

**MCA 76-25-302 Encouragement of development of housing.**

(1) The zoning regulations authorized in 76-25-301 must include a minimum of five of the following housing strategies, applicable to the majority of the area, where residential development is permitted in the jurisdictional area:

Requirement	Status in Billings Zoning Code	Discussion with IPC
(a) Allow, as a permitted use, for at least a duplex where a single-unit dwelling is permitted	Legislative Session 2023-SB 323 already implemented this and is practice. Code will be updated to reflect this during MLUPA revisions.	Already allowed
(b) Zone for higher density housing near transit stations, places of employment, higher education facilities, and other appropriate population centers, as determined by the local government	Not within the code, but we would like to implement.	Want an overlay. Examples are Stewart Park and Medical Corridor with focus on Schools, colleges, and parks. Gentle zoning to make it work. All in favor
(c) Eliminate or reduce off-street parking requirements to require no more than one parking space per dwelling unit	Will be implemented - HB492 Requires 1 space for each residential du unless the du is under 1200sqft than only 1/2 space. No minimum parking requirement for: -childcare facilities, existing building undergoing change of use, deed-restricted affordable housing, assisted living facilities.	This will be implemented, current state law states 1 per 1200sqft, less than 1200 equals a 1/2 parking space. May have ADA issues. Parking will be built as developers deem necessary.
(d) Eliminate impact fees for accessory dwelling units or developments that include multi-unit dwellings or reduce the fees by at least 25%	We have system development fees which are the same as impact fees - only for water and sewer. These are handled by Public Works and have been brought up from the City's Infill Policy regarding incentivizing infill development. This is a discussion that could move forward and be part of future MLUPA implementation.	IPC recommending on existing property only; not new developments - part of the infill policy.
(e) Allow, as a permitted use, for at least one internal or detached accessory dwelling unit on a lot with a single-unit dwelling occupied as a primary residence	We do this already based on a zoning coordinator interpretation in N3, N2, N1, NX1, and RMH. Need to reflect this in the code during MLUPA revisions.	Already allowed. Need to get the message out. All in favor
(f) Allow for single-room occupancy developments	We allow for boarding houses with Special Review in N1-NX3.	Allow with no restrictions.
(g) Allow, as a permitted use, a triplex or fourplex where a single-unit dwelling is permitted	We remain concerned about this alternative in regard to transitional areas in the community.	Commercial at 4-plex (overlay district?) This is the 'Missing Middle' but perhaps not right in a new suburban neighborhood. Don't need to adopt, implement where it fits. Look into further.
(h) Eliminate minimum lot sizes or reduce the existing minimum lot size required by at least 25%	We could consider reducing minimum lot widths, but this was done in 2021 code rewrite. N3 would be one where a change might be beneficial since it is no longer a SF zoning district.	Study done in Texas, showed reduced costs. Setbacks stay the same. Denser communities potentially increase fire hazard. Currently working, let's not change.
(i) Eliminate aesthetic, material, shape, bulk, size, floor area, and other massing requirements for multi-unit dwellings or mixed-use developments or remove at least half of those requirements	We do not have a lot of aesthetic requirements with the exception of the EBURD. Some that exist are associated with Mechanical Equipment Screen, Outdoor Storage Fencing Color/Design Coordination, Internally illuminated fascia/canopy prohibition. Do not think this is an issue to address,	Community did not want this. Only regulate what is regulated in the building code. Not being pursued for now.
(j) Provide for zoning that specifically allows or encourages the development of tiny houses, as defined in Appendix Q of the International Residential Code as it was printed on January 1, 2023	Allowed currently, amending code to specifically state this during MLUPA revisions	Allowed use. Affordable option for communities. Must meet building codes.
(k) Eliminate setback requirements or reduce existing setback requirements by at least 25%	Most of our residential districts have build-to zones to provide flexibility. We receive many variance applications associated with alleged inability to hit build-to zones - this seems to be mostly related to lack of design work to accommodate building sites. Existing setbacks are associated with rear and side of buildings and some align closely with building codes to avoid firewalls or provide space between neighboring property/structures.	No change.
(l) Increase building height limits for dwelling units by at least 25%	We are concerned about transitional areas in the community.	Do not want to do this.
(m) Allow multi-unit dwellings or mixed-use development as a permitted use on all lots where office, retail, or commercial are primary permitted uses	Strategy already implemented - SB245, 2023	Done
(n) Allow multi-unit dwellings as a permitted use on all lots where triplexes or fourplexes are permitted uses	Again, we are concerned about having transitional areas in the community.	Discuss in detail at future meeting.