



CITY ZONING COMMISSION AGENDA

210 N. 27th Street, 2nd Floor City Council Chambers

Tuesday, October 6, 2009 4:30 P.M.

NOTICE TO THE PUBLIC

Public Comment:

There will be a Public Comment Section as noted on the agenda. This is the time members of the public may comment on any item not appearing on the agenda. Under State law, matters presented under this section cannot be discussed or acted upon by the Zoning Commission during this time. For items appearing on the agenda, the public will be invited to make comments at the appropriate time. It is very important to speak clearly, and state your name and address for the record. Please limit your comments to three (3) minutes or less.

- I. **Call the meeting to order.**
- II. **Introduction of City Zoning Commission Members and Planning Department Staff.**
- III. **Public Comment**
- IV. **Approval of Minutes:**
The minutes of the Board meeting of September 1, 2009
- V. **Regular Business:**
 - A. Opening of public hearings.
 - B. Reading of rules for the procedure by which the public hearings will be conducted.
 - C. Reading of notices of the public hearings on the following items:

Public Hearings:

Item #1: Return Item – City Zone Change #850 - Text Amendment – Sections 27-201, and 27-611 – Sexually Oriented Businesses (SOB) – An amendment to 27-201 and 27-611 to update the regulations to include a definition of “Adult Cabaret”, and regulate where an “Adult Cabaret” may be located.

Item # 2:Return Item - City Zone Change #853 – Text Amendment to 27-604, 27-615 & 27-618 – Clear Vision Areas – A zone change was initiated by the City Zoning Commission on November 5, 2008. The City Engineering Division has prepared amendments to the zoning regulations governing visibility areas for traffic and pedestrian safety at intersections. These new clear vision areas will effect all property within the City of Billings and in the 4 ½ - mile jurisdictional zoning in Yellowstone County.

Item # 3:City Zone Change #858 – 415 and 431 South Billings Blvd – A zone change request from Residential 9,600 (R-96) and Residential 6,000 (R-60) to Controlled Industrial on C/S 473 (R-96) and the South 132 feet of Lot 4 in the SW1/4 of Section 9, 1South, 26 East (R-60) a 4.87 acre parcel of land. Hanser Properties, LP, owner.

Item # 4: City Special Review #879 - 415 and 431 South Billings Blvd – A special review request to allow a vehicle wrecking facility in a proposed Controlled Industrial zone (See ZC #858 above) on C/S 473 (R-96) and the South 132 feet of Lot 4 in the SW1/4 of Section 9, 1South, 26 East (R-60) a 4.87 acre parcel of land. Hanser Properties, LP, owner.

The City Council has designated **Monday, October 26, 2009, at 6:30 p.m. in the City Council Chambers as the time and place to hear testimony for or against the above-mentioned items.

Before taking any action on an application for a **special review use**, the City Council shall first consider the findings and recommendations of the City Zoning Commission. In no case shall the City Council approve a special review use other than the one advertised. The City Council shall take one of the following actions on these Special Review requests: 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 thirty (30) days.

As provided in Montana Code Annotated, Section 76-2-305(2) (1999), in the event of a protest petition against such **zone change** signed by the owners of twenty-five (25) percent or more of: (1) the area of the lots included in any proposed change; or (2) those lots one hundred fifty (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 ($\frac{2}{3}$) of the present and voting members of the City Council. The protest petition must be received in the Planning Department office by 5:00 p.m. on the Friday preceding the first reading of the amendment by the City Council.

VI. Other Business:

VII. Announcements:

VIII. Adjournment