

City Council Work Session

5:30 PM
Council Chambers
January 6, 2020

ATTENDANCE:

Mayor/Council (please check) Cole, Shaw, Yakawich, Neese,
 Ewalt, Joy, Choriki, Purinton, Ronning, Boyett, Brown
CM excused: **ALL PRESENT**

ADJOURN TIME: 8:55 pm

Agenda

TOPIC #1	Oath of Office
PRESENTER	Judge Sheila Kolar
NOTES/OUTCOME	

- Judge Kolar swears in CM Boyett, Purinton, Choriki and Shaw.

TOPIC #2	Project ReCode
PRESENTER	Nicole Cromwell, Planner II, Zoning Coordinator, Code Enforcement Supervisor
NOTES/OUTCOME	

- Nicole Cromwell: honors volunteers that have worked over 6,000 hours drafting new code.
- **New Code Focus** – 2 codes, focused on neighborhoods, re-building areas in decline, inspiring prosperity, making sure the edges mesh well, Integrity of Neighborhoods, Code for existing character, Strengthen Areas in Decline, Flexibility to adapt and renew, Economic Prosperity, Fill the code gaps and voids, Build in walkable neighborhood service centers, Support and inspire core sectors – medical, higher, education, finance, agriculture, energy and hospitality
- **Accessory Dwelling Unit (ADU)** - A re-emerging housing choice
- Billings has 900+ existing ADUs (post WWII), Subcommittee created consensus on new regulations, Owner occupancy of one dwelling unit required
- Does not create a “duplex”, Allowed by right in N1 & N2 zones, Special review required in N3, Cannot be a “3rd” unit – 1 per property, Design requirements & building codes must be met, Zoning does not override private covenants, Registration with Planning is required – filed as a recorded, agreement on deed, Maximum floor area is 750 square feet
- **Planned Neighborhood** - New urban neighborhoods will require PND, Urban level zone districts will not be allowed outside the city limits except in Lockwood, Four types – Mixed Use, Mixed Residential, Neighborhood & Town Center

- **Short Term Rentals** - Clear regulation of use, Occupation of dwelling by owner or long term tenant, Registration with city, Registration is by owner – yearly renewal, Allow only in a few N zones, cannot override private covenants
- **Neese:** City have leeway on placing restrictions to meet current neighborhood covenants. Brent Brooks, City Attorney: Don't recommend City getting involved with private contractual covenants.
- **Ronning:** Air BNB require business license? Nicole: yes, and State will collect bed taxes. Phased annexation clarification? Nicole: annexation is very expensive for large parcels, so phased annexation more financially feasible. Resolution have ongoing effective dates to “release” property little by little to help keep costs down. Council can set timeframe for effective dates.
- **Purinton:** affordable housing definition? Nicole: obtainable for all levels of income, enough housing choice for opportunity of all
- **Shaw:** best practice for affordable housing? Nicole: consultant found owner/occupancy or long-term tenant occupancy best.
- **Ewalt:** how does City decide N1, N2 and N3 definition? Nicole: character assessment, age style, zone districts, etc.
- **Yakawich:** concerns about ADU's. Lot size requirement and parking space? Nicole: at least 3,000 sq. lot and 1 additional parking spot.
- **Brown:** outside City limits choose County requirements and sign waiver? Nicole: yes and then cannot petition to annex to City for 20 years. Public can look at map online and Planning Department can accept zoning variances.
- **Joy:** infill? Nicole: 5,000 acres vacant, undeveloped land and 8,500 acres within limits of annexation.
- **Choriki:** developer or County initiate zone changes? Nicole: can be either City Council or County Commissioners. PMD very complex, regulations will make it a requirement for newly annexed property. Choriki: Mary Street area? Nicole: Land use studies identify obstacles and state preferred land use.
- **Neese:** Lockwood zoning? Nicole: could choose County Districts or N1, N2 and N3. County Districts cannot use City water and sewer.
- **Ronning:** good affordable housing projects like Josephine Crossing and Annafeld, would like to see more near Rims. Nicole: neighborhoods with all one type are fragile. Better to mix types in neighborhoods.
- Discussion of possible ADU rules and regulations. Tiny home regulations going into effect.
- Shaw: ADU rules follow owner? Nicole: double rental concerns. Renewable license, registered agreement.
- **Public Comment:**
- **Jerry Ray, no address given:** suggest Council read Project Re-Code very well. Many concerns fro business's.
- **Greg McCall, 1615 Front Street, Billings, Montana:** Commend staff on hard work. New map trying to translate old code and new code non-conformity issues.
- **Council discussion:**
- Mayor: enforcement on landscaping.
- Neese: N3 concerns, R9600 needs to be protected from being subdivided.

- Yakawich: asks Randy Hafer opinion on how to ensure integrity of neighborhoods with ADU rentals. Randy: 900 non-conforming ADU's. New code homeowner must be on site, increase revenue and offset expenses.
- Joy: would like update on signage Re-Code.
- Ronning: like ADU, want to hear about signage, natural landscapes, and casinos.
- Shaw: more information on community commercial and neighborhood zoning.

Recess at 7:50 pm

Reconvene at 8:00 pm

TOPIC #3	Strategic Goal Setting Session
PRESENTER	Chris Kukulski
NOTES/OUTCOME	

- Chris: goal setting session will review progress, sets priorities, 4 hour session last year. February 3 (Monday) is an option. Saturday's option also. Library Community Room and televised through Community 7. Library not available on Saturdays, Senior Center is available.
- Council discussion: Saturday works better. Ronning: volunteers to create list, clarify that Council votes on items of priority. Discuss location options. Community 7 sound system and camera discussion. Mayor: want to see common terminology. Ewalt: former Councilmember's Ryan Sullivan, Brent Cromley or Reg Gibbs as facilitator. Ronning: prefer Chris Friedel or Ryan Sullivan.
- **Public Comment:**
- **Ken Crouch, 1642 Wembley Place, Billings, Montana:** City has walls that show people who is wanted and unwanted. Need to protect all with non-discrimination ordinance.

TOPIC #4	Council Discussion
PRESENTER	
NOTES/OUTCOME	

- **Joy:** Re-code is large project. Walkability also needs to be planned for.
- **Ronning:** received invitation to Human Trafficking forum in DC on January 31-February 1. January 9th Billings Public Library regarding Public Safety forum. January 16 another meeting.
- **Public Comment:**
- **None**

TOPIC #5	Public Comment on Items Not on the Agenda
PRESENTER	
NOTES/OUTCOME	

- None