

Exhibit A
Resolution 25-_____

The Zoning Regulations for the Yellowstone County Jurisdictional Area are amended by revising **Section 27-400 – Commercial and Mixed-Use Districts** – to correct errors, provide clarification and continuity of the of the regulations.

Section 1. Section 27-402 is amended as follows:

Section 27-402. District Descriptions

.....

C. *CMU1: Corridor mixed-use (Permitted only with a PND)* The CMU1 district in the county is intended to is intended for use only where City of Billings' public services, including but not limited to water and sewer services or a County water and sewer district is available. This 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~~ any story could accommodate residential and/or office uses.

D. CMU2: CORRIDOR MIXED-USE AND COMMERCIAL CENTERS (PERMITTED ONLY WITH A PND)

The CMU2 district in the county is intended for use only where City of Billings public services, including but not limited to, water and sewer services ~~water and sewer~~ or a County water and sewer district is available ~~is available~~. This 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, any story ~~the upper stories~~ could accommodate residential and/or office uses.

E. NMU Neighborhood Mixed-Use (PERMITTED ONLY WITH A PND)

The NMU district in the county is intended for use only with a planned neighborhood development process (PND) per Article 27-800. This 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. Any story can ~~Upper stories~~ accommodate residential and/or office uses.

Section 2. Section 27-403 – Regulations that apply to all Commercial and Mixed-Use Districts, are amended as follows:

A through E - remain unchanged

F. EXCEPTIONS AND EXEMPTIONS

The following exceptions and exemptions may apply to the district site and structure regulations. Use specific standards in Article 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. Civic and Institutional Uses. 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 Article 27-1600 for administrative relief procedure.
 - (c) Window, front door, and roof regulations are not required.
5. Maximum Height Exceptions.
 - (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) Buildings permitted in commercial and mixed-use districts may exceed the height limitations of the district through an approved application for Administrative Relief (Sec. 27-1614) or through a Variance (Section 27-1626) for increases greater than allowed through administrative relief.