

**ORDINANCE 25-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THE REGULATIONS IN SECTIONS 27-309, 27-1000, and 27-1800, BE AMENDED TO CHANGE THE DEFINITION OF A MANUFACTURED HOME TO BE IN CONFORMANCE WITH MONTANA STATUTES AND PROVIDE CLARIFICATION OF THE REGULATIONS**

**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 text of the Zoning regulations from time to time. The City Zoning Commission and staff have reviewed the proposed corrections and clarifications to the zoning regulations that pertain to all the real property within the City of Billings. 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.** Section 27-309 – Residential Manufactured Home (RMH District, Section 27-1002, Use Table 27-1000.1, Section 27-1003 – Standards for Residential Uses, and Section 27-1803 – Definitions and Measurements, have been found to be out of conformance with current Montana statutes regarding manufactured homes. Changes to this code will make the city code conforming and provide for accurate administration of the code.

**Section 3. ZONE REGULATION AMENDMENTS**

**a. Section 27-309.C.(2 & 3) is amended as follows:**

**Sec. 27-309. - RMH districts.**

The following site and structure regulations apply to any lot in the RMH district. Refer to section 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:

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**C. Supplemental regulations.**

1. Open space. One of the following open space types must be provided for every three (3) acres of RMH district:

- (a) Parklet. A parklet is a landscaped open space with a minimum seventy (70) percent living plant material, with at least twenty (20) feet of street frontage.
- (b) Green. A green is a larger, landscaped space, with at least fifty (50) feet of street frontage.
- (c) Natural area. A natural area is a large area, defined to conserve a natural feature, such as a stream, wetland or woodland. At least fifty (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 (3) inches for each twelve (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 five (5) feet from the side lot line.



**c. Section 27-1003.D is amended as follows:**

**Sec. 27-1003. - Standards for residential uses.**

A. Manufactured homes.

1. ~~Type 1 or Type 2 m~~Manufactured homes shall not be used for any commercial use.
2. ~~Type 1 and Type 2 m~~Manufactured homes may be used as an on-premises office in connection with a manufactured home sales area.

**d. Section 27-1803 is amended as follows:**

M. Terms

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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.~~

**Section 4. EFFECTIVE DATE.** This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

**Section 5. REPEALER.** All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

**Section 6. SEVERABILITY.** If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this \_\_\_ day of March 2025.

PASSED, ADOPTED and APPROVED on second reading this \_\_\_ day of April 2025

CITY OF BILLINGS

BY: \_\_\_\_\_

William A. Cole, Mayor

Attest:

BY: \_\_\_\_\_

Denise R. Bohlman, City Clerk