

ORDINANCE 23-5835

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING Sections 27-307 and 27-308 related to the location and entry of attached garages, BE AMENDED

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:

Section 1. RECITALS. *Title 76, Chapter 2, Part 3, MCA, and Section 27-1628, BMCC,* provide for amendment to the text of the City Zoning Regulations from time to time. The City Zoning Commission and staff have reviewed the proposed zoning text amendment hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.

Section 2. DESCRIPTION. The text of Section 27-307 be amended to allow the location of an attached garage in the front half of a principal structure and allow the garage entry on the front façade in the NX1 zone district.

Section 3. ZONE TEXT AMENDMENT. The text of Section 27-307 is amended as follows:

Sec. 27-307. NX1 district.

The following site and structure regulations apply to any lot in the NX1 district. Refer to section 27- 303 for general regulations applicable to all districts and Table 27-300.6, below, for regulations specific to this district, keyed to illustrations in Figure 27-300(4). See article 27-1800 for definitions and information on how to measure the following regulations:

Table 27-300.6. Site and Structure Regulations.

		Single or Multi-Unit Building	Side-by-Side Attached Units	REFERENCES
A.	BUILDING SITING			
2	Maximum Front Building Width (feet) <u>within the Build-to Zone</u>	60 <u>80</u>	80 <u>100</u> , 4 units; 120, 4 units on side street	See subsection 27-307.D for fee simple side-by-side attached units.

11	Attached Garage Location Allowed Garage Entrance	Rear half of the building <u>Any</u> ; Rear or side adjacent to street façade <u>only preferred</u> <u>Front or side load allowed See Sec. 27-307.D</u>	<u>See Section 27-307.D for Front Garage Entry limitations</u>
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D. *Supplemental regulations.*

6. Garage Front Façade Entry – Where no alley, carriage lane or rear access system exists or is planned, a street-facing single-wide garage entry door of 10 feet in width or less within the build-to zone, per dwelling unit, is allowed with the following limitations:

- (a) For multi-unit or side-by-side structures, no more than two 10-foot wide garage doors are side-by-side; and**
- (b) Side-by-side garage entries shall share one drive approach no more than 25 feet in width; and**
- (c) Shared drive approaches for side-by-side garage entries will be spaced at least 40 feet apart; and**
- (d) Front entry garages shall not be more than 40% of the front façade within the build-to zone; and**
- (e) Front entry garage doors shall be setback at least 8 feet behind the front door.**

Section 4. DESCRIPTION. The text of Section 27-308 be amended to allow the location of an attached garage in the front half of a principal structure and allow the garage entry on the front façade in the NX2 zone district.

Section 5. ZONE TEXT AMENDMENT. The text of Section 27-308 is amended as follows:

Sec. 27-308. NX2 and NX3 district.

The following site and structure regulations apply to any lot in the NX2 and NX3 district. Refer to section 27-303 for general regulations applicable to all districts and Table 27-300.7, below, for regulations specific to this district, keyed to illustrations in Figure 27-300(5). See article 27-1800 for definitions and information on how to measure the following regulations:

Table 27-300.7. Site and Structure Regulations.

		Multi-Unit Building	Side-by-Side Units	REFERENCES
A.	BUILDING SITING			
11	Attached Garage Location Allowed Garage Entrance	Rear half of the building; <u>Any</u> Rear or street-side façade only <u>in NX3 and preferred in NX2</u> <u>Front or side load allowed in NX2 zone See Sec. 27-308.D</u>		<u>See Section 27-308.D. for Front Garage Entry limitations in NX2 zone</u>

D. *Supplemental regulations.*

6. Garage Front Façade Entry – Where no alley, carriage lane or rear access system exists or is planned, a street-facing single-wide garage entry door of 10 feet in width or less within the build-to zone, per dwelling unit, is allowed in the NX2 zone with the following limitations:

(a) For multiunit or side-by-side structures, no more than two 10-foot wide garage doors are side-by-side; and

(b) Side-by-side garage entries shall share one drive approach no more than 25 feet in width; and

(c) Shared drive approaches for side-by-side garage entries will be spaced at least 40 feet apart; and

(d) Front entry garages shall not be more than 40% of the front façade within the build-to zone; and

(e) Front entry garage doors shall be setback at least 8 feet behind the front door.

Section 6. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 7. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 8. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 22nd day of May, 2023.

PASSED, ADOPTED and APPROVED on second reading this 12th day of June, 2023.



CITY OF BILLINGS

BY: William A. Cole
William A. Cole, Mayor

Attest:

BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk