renewal projects.

WHEREAS, it has been determined that the Extended North 27th Street District and the N. 27th Street Plan should be modified to include additional property contiguous to the Extended North 27th Street District.

WHEREAS, this Council on November 24, 2008, conducted a public hearing on a proposal to modify the N. 27th Street Plan by adopting the Urban Renewal Plan of the Expanded North 27th Street District Urban Renewal Area - 2008, thereby establishing a modified urban renewal area to be formally designated as the Expanded North 27th Street District Urban Renewal Area - 2008 (the "Expanded North 27th Street District - 2008" or "the Property"), and to undertake urban renewal projects therein, all as authorized by Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the "Act").

WHEREAS, the Expanded North 27th Street District - 2008 is depicted on Attachment 1 (depicting the relationship of the Expanded North 27th District – 2008 to the Extended N. 27th Street District) and which is hereby incorporated herein and made a part hereof. Pursuant to this Ordinance, the boundaries of the Redevelopment Area are modified to reflect the addition of the Property depicted on the map on Attachment 1. The Redevelopment Area, as modified, is depicted on Attachment 1 and legally described on Attachment 2 (the "Resulting Redevelopment Area") (each of which is hereby incorporated herein and made a part hereof). The Resulting Redevelopment Area is contiguous.

WHEREAS, opportunities have been presented to the City that makes it desirable for the City to consider urban renewal projects within the Expanded North 27th Street District - 2008 consisting of demolishing certain blighted structures within the district; improving such properties with new construction, landscaping, utilities, and other similar improvements; and making the properties so improved available for private redevelopment in accordance with the Act (the "Projects"). Development proposals to be considered for funding include mixed use projects, building renovations, services for the District and the construction or expansion of City owned parking structures within the District.

WHEREAS, the proposed modified urban renewal plan titled the Urban Renewal Plan of the Expanded North 27th Street District - 2008 is attached hereto as Attachment 3 (which is hereby incorporated herein and made a part hereof) (the "Modified Plan"). The Modified Plan contains a tax increment provision and will govern the operation and administration of the Expanded North 27th Street District - 2008.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Billings, Montana, as follows:

1. Findings. This Council hereby finds, determines and declares, based on the comments received at the public hearing and other studies and information available to this Council, that:

a. The Property presently contains structures and improvements that are in a state of substantial deterioration, are obsolete or defective, pose unsanitary or unsafe conditions, are vacant and unused, and have inappropriate uses. The present condition of the Property substantially impairs the sound functioning of the downtown area of the City and its environs, is conducive to juvenile delinquency and crime, poses the threat of vandalism or mischief and fire or loss, constitutes an economic and social liability, and is a menace to the public health, safety, and welfare of the residents of the City. Accordingly, the Council reaffirms its previous findings that the Property is a blighted area within the meaning of Section 7-15-4210 of the Act. This Council finds that the rehabilitation, redevelopment or a combination thereof of the Property is necessary and in the interest of the health, safety, morals or welfare of the residents of the City. This Council finds that undertaking measures to eradicate or diminish the blight affecting the Property will help to foster a more dynamic, livable, and vibrant downtown.

b. If Projects require relocation of displaced persons, a detailed relocation plan is required and will be prepared.

c. The Modified Plan conforms to the 2003 Billings and Yellowstone County Growth Policy and the City's Downtown Framework Plan.

d. The Modified Plan will afford maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the District by private enterprise.

e. A sound and adequate financial program is required for the financing of Projects, which program includes substantial private investment and financing and the sale and issuance by the City of Tax Increment Bonds in proportions yet to be determined, for the purpose of financing a portion of the costs of the Projects as set forth above.

f. Approved Projects will constitute urban renewal projects within the meaning of the Act and are authorized to be undertaken by the City.

2. Plan Adoption. The Modified Plan is hereby adopted and approved in all respects, including without limitation, the segregation and application of tax increments as provided in Sections 7-15-4282 through 7-15-4293 of the Act as provided therein. For purposes of allocating taxes according to the Act, the "prior assessed value" of taxable property within the Expanded North 27th Street District - 2008 is that value shown on the assessment rolls as of January 1, 2008.

3. Project Approval. Authorized Projects are hereby approved.

4. Bonds. This Council approves financing the costs of Urban Renewal Projects, or a portion thereof, with proceeds of the Bonds. The City is hereby authorized and directed to undertake activities and analysis ordinarily prerequisite to the issuance of tax increment urban renewal revenue bonds in a principal amount not to exceed $10 million for financing of the costs of Urban Renewal Projects or a portion thereof.

5. Conditional Commitment. The adoption of the Plan does not constitute a guarantee or a firm commitment that the City will issue the Bonds or undertake Projects. If, based on comments or information made available to or obtained by the City, it appears that the issuance of the Bonds or Projects is not in the public interest or consistent with the purposes of the Act, the City reserves the right not to issue the Bonds or undertake the Project.

7. Repealer. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

8. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

9. Effective Date. This Ordinance shall be in full force and effect from and after the date that is 30 calendar days after the date set forth below.

ADOPTED by the City Council of the City of Billings, Montana, on second reading this 8th day of December, 2008.

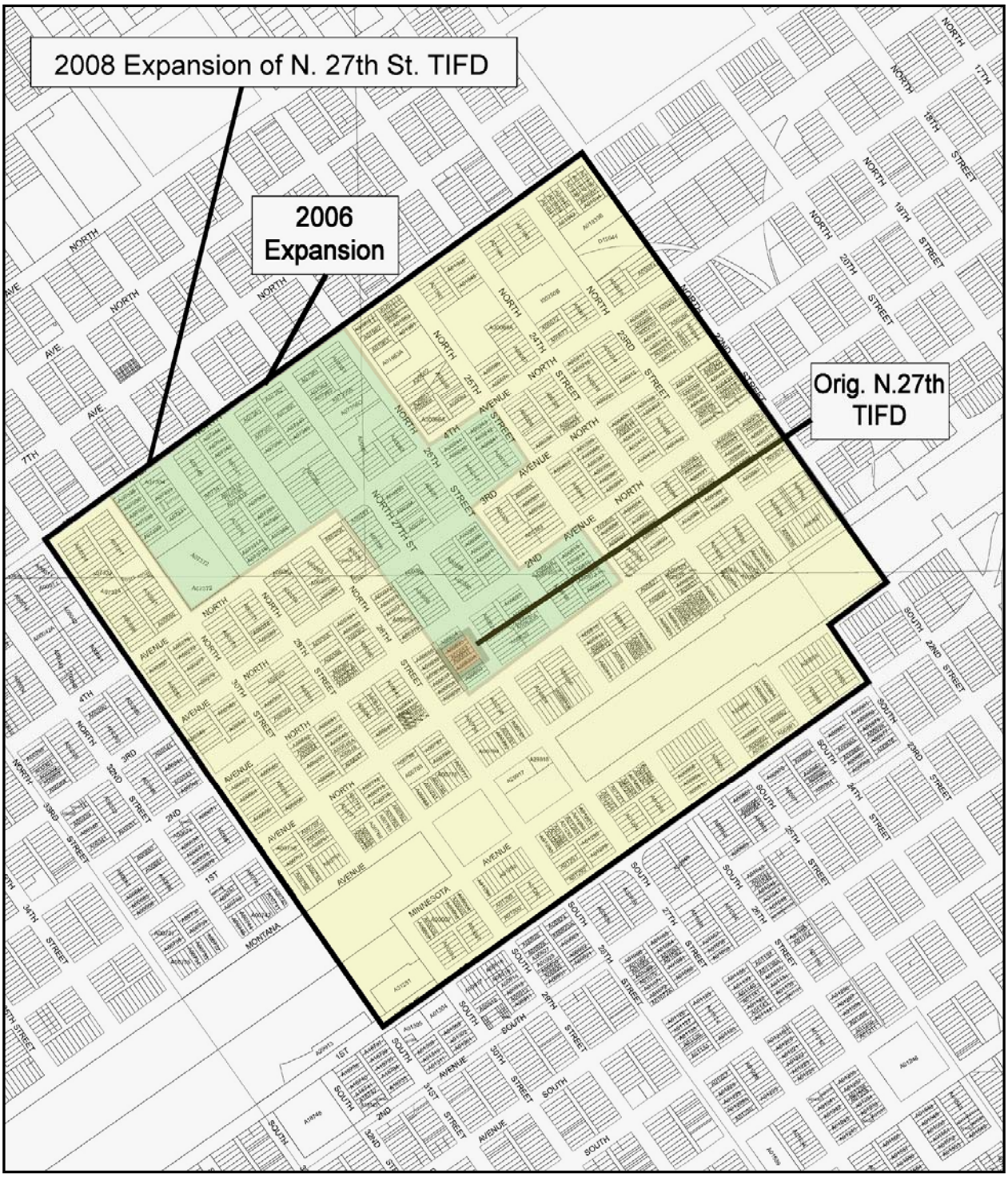
_____
Ron Tussing, Mayor

ATTEST:

_____
Cari Martin, City Clerk

ATTACHMENT 1

Expanded North 27th Street Urban Renewal District – 2008 Boundaries, Boundaries of the Extended N. 27th Street District (2006) and the Boundaries of the N. 27th Street District (2005)



ATTACHMENT 2

Expanded North 27th Street Urban Renewal District – 2008
Boundary Description

Beginning at a point at the intersection of the centerlines of 6th Avenue North and North 31st St. proceeding east along the centerline of 6th Ave. North to a point at the intersection of the centerlines of 6th Avenue North and N. 22nd Street proceeding south along the centerline of North 22nd Street, crossing the centrally assessed Burlington Northern Railroad property, to a point at the intersection of South 22nd Street and Minnesota Avenue proceeding west along the centerline of Minnesota Avenue to a point at the intersection of Minnesota Avenue and South 23rd Street proceeding south along the centerline of South 23rd Street to a point at the intersection of South 23rd Street and 1st Avenue South proceeding west along the centerline of 1st Avenue South to a point at the intersection of the centerlines of 1st Avenue South and South 31st Street proceeding north along the centerline of South 31st Street, crossing the centrally assessed Burlington Northern Railroad property, to the starting point at the intersection North 31st Street and 6th Avenue North encompassing all parcels and tax codes therein.

ATTACHMENT 3
Expanded North 27th Street Urban Renewal Area – 2008
Modified Plan

EXPANSION OF THE BILLINGS, MONTANA NORTH 27TH STREET URBAN RENEWAL AREA, WITH TAX INCREMENT, AND AMENDMENT TO THE URBAN RENEWAL PLAN

FOR CITY OF BILLINGS AND PLANNING REVIEW
October 14, 2008

Prepared by

Downtown Billings Partnership, Inc
2815 2nd Ave. North – Billings, MT 59101 – gregk@downtownbillings.com

SECTION 1 – INTRODUCTION

On July 11, 2005, the City Council adopted an ordinance that (a) created the North 27th Street District Urban Renewal Area ("North 27th Street District") and (b) adopted an urban renewal plan for the district. On November 13, 2006 the City Council adopted an ordinance that (a) expanded the North 27th Street District and (b) modified the urban renewal plan for the district. For reasons discussed in this Amendment to the Urban Renewal Plan of the North 27th Street District ("Plan"), it has been determined that the North 27th Street District should be expanded again to include other contiguous blighted properties in need of redevelopment. Further, it has been determined that this area, known as the Central Business District of Billings, has been and is in need of expanded public parking, enhanced pedestrian connections and experiences, improved public safety, and infrastructure improvements to public and private properties that will lead to increased taxable values. The existing urban renewal plan may be modified by ordinance in accordance with the procedure described in M.C.A. § 7-15-4221. The Urban Renewal Plan of the North 27th Street District approved by the City Council on July 11, 2005 and modified on November 13, 2006 is hereby included by reference as part of this amended Plan and shall remain applicable hereto except to the extent the original plan is explicitly or impliedly amended by this Plan. It is recognized as part of this Plan that the basic vision of the document known as Downtown Billings Framework Plan, adopted by the Billings City Council on December 22, 1997 and by the Yellowstone County Commissioners on December 23, 1997, is still valid and should be considered a part hereof. The terms defined in "Part I – DEFINITIONS" of the North 27th Street District Plan shall have the same meanings in this Plan unless a contrary meaning is expressed herein. The expanded district proposed in this Plan is hereafter referred to as the Expanded North 27th Street District - 2008 or the "District."

SECTION 2 – BACKGROUND

The original Downtown Redevelopment District, a downtown tax increment finance district, was created on December 20, 1975 by a resolution which cited hazardous conditions existing in the district due to overhead utility wires, inefficient land use, problems of access and circulation, physical constraints to development, random location of mixed uses and deteriorated building

conditions, and found that rehabilitation and redevelopment of the District would be in the public interest. That original district (hereafter "1975 District") comprised one hundred and twenty four (124) blocks in the city center after the 1985 south expansion and the 2004 east expansion. The 1975 District expired March 1, 2008 but the Urban Renewal Plan and the Framework Plan used for that district, in many parts and in relation to this District remain valid.

Because the 1975 District has terminated, but many of the undesirable conditions continue to exist, it was determined that it would be in the best interest of the City to expand the North 27th Tax Increment District to assist the construction of public improvements, stabilize and grow the tax base, increase the parking inventory, increase the inventory of downtown residential property, stimulate multi-use development ("Multi-Use Facility Projects"), fill street level vacancies, provide expanded security, develop safe event locations with appropriate traffic control devices, expand the Business Improvement District, make modifications to street and intersection lighting, increase traffic calming and reduce the noise in the district through Quiet Zone management and further implement the vision of the Downtown Framework Plan.

Currently, there is a need to expand the North 27th Street District to encompass development needs on the North 27th Street corridor, the North Broadway corridor, the Old Town Neighborhood and the Montana Avenue Historic District (including expansion of the Historic District to include areas south of the railroad tracks), the Civic District, areas adjacent to the Medical Corridor, adjacent to the East Billings Urban Renewal Area and other underutilized properties within the Central Business District of Billings. Although there has been significant improvement in the valuation of property in much of the 1975 District, the area defined by this proposed expanded tax increment district has major properties that have been neglected for many years and continue to show signs of serious blight and tax base decline. Many parcels have been removed from the tax rolls and/or are delinquent on payments of taxes and fees. The Expanded North 27th Street District creates an opportunity to continue redevelopment of the center of downtown with a mixture of public and private investment in a roughly seventy-one-square-

block district (just over half of the size of the 1975 expanded district) encompassing the existing North 27th Street District.

The area has several pockets of low taxable value, with several lots of the land being owned by government and other non-profit entities and several buildings that are over 50% vacant.

The creation of the Expanded North 27th Street District is essential to any planned development at 4th Avenue North and North Broadway, redevelopment of the vacant Northern Hotel, improving security and expanding the clean safe and vibrant programs of the Business Improvement District, continuing redevelopment of the Civic Plaza area, developing the boundary areas of the Medical Corridor and the East Billings Urban Renewal Area, and expanding the Historic District. It could also assist with the essential remodeling of the Northern Hotel, the Babcock Theatre, the Westwood Building, the Lincoln Hotel Building. Public infrastructure construction within this expanded District could assist with the renovation and/or relocation of various City facilities, such as the public library. It is currently expected that the expanded North 27th Street District may help fund the following projects:

I. Business Programs and Projects

a. Business Retention
    i. Targeted assistance and review of existing street level businesses
    ii. Retail market survey
b. Business Recruitment
    i. Development of a "chainlet" network
    ii. Business plan development assistance
    iii. Association networking
    iv. Business Improvement District support
    v. Business cluster analysis
    vi. Pedestrian study
        1. demographics
        2. directions
        3. linkages
        4. destinations
        5. wayfinding

II. Parking and Transportation

a. Increase use of public transit
b. Parking structures to support current and future needs

c. Explore parking linkages to adjacent destinations
d. Explore parking management practices and programs
    i. Off street parking
    ii. On street parking

III. Crime Prevention and Public Safety

a. Cooperative Security Program
b. Business Watch Program
c. Crime and Fraud prevention programs
    i. Geared towards street level businesses

IV. Management, Implementation and Maintenance

a. Downtown Billings Partnership, Inc. or its successor, management agreement
    i. Project development
    ii. Public awareness
    iii. Advocacy and liaison between public and private sectors
b. Business Improvement District expansion and development
    i. Cooperative work agreements with PMDs
    ii. Development and promotion of Conference Corridor
    iii. BID expansion
    iv. "Green" Management
        1. Recycling programs
        2. Tree management

V. Infrastructure Improvements

a. Public
    i. Expansion of Historic District
    ii. New Library
    iii. New Planning Department Offices
    iv. Public Parking and Greenspace
    v. Intersection Lighting by Public Works
    vi. New SILMDs for mid-block lighting
    vii. Streetscapes and traffic calming plans
    viii. Sidewalks, curbs and gutter improvements
        1. stabilization of vaults
    ix. Relocation of public and private utility lines
b. Public infrastructure improvements that would support the following development projects/programs
    i. Workforce housing development
    ii. Loft and Condo development
    iii. Lodging development
    iv. Conference Facilities

v. Entertainment venues

SECTION 3 – SUMMARY OF BLIGHT FINDINGS

The area in the proposed expansion of the North 27th Street District contains a great deal of blight. Within the district there is substantial structural deterioration, long-term land vacancy, a railroad spur line that has been abandoned and a major rail line that continues to divide the Central Business District. Several of the commercial buildings in the district are deteriorated and/or vacant and need demolition or renovation. Many of the storefronts and upper floors are vacant or under-occupied. Sidewalks are cracked; alleys are deteriorated, and, in general, much of the area is below accepted standards. In contrast to the above, there are certain properties within the district in good repair but included in the district to allow for a contiguous block of land within the district and because pockets of revitalization cannot be sustained if areas of neglect and blight surround them. Over time, without continued managed urban renewal, even these success stories will once again decline in taxable value. Most of the district falls into the blighted, neglected and under-utilized categories.

SECTION 4 – DESCRIPTION OF BLIGHTED AREA

The expanded urban renewal area described in this amended Plan incorporates most of the Central Business District. Within the district there are several older, single-story structures that have been retrofitted for offices and warehousing, numerous surface parking lots, and several vacant structures. Many of these structures are unsuited to their current uses because of age obsolescence and physical deterioration.

Montana‘s Urban Renewal Law (Montana Code Annotated Title 7, Chapter 15, Parts 42 and 43) provides the authority to declare the existence of blighted areas and to target them for improvements. “Blighted area” is defined in Section 7-15-4206(2), M.C.A., as follows:

> *[A]n area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs or arrests the sound growth of the city or its environs; retards the provision of housing accommodations; or constitutes an economic or social liability or is detrimental*

or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use, by reason of:

- *(a) the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential;*
- *(b) inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;*
- *(c) inappropriate or mixed uses of land or buildings;*
- *(d) high density of population and overcrowding;*
- *(e) defective or inadequate street layout;*
- *(f) faulty lot layout in relation to size, adequacy, accessibility, or usefulness;*
- *(g) excessive land coverage;*
- *(h) unsanitary or unsafe conditions;*
- *(i) deterioration of site;*
- *(j) diversity of ownership;*
- *(k) tax or special assessment delinquency exceeding the fair vale of the land;*
- *(l) defective or unusual conditions of title;*
- *(m) improper subdivision or obsolete platting;*
- *(n) the existence of conditions that endanger life or property by fire or other causes; or*
- *(o) any combination of the factors listed in this subsection (2).*

The land being added to the Plan area includes 405 (Exhibit A) property tax codes plus a segment of centrally assessed BN Railroad property. The complete, expanded Urban Renewal Area will have 481 property tax codes plus the segment of BN Railroad property. Within that total area, and as noted in the 2006 approved Urban Renewal Plan, there are many "target areas" that should be immediately considered for redevelopment. The properties on N. Broadway between 4th Avenue North and 6th Avenue North will need additional parking to facilitate the construction of a Stockman Bank facility. The area adjacent to the Northern Hotel on North Broadway is in need of parking due to the closure of the privately owned parking structure in that area due to unsafe and blighted conditions of the structure. The area east of the Yellowstone County Courthouse Lawn is targeted for a new federal courthouse and will need additional parking and green spaces. The area between the new MET transit facility on N. 25th Street and to the east boundary of the East Billings Urban Renewal Area (N. 22nd Street) is in need of redevelopment that could include workforce housing and parking. The status of the Battin Federal Courthouse is still unclear. The facility is contaminated with asbestos and is destined to become vacant with the completion of a new federal courthouse and office building. This

vacancy will present a redevelopment opportunity in the near future. The area surrounding City of Billings Park IV contains many surface parking lots that could be developed if Park IV is sold to a private developer. This area lacks high-rise housing with mixed use occupancy on the first floor. The future use of the Lincoln Center is unclear and it could be a redevelopment opportunity if the school district ceases its administrative and continuing education functions in the building. The properties on 1st Ave. S. and Minnesota Avenue are not currently in a Historic District and values remain stagnant as compared to the Montana Avenue area. The redevelopment of the south side of the railroad tracks has not kept up with the redevelopment north of the tracks and should be a target area. Several properties located between Montana Avenue and 1st Avenue North are severely underutilized and in need of redevelopment. Without attention to some of this blight, over time, the value of the Montana Avenue redevelopment will most likely be negatively impacted.

SECTION 5 – DETERMINATION OF BLIGHT

The proposed expansion area of the North 27th Street District contains a number of underdeveloped properties. The Council previously determined that the property included in the North 27th Street District was "blighted" within the meaning of the Act in Resolution 05-18276 adopted June 13, 2005 and Resolution 06-18488, adopted September 25, 2006. The Redevelopment Area, including the portion that is to be expanded to form the Expanded North 27th Street District - 2008, was previously determined to be blighted and an appropriate area for an urban renewal project in Resolution No. 12107 dated January 5, 1976. Deficiencies in public and private properties located in the district lead to a determination that the area continues to be blighted, as defined by state statute. Specific areas of blight on the site are listed below:

Deficient Structures in Expanded Area

There are several buildings that are over 50 years in age and do not qualify as being historically significant. Many are in poor repair and may contain potentially hazardous asbestos and lead paint.

Deficient Public Facilities in Extended Area

The streets, curbs, gutters and sidewalks in much of the area are in satisfactory repair. However, sewer and water utilities in the area are aging and have required frequent repairs in recent years. Several parking lots generally do not meet code requirements for paving, striping and landscaping. Many of them are cracked and crumbling. The city owned parking ramps within the area, except for Park IV have extensive "waiting lists" and public parking for adjacent office and commercial structures continues to be inadequate. Demand for parking will continue and additional and expanded parking structures will be required to accommodate commercial growth.

Deficient Land Use in Extended Area

In general, the area is under-utilized due to the significant amount of surface parking areas and a large number of single-story structures. The taxable value of this district must be stabilized and encouraged to grow.

SECTION 6 – THE SITE AND ITS RELATIONSHIP TO THE CITY

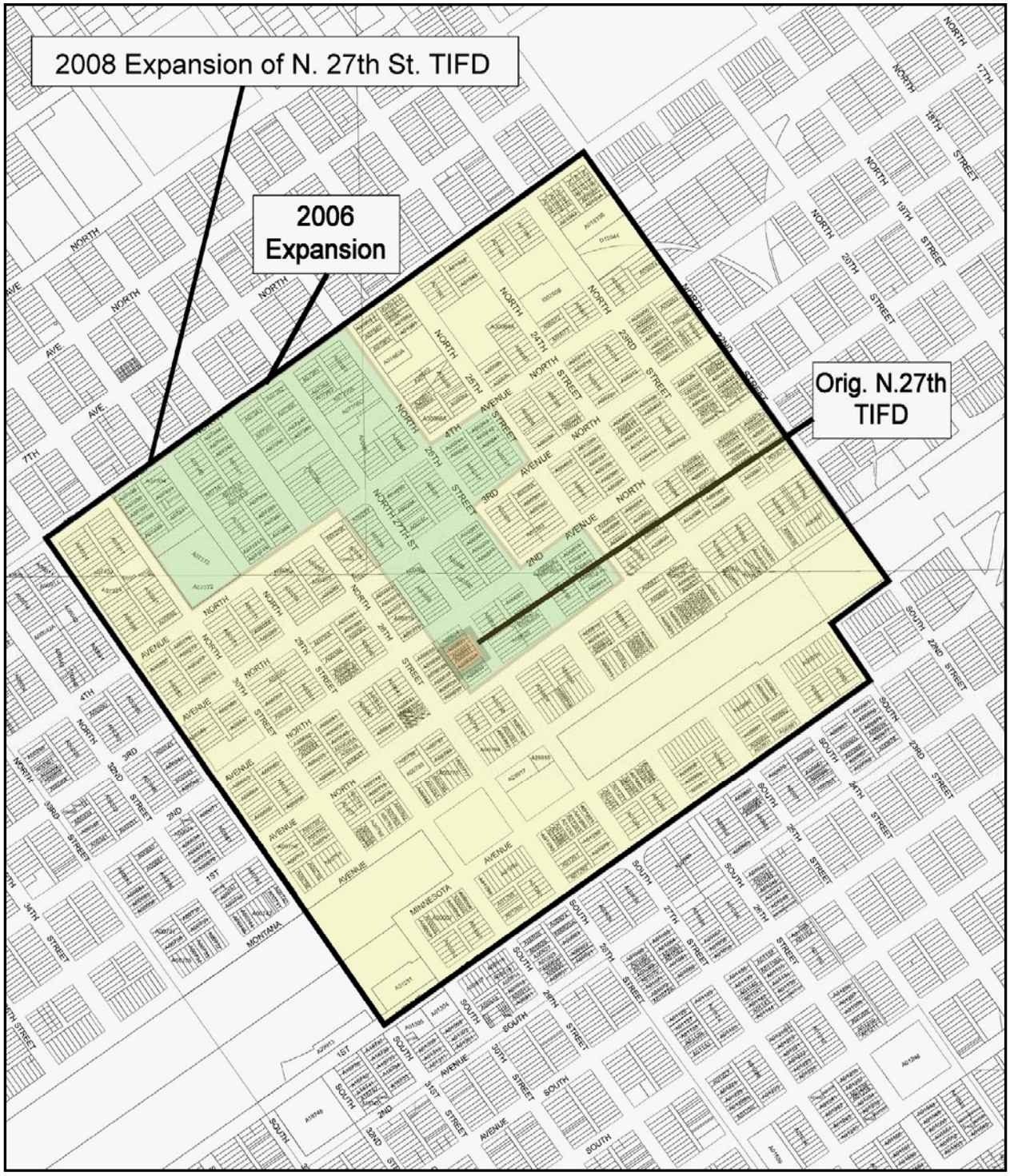
As noted, the expanded North 27th Street Urban Renewal Area comprises most of the Central Business District (CBD) of the City of Billings.

SECTION 7 – LEGAL DESCRIPTION

The legal description of the proposed Expanded North 27th Street District – 2008 is as follows:

Beginning at a point at the intersection of the centerlines of 6th Avenue North and North 31st St. proceeding east along the centerline of 6th Ave. North to a point at the intersection of the centerlines of 6th Avenue North and N. 22nd Street proceeding south along the centerline of North 22nd Street, crossing the centrally assessed Burlington Northern Railroad property, to a point at the intersection of South 22nd Street and Minnesota Avenue proceeding west along the centerline of Minnesota Avenue to a point at the intersection of Minnesota Avenue and South 23rd Street proceeding south along the centerline of South 23rd Street to a point at the intersection of South 23rd Street and 1st Avenue South proceeding west along the centerline of 1st Avenue South to a point at the intersection of the centerlines of 1st Avenue South and South 31st Street proceeding north along the centerline of South 31st Street, crossing the centrally assessed Burlington Northern Railroad property, to the starting point at the intersection North 31st Street and 6th Avenue North encompassing all parcels and tax codes therein, all inclusive.

Map of entire Expanded N. 27th District



SECTION 8 – PROPERTY DEVELOPERS

New development in the proposed tax increment district will also be accomplished through the implementation of the Downtown Framework Plan. These Projects are described in Section 2 of this plan.

SECTION 9 – PROJECT RELATIONSHIP TO THE FRAMEWORK PLAN

The proposed urban renewal area and expanded tax increment district is located generally in the center of the City and encompasses most of the "districts" as defined by the Billings Framework Plan ("Framework Plan"). One goal of the Framework Plan was to remove barriers to downtown circulation and development created by 4th Avenue North and 6th Avenue North and establish the area between the avenues as both a discreet district and a recognized extension of the CBD, thereby allowing potential ties to the medical corridor and MSU-Billings from the CBD. Generally, the Framework Plan stressed the downtown's ability to make a positive impact on the entire city. The Framework Plan also recommended a private non-profit organization to assist the City of Billings with the management of the Tax Increment District through an annual work plan and contract. This Expanded N 27th Street District may be managed in a similar manner and could make use of the redevelopment and facilitation established through that management entity.

Framework Plan Recommendation: Housing

The Framework Plan states that housing should be a top priority and that the City should continue to work with builders and developers to encourage downtown housing through various methods. Specifically, the plan states that high-rise housing is to be located in the east transition zone and portions of the north transition zone.

The formation of an expanded tax increment district will help to raise funds that can be used for construction or rehabilitation of public infrastructure necessary to attract and retain housing in the area.

Framework Plan Recommendation: Priorities

The top priorities identified in the Framework Plan include the following:

- Development incentives, including business retention and recruitment
- Housing – demonstration projects
- Streetscape Kit of Parts – expand kit to include Minnesota Avenue
- Events Kit of Parts – Modern and safer traffic control devices may be needed
- Paring configuration adjustments – several one-way streets could be converted to 2-way
- 5th Avenue North Corridor preservation and enhancement

This amendment to the Plan and the urban renewal projects that it contemplates specifically address all six of these priorities.

SECTION 10 – CONFORMANCE TO THE GROWTH POLICY

One of the requirements of Montana's Urban Renewal Law (Title 7, Chapter 15, Parts 42 and 43) is that the urban renewal plan must conform to the community's growth policy. The Yellowstone County and City of Billings Growth Policy ("Growth Policy") refers to and promotes downtown redevelopment in a variety of ways. This amendment to the Plan is consistent with the current Growth Policy.

SECTION 11 – CERTAIN PLAN FEATURES AND FINANCIAL MATTERS

Section 7-15-4217, M.C.A., of the Act requires cities to make certain findings when they adopt an urban renewal plan and approve Urban Renewal Projects. These are addressed below:

1. Most of the District contains no existing dwelling units or housing, and planned projects would not displace any persons from housing. Accordingly, there is no need to have a workable and feasible plan for substitute housing until and unless such a project is developed in the future.

2. This amended Plan conforms to the Growth Policy for the City as a whole and to the

Framework Plan.

3. This Modified Plan affords maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the Expanded North 27th Street District by private enterprise. It is unreasonable to expect that the district will be remain stabilized and/or redeveloped without substantial public support. Numerous properties within the area are dilapidated. As presently constituted, property in the district is not conducive to any sort of uniform or integrated development and, as presently existing, cannot compete with other areas of the City for substantial developments, particularly areas at the outskirts of the City. Experience has validated the foregoing facts and observations. This amended Plan is intended to facilitate the identification and construction of significant Urban Renewal Projects, which would not be possible without this Plan.

4. A sound and adequate financial program exists for financing projects, which include the sale and issuance by the City of the Bonds in an amount not to exceed the costs of the project, including administration costs and costs of issuance of the Bonds. Any approved Development Project will require commitments of substantial private financing that will provide the primary means for funding construction of the improvements.

5. This Expanded N. 27th Street District - 2008 may be modified at any time by the City Council as necessary to eliminate and prevent the development or spread of blighted areas, and encourage urban rehabilitation. The process for plan modification shall follow the procedures set forth in 7-15-4212 through 7-15-4219 MCA, with respect to initial adoption of this plan. For purposes of urban renewal district boundary changes only, the notice of public hearing, as described in 7-15-4215 MCA, may be mailed only to those owners whose properties are situated within the area of expansion or contraction of the Urban Renewal District boundaries. In cases where the boundaries are not modified, but the contents of the urban renewal plan are substantially modified, notification shall be mailed to all owners of property within the Urban Renewal District area.

SECTION 12 – TAX INCREMENT

Tax increment financing is necessary to encourage private reinvestment within the District, which will further encourage economic growth in the District and Downtown Billings, create substantial employment opportunities, and increase the tax base of the City and other taxing jurisdictions. The expanded North 27th Street District is hereby established as a tax increment financing urban renewal area within the meaning of the Act, and, in particular, Section 7-15-4282 through 7-15-4293 of the Act. This Section constitutes a tax increment provision within the meaning of the Act. In connection therewith:

1. For the purpose of calculating the incremental taxable value each year for the life of the district, the base taxable value shall be calculated as current base taxable value of the district plus the base taxable value of all real and personal property added to the district by this amended plan and as show in Exhibit B as of **January 1, 2008.**

2. The City is hereby authorized to segregate the tax increment derived in the district and use and deposit such increment into the tax increment fund of the district for use as authorized by the Act and as authorized herein from time to time, including, without limitation, pledging the tax increment to repayment of Bonds.

3. The tax increment received from the district may be used to pay directly costs of an approved Development Project as may from time to time be approved by the Council. The Council also hereby authorizes the use of tax increment in the district to pay debt service on Bonds issued to finance a portion of the costs of these Development Projects, and costs associated with the sale and security of such Bonds in compliance with the Act, subject to any limitations imposed by the Montana Constitution and federal law.

4. The tax increment provision of the district will terminate upon the latter of:
   a. The fifteenth (15th) year following the original creation of the district; or
   b. The payment or provision for payment in full or discharge of all Bonds, and the payment of interest thereon, for which the tax increment has been pledged.

After termination of the tax increment provision, all taxes shall continue to be levied upon the actual taxable value of the taxable property in the district, but shall be paid into funds of the taxing bodies levying taxes within the district.

SECTION 13 – CONCLUSIONS

The creation of this expanded North 27th Street Urban Renewal District will have a positive impact on Downtown Billings and no impact on the total taxable value flowing to the taxing entities from the now expired 1975 Urban Renewal District.

Expansion of the North 27th Street District is an essential first-step in completing what may be a number of urban renewal projects. If completed, mixed use projects approved within the first two years could stimulate over $30 million in new construction, and possibly as much as $15 million in re-sales and redevelopment. Approximately 500 new employees and new downtown residents could be located on the commercial and upper floors of possible mixed use projects. Thus, expansion of the district, in addition to further stabilizing the tax base, eliminating blight and providing renaissance to the CBD, will also bring new employees and residents to the CBD.

Mixed use development within the Expanded District ties in favorably with and actually stimulates the remodeling plans that are currently underway for several downtown properties. Additionally, like any major new development, the anticipated Stockman Bank construction at 4th Avenue North and North Broadway will have a stimulating effect on the surrounding area. Specific examples of this are:

1. It will tie the CBD to the medical corridor located immediately to the north of the development.
2. The Billings Clinic has purchased the Underriner property to the north and west of the Library. The Clinic's plans at this point have not been determined; however, the development proposed in this amended Plan will enhance and encourage future development by this group.

3. The Framework Plan encourages the development of the 5th Avenue North corridor. An enhanced Library, as accomplished by projects described in this Plan, will provide an excellent entrance to this corridor.
4. Future redevelopment and revitalization of structures like the Northern Hotel and the Babcock Theatre Building are enabled by this district.
5. This expanded district may assist with the completion of and continued modernization of City owned downtown parking structures.

In conclusion, expansion of the North 27th Street Urban Renewal District to include the property described in this amended Plan will have a positive effect on the CBD and the City.

RESOLUTION NO. 18-10750

A RESOLUTION OF THE CITY OF BILLINGS FORMING A POLICY FOR THE ADMINISTRATION OF URBAN RENEWAL AREAS OR DISTRICTS (URD) IN THE CITY.

WHEREAS, MCA, Title 7, Chapter 15, Part 42, Section 51 declares: General powers of municipalities in connection with urban renewal. Every municipality shall have all the power necessary or convenient:

(1) To carry out and effectuate the purposes and provisions of this part and part 43;

(2) To undertake and carry out urban renewal projects within the municipality, to make and execute contracts and other instruments necessary or convenient to the exercise of its powers under this part and part 43, and to disseminate blight clearance and urban renewal information;

(3) To organize, coordinate, and direct, within the municipality, the administration of the provisions of this part and part 43 as they apply to such municipality in order that the objective of remedying blighted areas and preventing the causes thereof within such municipality may be most effectively promoted and achieved and to establish such new office or offices of the municipality or to reorganize existing offices in order to carry out such purpose most effectively;

(4) To exercise all or any part or combination of powers granted in this part or part 43; and

WHEREAS, the City of Billings reviews and adopts Urban Renewal Plans for each of its Urban Renewal Districts, and those Plans specify goals for each Urban Renewal District; and

WHEREAS, the City of Billings may establish local policies that guide the establishment, operations, funding and governance of urban renewal districts; and

WHEREAS, development of TIF (Tax Increment Financing) Policies would be in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

That the City Council now makes and adopts the following TIF Policy:

CITY OF BILLINGS TAX INCREMENT FINANCE POLICY

1. PERMITTED USES OF TIF FUNDS. TIF funds may be used for costs outlined in MCA, Title 7, Chapter 15, Part 42, Section 88. Urban Renewal Plans adopted by the City may limit what TIF funds may be spent on in any Urban Renewal District. Eligible costs may include, but are not limited to:
   a. Land acquisition and assemblage, demolition and removal of structures, relocation of occupants, analysis to determine needs of an urban renewal area, administrative cost for redevelopment activities.
   b. Public infrastructure, including, but not limited to: streets, storm drains, parking, public buildings, water and sewer lines, sidewalks, utility connections.
   c. Private infrastructure with public benefit, including, but not limited to, building façades, windows, doors, fire suppression or alarm systems, storm drainage, environmental remediation, parking, and ADA access.

2. FINANCIAL ASSISTANCE THROUGH TIF. All financial assistance must be approved by the City Council prior to any activity receiving funding. Financial assistance should be requested prior to beginning construction. All activity (design and construction) must be completed prior to issuance of TIF funds from the City Finance Department. Financial thresholds and assistance tools are as follows:
   a. A minimum of $\geq$ $5 of private investment for every $1 of public investment is the preferred threshold to be met for each TIF application. The City Council reserves the right to approve any application that does not meet this minimum. The City Council also may make exceptions for projects of less than $100,000, and for publicly owned projects, properties or facilities.
   b. Grants may be made for uses listed in Part 1 above benefitting any government owned-land or buildings and for profit and non-profit businesses.
   c. Bonding may be available at the discretion of the City Council.
   d. All TIF grants will be formalized by a development agreement that must be signed by the grantee before the City will reimburse eligible expenses.

3. URD MANAGEMENT. Each URD in the City of Billings will be managed as follows:
   a. Each URD should maintain a non-profit advisory board to make recommendations to the City Council regarding TIF expenditures. Unless specifically authorized by a Memorandum of Understanding (MOU) referenced in 3(b) below, a majority of board members must own or lease property within the district, or must represent such owner or lessee, and may include representation from residential or commercial property owners or lessees. Advisory Boards must carry insurance for their members and provide proof of insurance to the City.
   b. A MOU must be executed between the advisory board and the City Council that defines the board's roles, responsibilities, authority, and processes, including for hiring and maintaining board support staff. The MOU must

contain language addressing conflict of interest situations for board members whose property may directly benefit from a TIF expenditure and for board support staff. The MOU also must include language that if there is the appearance of a conflict of interest the issue will be reviewed by City legal staff before moving forward.

c. Training for all URD advisory boards will be conducted biannually in coordination with City staff and URD support staff. The training must include, but is not limited to: review of URD and TIF laws, Administrative Rules, ethics, conflicts of interest, meeting management, and maintenance of minutes and records.

d. URD financial reporting will be consistent across all URDs and be set by coordination between the City Finance Director and the Planning and Community Services Director, and URD support staff.

e. TIF application review and City Council staff report preparation will be conducted by the Planning and Community Services Department Director, in coordination with the Assistant City Administrator, Finance Director, and URD support staff.

PASSED by the City Council and APPROVED this 9th day of July, 2018.

CITY OF BILLINGS

BY: William A Cole
William A. Cole, Mayor

CITY OF BILLINGS SEAL YELLOWSTONE COUNTY, MONTANA

ATTEST

BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk

BURGER DIVE

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is entered into as of_____, 2020 by and between the Downtown Billings Partnership, Inc., an I.R.C. S501(c)(4) Montana nonprofit corporation ("DBP"), The City of Billings, Montana, a municipality of the State of Montana ("City"), and Halsten Holdings, LLC, a Montana limited liability company ("Developer"). DBP, the City and Developer shall each be referred to herein as a "party" and shall collectively be referred to as the "parties."

RECITALS

WHEREAS, DBP is the entity responsible for administration of Tax Increment Financing ("TIF") funds for the City; and

WHEREAS, on or about October 15, 2020, Developer submitted a Funding Application (defined below) to DBP requesting a TIF grant for a project to renovate, rehab, and remodel property located at 2712/2714 Minnesota Avenue in downtown Billings (the "Property" as further defined below); and

WHEREAS, on or about November 20, 2020, DBP's Board of Directors approved the Application for a TIF grant; and

WHEREAS, on December 14, 2020, the City of Billings City Council approved a reimbursement grant using TIF funds to Developer in an amount of up to $466,373 (the "TIF Grant") to be dedicated to qualified expenditures for the Project (defined below) and to be disbursed as described in this Agreement; and

WHEREAS, the parties wish to enter into a development agreement, in accordance with DBP's TIF Funding Criteria (defined below), to establish the terms and conditions under which DBP will allocate the TIF Grant funds to Developer from the City in accordance with the DBP agreement with the City regarding urban renewal in Downtown Billings,

NOW, THEREFORE, the parties agree as follows:

SECTION 1
SUBJECT OF AGREEMENT AND DEFINITIONS

1.1 Effect of Recitals. The foregoing Recitals are true and correct and are incorporated into the terms and conditions of this Agreement.

1.2 Purpose of Agreement. The purpose of this Agreement is to set forth the terms and conditions of the TIF Grant to Developer to effectuate the urban renewal project for certain real property located at 2712/2714 Minnesota Avenue in Billings, Montana, and legally described on the attached Exhibit A (the "Property"). This Project will eliminate blight and compliment and further the objectives of the Expanded North 27th Street Urban Renewal District and Urban Renewal Plan.

DRAFT

1.3 The Funding Application. The DBP and the City have approved the TIF Grant based on Developer's Downtown Tax Increment Financing Application attached hereto as Exhibit B ("Funding Application"), subject to the terms and conditions of this Agreement. The Funding Application includes a preliminary estimated cost of construction of Developer's Improvements (the "Preliminary Developer's Budget")

1.4 TIF Grant Funding Criteria. The term “TIF Funding Criteria” shall mean the Tax Increment Financial Assistance Program criteria for urban renewal projects in the Expanded North 27" Street Urban Renewal District as set forth in the attached Exhibit C.

1.5 Developer's Improvements. The term "Developer's Improvements” shall mean the improvements described on Exhibit B to be constructed by Developer on the Property pursuant to this Agreement and as described in Section 5.

1.6 Conceptual Design Drawings. The term "Conceptual Design Drawings" shall mean the conceptual preliminary depictions of the Developer's Improvements attached hereto as Exhibit B.

1.7 Project. The term "Project" shall mean the Property as improved by the Developer's Improvements.

1.8 Definitive Documents. The term "Definitive Documents' shall mean this Agreement and all Exhibits attached or to be attached hereto.

SECTION 2
PROPERTY

2.1 Ownership. The Property, described on Exhibit A, is currently owned by Halsten Holdings, LLC.

SECTION 3
CONDITIONS PRECEDENT

3.1 Conditions Precedent. The DBP's and the City's obligation to be bound by this Agreement with Developer is subject to satisfaction or written waiver of each of the following conditions to the reasonable satisfaction of DBP ("Conditions Precedent”):

a) Developer has presented DBP proof of ownership of the Property by proof of title insurance reflecting Developer as the fee owner of the Property, subject only to liens and encumbrances satisfactory to DBP.

b) Developer has obtained financing and provided the DBP with proof of financing in the form of commitment letters or loan documents, for the construction of Developer's Improvements in accordance with the Funding Application within the time period set forth in the Performance Schedule (as defined in Section 6).

c) Developer has prepared and submitted a detailed budget setting forth the final estimated cost of construction of Developer's Improvements ("Developer's Budget"). When completed, the Developer's Budget will be made a part of this Agreement and will be appended as Exhibit E.

d) Developer has prepared and submitted final design drawings ("Design Drawings") and construction documents for the Developer's Improvements (collectively, the "Final Plans") in accordance with the terms of this Agreement and the Final Plans have been reviewed and approved by DBP and the City and the estimated cost of the approved design is within Developer's Budget. When completed and approved, the Final Plans will be made a part of this Agreement and will be attached as Exhibit F.

e) Developer has provided DBP with proof of zoning compliance and approval by any necessary governmental entities.

f) Developer has executed the Agreement no later than 90 days following the City Council's approval.

3.2 Satisfaction of Conditions. DBP and DBP's representatives, agents and consultants will work with the Developer to obtain satisfaction of the Conditions Precedent.

3.3 Termination for Failure of Conditions. If the Conditions Precedent are not satisfied or waived within 90 days of the date of this Agreement, then any party may terminate the Definitive Documents by written notice to the others and upon such termination the parties shall have no further liability to one another, however, Developer shall remain responsible for indemnifying DBP and the City in accordance with Section 5.12.

SECTION 4:
GRANT AND RELEASE OF FUNDS

4.1 Use of TIF Grant Funds. The TIF Grant funds which are the subject of this Agreement shall be used only for urban renewal activities, including the renovation and rehabilitation of the Property, in accordance with the Definitive Documents and the Urban Renewal Law of the State of Montana, §§7-15-420l., et seq., Mont. Code Ann.

4.2 Grant of Funds. City, as recommended by DBP, agrees to grant to Developer the TIF Grant in an amount of up to $466,373 from funds in the City's Fund 203 account, release of which shall be conditioned upon satisfaction of the conditions precedent set forth in Section 3.1 above, the conditions set forth in this Section 4, and the Developer's obligations, covenants and warranties set forth in this Agreement and the Definitive Documents.

4.3 Availability of TIF Grant Funds. TIF funds are not available to be encumbered (committed) to the Project by the City until they are received as unencumbered TIF funds.

a) Subject to the availability of unencumbered TIF funds, City agrees that, starting the January 1st after the Project is complete and occupied, it will encumber TIF funds to reimburse Developer for the Project during the fiscal years following completion of the Project according to the requirements of this Agreement. Reimbursements will not be

greater than $466,373 in total. During the reimbursement period, two disbursements of $233,187 will occur in FY 23 and 24. The deadline for the reimbursement period to start is July 1, 2022.

(In the event unencumbered TIF funds are not available to the City to meet the foregoing schedule, the City may continue to fully encumber, in its sole discretion, to the Project available unencumbered TIF funds until the full TIF Grant is encumbered to the Project.)

b) Developer reimbursements shall be limited to only those funds that have been encumbered to Project by the City. Notwithstanding anything to the contrary, the payment of the Developer reimbursements is hereby expressly made subordinate in all respects to any and all bonds issued by the City pursuant to the Resolution No. [20-10878] adopted by the City Council of Billings on [June 22, 2020], as amended and supplemented, and the Development reimbursements are a Subordinate Obligation thereunder.

c) Reimbursements will be made to Developer as explained in Section 4.2 and restricted to TIF funds that have to date been encumbered to the Project.

4.4 Release of Funds following Project Completion. DBP will release the TIF Grant funds approved by the City to the Developer upon the Developer's completion of Developer's Improvements and the Project, determined as follows:

a) Developer has substantially completed construction of Developer's Improvements in accordance with the Funding Application, as supplemented by the Budget and Design Drawings, and the deadline set forth in Section 6.

b) Developer has submitted all paid invoices showing the completion and lien-free status of all expenditures related to this Project and Property, including evidence that all construction liens have been satisfied and/or released.

c) Project costs shall be paid and proof of payment shall be provided in an amount consistent with the Funding Application, as supplemented by the Budget, and this Agreement.

d) The Project satisfies the public benefit provisions of the Funding Application and the TIF Funding Criteria.

e) Developer has received a Certificate of Occupancy from the City for the Project.

f) Developer has received from DBP a Certificate of Satisfaction as defined in Section 5.8 below.

g) Reimbursement cannot begin before the January 1st following the completion of the Project, as defined in Sections 3, 4, 5, and 6 of this Agreement.

4.5 Satisfaction of Project Completion Conditions. DBP and DBP's representatives, agents and consultants may assist the Developer to obtain satisfaction of the conditions for completion of the Project set forth in Section 4.4 (where applicable).

4.6 Extent of Commitment. DBP and the City shall have no obligation for any costs associated with the Project which exceed the amount of the TIF Grant funds approved in accordance with this Agreement.

SECTION 5:
DEVELOPERS IMPROVEMENTS AND COVENANTS

5.1 Construction of Developer's Improvements. Developer agrees to construct and develop the Developer's Improvements, at its sole cost and expense, consistent with the Design Drawings and the other Definitive Documents.

5.2 Architects and Contractors. Developer will have the right to select its architects, contractor and other subcontractors and consultants in its sole discretion. Developer will require all architects, engineers, or other professional consultants to maintain professional liability insurance in an insurable amount not less than $1,000,000 combined single limit, covering all professional activities performed by them in connection with the Developer's Improvements. Further, Developer shall require its contractor to maintain broad form commercial general liability insurance in an insurable amount of not less than $1,000,000 combined single limit, covering all work performed by contractor in connection with the Developer's Improvements. Developer shall demonstrate proof of coverage to DBP upon request by providing a Certificate of Insurance.

5.3 Insurance. Developer shall maintain fire and casualty insurance covering the Project and the Developer's Improvements in an amount commensurate with the replacement cost of the Project during development and construction of the Project and until issuance of the Certificate of Satisfaction. DBP may, in its sole discretion, recommit funds for reconstruction of the Project in the event Developer determines to reconstruct the Project.

5.4 DBP Access. DBP and DBP's representatives, agents and designees will have the right, at reasonable times and upon reasonable notice to the Developer, to enter upon the Property, in connection with inspection of construction of Developer's Improvements. Upon reasonable notice and request, DBP shall have access to all records and contracts pertaining to the Project. Developer shall keep and maintain accounting records for the Project, and shall make the same available to DBP upon request, including but not limited to all purchase orders, invoices, statements, payment documents, and journals and ledgers related to the Project.

5.5 Governmental Permits. Before commencement of construction of Developer's Improvements, Developer shall obtain all necessary land use, building and other governmental permits. Developer shall maintain all necessary land use, building and other governmental permits during construction of the Project.

5.6 Local, State and Federal Laws. Developer shall carry out the construction of the Developer's Improvements in conformity with all applicable local, state and federal laws.

5.7 Prohibition Against Transfer. Prior to the issuance by DBP of the Certificate of Satisfaction, Developer shall not, except as permitted by this Agreement, without the prior approval of DBP, transfer its interest in the Property or the buildings or structures on the Property. Notwithstanding the foregoing, this prohibition shall not apply to:

a) The transfer of the Property effective after issuance of the Certificate of

Satisfaction; or

b) Transfers of property involving transactions in place prior to the date of this Agreement; or

c) The leasing of space in the Developer's Improvements.

5.8 Certificate of Satisfaction. After substantial completion of Developer's Improvements as determined by DBP, DBP shall furnish Developer with a Certificate of Satisfaction of this Agreement upon written request therefore by the Developer, substantially in the form of Exhibit H. Upon issuance of the Certificate of Satisfaction, Developer and the Property shall be fully relieved of all obligations and restrictions under this Agreement, excluding the obligations to indemnify City and DBP in Sections 4.6, 5.12, 5.13 and 5.14. DBP shall not unreasonably withhold, condition or delay the Certificate of Satisfaction. Such Certificate of Satisfaction shall be a conclusive determination of satisfactory completion of the construction of the Developer's Improvements required by this Agreement as to the Property and such Certificate shall so state. No Certificate of Satisfaction shall constitute a Certificate of Occupancy or evidence thereof under the building permit or codes of the City of Billings.

5.9 No Speculation. Developer represents that its interest in the Property is for redevelopment and not for speculation in land holding.

5.10 Environmental History. To the best of Developer's knowledge, the Property does not contain any hazardous substances found in violation of applicable laws and all mandatory requirements of applicable law with respect to environmental hazards or hazardous substances have been complied with by Developer.

5.11 Compliance with Definitive Documents. Developer has received, reviewed, and approved the Definitive Documents and shall be bound by the terms of the Definitive Documents.

5.12 Control/Indemnification. Developer shall have sole control and responsibility for the construction of the Project. Developer will indemnify, defend and hold the DBP, the City, and their directors, officers, officials, employees and agents harmless for, from and against any and all claims, damages, costs, liabilities and losses arising out of or related in any way to the use, condition, construction or development of the Property, the Project, or the Developer's Improvements, including without limitation to any claims for personal injury, property damage, or for liability to any contractor or its subcontractors, agents or employees.

5.13 Taxes/Assessments. Developer shall pay all applicable taxes, special assessments, and other assessments on the Property and the Developer's Improvements, if any, when due.

5.14 No Tax Protest. Developer shall not protest, or attempt in any way to avoid or dispute, any property taxes, special improvement district assessments, and other assessments on the Property for three (3) years from the date on the Certificate of Occupancy, without prior written consent of DBP, which consent shall not be unreasonably withheld. In the event Developer believes that a property tax or other assessment of the Project is unreasonable, it may request DBP's written consent to protest such assessment to the appropriate authority.

SECTION 6:

SCHEDULE OF PERFORMANCE

6.1 Deadline. A Schedule of Performance of construction of Developer's Improvements is attached as Exhibit G and incorporated herein (the "Performance Schedule"). Developer shall proceed expeditiously to complete construction of the Project in accordance with the Performance Schedule. All construction work for the Project shall be completed by the completion date set forth in the Performance Schedule of November 1, 2021. Developer will be excused for delays resulting from the following circumstances: an act of God or public enemy, fire; storm; wind; flood; earthquake; epidemic; explosion; lightning; continuous loss of power of other utilities for more than thirty days; nuclear radiation; geological or archeological condition; quarantine restrictions; riot or public discord; act of terrorism; Criminal damage; the suspension of the national or state banking system due to financial crises; a union strike, unanticipated pre-existing but undiscovered conditions; or appeal of governmental permits.

SECTION 7:

WARRANTIES

7.1 Developer Representations and Warranties. Developer Warrants and represents that the information and documentation provided pursuant to Sections 3.1 and 5 are accurate and complete and that Developer will promptly notify DBP of any changes in such information and documentation.

7.2 Joint Representations and Warranties. The following representations and Warranties are made by each party to the others as of the date hereof:

a) Authority. Each party has the legal power, right and authority to enter into this Agreement and the instruments referenced herein, and to consummate this transaction.

b) Actions. All requisite action has been taken by each party in connection with the entering into of this Agreement, the instruments referenced herein, and the consummation of this transaction. No further consent of any partner, shareholder, creditor, investor, judicial or administrative body, governmental authority or other party is required.

c) Due Execution. The individuals executing this Agreement and the instruments referenced herein on behalf of each party and the partners, officers or trustees of each party, if any, have the legal power, right, and actual authority to bind each party to the terms and conditions of those documents.

SECTION 8:

DEFAULTS AND REMEDIES

8.1 Default/General. Subject to the extensions of time set forth in Section 6, and subject to the notice and opportunity to cure provisions contained in this Agreement, the failure or delay by any party to perform any term or provision of this Agreement constitutes a default; however, if the defaulting party commences to cure such default within 60 days after receipt of a notice specifying the default, and thereafter diligently prosecutes such cure to completion, then such party shall not be deemed to be in default. The injured party shall give written notice of default to the defaulting party, specifying the default. The injured party may not institute proceedings, whether

judicial or otherwise, against the party in default until 60 days after giving such notice. Any failure or delay by any party in asserting any of its rights or remedies as to any default shall not operate as a waiver of any default or of any rights or remedies or deprive such party of its rights to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

8.2 Rights and Remedies. Subject to the provisions of Section 8.1 hereof, in addition to its other rights or remedies, if Developer fails to cure a default or withdraws from the Project for any reason, DBP and City shall have no obligation to release grant funds to Developer. If the Developer fails to cure a default, or withdraws from the Project for any reason, after funds have been released for the Project, Developer shall repay City the amount of any funds released to Developer for the Project. Either party may seek any legal or equitable remedy to cure, correct or remedy any default, to recover any damages for any default, or to obtain any other remedy consistent with the purpose of this Agreement in accordance with the terms of this Section 8.

8.3 Rights and Remedies Not Cumulative. Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are not cumulative, and the exercise by any party remedies provided in this Section 8 shall preclude the exercise by it, at a different time, of any other rights or remedies for the same default.

8.4 Dispute Resolution. In the event a dispute arises, whether due to a default or the interpretation of any term of this Development Agreement, the complaining party shall deliver notice of the matter in dispute to the other party at the address and in the manner provided for in Section 9.1 hereof. Each party shall within 7 calendar days thereafter designate a representative to address the matter, which representatives shall attempt, in good faith, to resolve the disputed matter within 7 calendar days of the last designation of a representative.

In the event the designated representatives are unable, despite their good faith efforts, to timely resolve the disputed matter within fourteen calendar days of the initial notice thereof, then, and in that event, either any party may request in writing that the matter be resolved through informal mediation. Informal mediation must be completed within 14 calendar days of the request.

If the matter remains unresolved after mediation, or if the mediation is not timely completed - either party may demand binding arbitration in accordance with § 8.5. A complaining party who refused or failed to timely participate in the informal mediation (i) may not seek binding arbitration (ii) waives any demand, claim, or relief from the other party, and (iii) releases the other party from the complaining party's demand, claim, or relief.

8.5 Arbitration. In the event of any dispute arising between the parties to this Agreement, and the conditions of § 8.4 have been met, any such dispute shall be submitted to binding arbitration as provided herein. The parties shall select an independent and unbiased arbitrator who is not affiliated directly or indirectly with either party within ten days after any party demands arbitration. If the parties fail to select, or cannot agree upon, an arbitrator within this time, then either party may apply to the District Court of Yellowstone County pursuant to §27-5-211 et seq. of the Montana Uniform Arbitration Act for an order appointing an arbitrator. Such applications may be made at any time after the ten-day period has expired. Upon application to the

court for an arbitrator, the Court shall select a single arbitrator, who shall render his/her decision no later than 60 days after his/her appointment. If the arbitrator requests a hearing prior to rendering his/her decision, such hearing shall be held in Yellowstone County, Montana within 30 days of the arbitrator's appointment. The arbitrator's decision shall be binding on both parties. Each party shall bear its own expenses associated with the arbitration but shall share equally the costs of the arbitrator.

8.6 Authorized mediators/arbitrators. Any formal mediation or arbitration shall select one of the following as the mediator and/or arbitrator unless all are either conflicted or unable to serve: (i) Charles Cashmore (CCashlaw@aol.com); (ii) Russell Fagg (rfagg@icloud.com); (iii) Greg Murphy (greg.murphy10@gmail.com); (iv) Mike Anderson (manderson@a-llaw.com).

8.7 Waiver. Upon written agreement of both parties, any provision of this Section 8 may be waived. Unless waived, the terms of this Section 8 shall be strictly applicable to any dispute between the parties hereto.

SECTION 9:
GENERAL PROVISIONS

9.1 Notices. All notices or other communications required or permitted hereunder must be in writing, and must be personally delivered (including by a professional messenger service) or sent by overnight courier, or sent by registered or certified mail, postage prepaid, return receipt requested to the addresses set forth below. All notices sent by mail will be deemed received 2 (two) days after the date of mailing and all notices sent by other means permitted herein shall be deemed received on the date delivered. Notices will be sent as follows:

Developer: Halsten Holdings, LLC
Attn: Andi Halsten
Address: 2712 Minnesota Avenue
Billings, MT 59101
Telephone: (406) 670-4855
Email: burgerdive11@gmail.com

City: The City of Billings, Montana
Attn: Brent Brooks, City Attorney
Address: 20 North 27th Street
Billings, MT 59101
Telephone; (406) 657-8202
Email: BrooksB@ci.billings.mt.us

DBP: Downtown Billings Partnership, Inc.
Attn: Mehmet Casey
Address: 116 N 29th Street Suite A
Billings, MT 59101

Telephone (406) 294-5060
Email: mehmetc@downtownbillings.com

9.2 Nonliability of Officials and Employees. No director, officer, member, official, employee or agent of Developer, DBP or the City shall be personally liable to any party or any successor-in-interest thereto, in the event of any default or breach by any party or for any amount which may become due to any party or its successor, or any obligations under the terms of this Agreement.

9.3 Headings. Any title of the several parts and sections of this Agreement are inserted for convenience or reference only and shall be disregarded in construing or interpreting any of its provisions.

9.4 Time of Essence. Time is of the essence of this Agreement. All obligations of the parties to one another shall be due at the time specified by the Agreement, or as the same may be extended by mutual agreement of the parties in writing.

9.5 Construction/Governing Law, and Venue. The parties and their respective advisors believe that this Agreement is the product of all of their efforts, that it expresses their agreement and that it should not be interpreted in favor of or against any party. The parties further agree that this Agreement will be construed to effectuate the normal and reasonable expectations of sophisticated parties. The parties hereto expressly agree that this Agreement will be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of Montana. Any action in law or equity, or judicial proceeding for the enforcement of this Agreement or any of the provisions contained herein, shall be instituted and maintained only in Thirteenth Judicial District Court for Yellowstone County, Montana.

9.6 Severability. If any clause, sentence or any other portion of the terms and conditions of this Agreement become illegal, null or void for any reason, or held by any court of competent jurisdiction to be so, the remaining portion will remain in full force and effect.

9.7 No Partnership. Neither anything in this Agreement nor any acts of the parties hereto shall be deemed or construed by the parties hereto, or any of them, or by any third person, to create the relationship of principal and agent, or of partnership, or of joint venture, or of any association between any of the parties to this Agreement.

9.8 Government Rights. Except as provided herein, by making this Agreement, DBP and the City are not obligating themselves or any other agency with respect to any discretionary action relating to the development of the Property or development, operation and use of the improvements to be constructed on the Property, including but not limited to, condemnation, comprehensive planning, re-zoning, variances, environmental clearances or any other governmental agency approvals which are or may be required.

9.9 Non-Waivers. No Waiver of any breach of any covenant or provision contained herein will be deemed a Waiver of any preceding or succeeding breach thereof, or of any other covenant or provision contained herein. No extension of time for performance of any obligation or act will be deemed an extension of the time for performance of any other obligation or act except

those of the waiving party, which will be extended by a period of time equal to the period of the delay.

9.10 Entire Agreement/Counterparts. This Agreement, together with the Definitive Documents, integrates all of the terms and conditions mentioned herein or incidental hereto and supersedes all negotiations or previous agreements between the parties or the predecessors in interest with respect to all or any part of the subject matter hereof. This Agreement may be signed by counterparts.

9.11 Successors. This Agreement shall be binding upon and inure the benefit of the parties, their successors and assigns.

DOWNTOWN BILLINGS PARTNERSHIP ("DBP")

By: _____

Its: President

STATE OF MONTANA)
:
County of Yellowstone)

This record was acknowledged before me on _____, 2020 by _____, as President of Downtown Billings Partnership.

_____
Notary Public for the State of Montana

THE CITY OF BILLINGS, MONTANA ("CITY")

By: _____

Its: Mayor

By: _____
Its: City Clerk

STATE OF MONTANA)
:
County of Yellowstone)

This record was acknowledged before me on _____, 2020 by _____ and _____ as Mayor and City Clerk of the City of Billings, Montana.

_____
Notary Public for the State of Montana

Halsten Holdings, LLC, a Montana limited liability company ("DEVELOPER")

By: _____

Its: _____

STATE OF MONTANA)
:
County of Yellowstone)

This record was acknowledged before me on _____, 2020 by _____ as _____ of Downtown Properties, LLC, a Montana limited liability company.

_____
Notary Public for the State of Montana