



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

Tuesday, May 1, 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 April 10, 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: Special Review #898 – 2115 Canyon Drive – Billings Educational Academy – A special review request to allow the location of a private school on Lot 9, the W 55 feet of Lot 10 and the E 5 feet of Lot 11, Block 9, Briggs Subdivision, in a Residential 7,000 (R-70) zone, a 17,500 square foot parcel of land. Tax ID: C01629. William and Patricia Lyford, owners and Yellowstone Boys and Girls Ranch, Mimi Parkes, and Margo Haak, agents.

Item #2: Special Review #899 – 1702 Colton Blvd – Day Care Center – A special review request to locate a day care center on Lots 1 & 2, Block 20, Kober Subdivision, 4th Filing, in a Residential 9,600 (R-96) zone, a 16,843 square foot parcel of land. Tax ID: A09916, Sunday Creek Land Company, LLC, owner and Tom Llewellyn, agent.

Item #3: City Zone Change #894 – Bell Avenue west of Shiloh Road – A zone change request from Agriculture-Open Space (A-1), a county zoning district, to Residential Multi-Family-Restricted (RMF-R) on Tract 1 of C/S 2828 a 13.389 acre parcel of land. A concurrent annexation request has been submitted. Tax ID: D00503; Dorn Lowe, LCC owner and Sanderson Stewart, agent.

Item #4: City Zone Change #895 – Text Amendment – Clear Vision Areas at Alleys and Driveways – A text amendment to delete the minimum 5-foot behind sidewalk clear vision area for alleys and driveways, Sections 27-615(c) and 27-618 Figure 1a. The City Zoning Commission initiated this amendment on February 7, 2012.

Item #5: City Zone Change #896 – Text Amendment – RV and Trailer Parking and Storage – A text amendment to revise the required setback for recreational vehicle parking and storage to a front property line from 20 feet to 8 feet in residential zoning districts, Section 27-601(a)6. The City Zoning Commission initiated this amendment on February 7, 2012.

Item #6: City Zone Change #897 – Text Amendment – Neighborhood Manners – A text amendment to add a new section to Supplemental Commercial Development Standards, Section 27-612, to require additional site standards where commercial development abuts or is across an alley from residential zones or residential uses. The City Zoning Commission initiated this amendment on February 7, 2012.

Item #7: City Zone Change #898 – Text Amendment – Fences, Walls and Hedges – A text amendment to increase the allowed height of a fence in a front yard from 3 feet to 4 feet, Section 27-604 and Section 27-618, Figure 6. The City Zoning Commission initiated this amendment on February 7, 2012.

VIII. Other Business

IX. Announcements

X. Adjournment

The City Council has designated **Tuesday, May 29, 2012**, at 6:30 p.m. in the City Council Chambers as the time and place to hear testimony for or against the special review and zone changes.

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 (April 20, 2012) by the City Council.

The Zoning Commission and City Council will hear all persons wishing to speak relative to the proposed special review and zone changes. Testimony regarding the above mentioned items may also be submitted in writing to the Planning Division, 510 North Broadway, Parmly 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