



**CITY ZONING COMMISSION
AGENDA**
210 N. 27th Street, 2nd Floor City Council Chambers
Billings, Montana

Tuesday, February 7, 2012, 4:30 PM

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 January 3, 2012.
- V. **Disclosure of any Conflict of Interest-Members of the Commission and Staff**
- VI. **Disclosure of an Outside (Ex Parte Communication)-Members of the Commission and Staff**
 - a. **The Exparté Communication Binder is available at the Sign-In and Agenda Station.**
- VII. **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: City Zone Change #854 – Historic District Regulations – Text Amendment – A zone change request from the Historic Preservation Board to revise and update the existing regulations at 27-500 BMCC. The City Zoning Commission initiated the amendment in January 2009. The proposed regulations will amend the language of the existing code to update terms, allow local designation of historic properties or districts, will require a Certification of Appropriateness for exterior remodeling of properties on the local or National Register and allow penalties for unauthorized demolition of properties within recognized historic districts. The proposed regulations have been drafted and reviewed by the Historic Preservation Board and the City Attorney.

Item #2: City Zone Change #882 – 1504 through 1524 24th Street West Lot 2, Rose Park Subdivision, proposed Planned Development – A zone change from Neighborhood Commercial to Planned Development (PD) with underlying zoning of Neighborhood Commercial (NC) with an allowance for the on-premise consumption of beer and wine without gaming and with provision of catering services on a parcel of land described as Lot 2, Rose Park Subdivision, 1st Filing, a 1.3 acre parcel of land, Tax ID A19584; Larson and Carpenter Partnership, owner and Pam Shires, 6 Degrees Gourmet, agent.

Item #3: Request to Initiate Several Amendments to the Zoning Regulations – The City Council and Board of County Commission reviewed a list of proposed amendments to the zoning regulations in November 2011. The proposed regulations address legislative changes to Montana statutes made in 2009 and 2011, housekeeping and clarification of several code sections, and new code sections to address neighborhood manners and other discretionary changes. The City and County Zoning Commissions are requested to formally initiate these amendments. Public hearings in March, April and May will be held to consider each amendment.

The City Council has designated **Monday, February 27th, 2012**, at 6:30 p.m. in the City Council Chambers as the time and place to hear testimony for or against **Zone Change #854** and **Zone Change #882**. 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 (January 20, 2012) by the City Council.

The Zoning Commission and City Council will hear all persons wishing to speak relative to the proposed zone changes. Testimony regarding the above mentioned items may also be submitted in writing to the Planning Division, 510 North Broadway, Parnly Library 4th Floor, Billings, MT 59101 or to the Mayor and City Council, P.O. Box 1178, Billings, MT 59103. Additional information on any of these items is available in the Planning and Community Services Office. Public hearings are accessible to individuals with physical disabilities. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify Tammy Deines, Planning Clerk, at 247-8610 or e-mail at deinest@ci.billings.mt.us

VIII. Other Business

IX. Announcements

X. Adjournment