

ORDINANCE NO. 01-5165

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA, CITY CODE BE AMENDED BY REVISING SECTIONS 27-305 AND 27-306 OF SAID CODE; PROVIDING THAT THE ZONING TABLES OF RESIDENTIAL AND COMMERCIAL USES REFLECT CHANGES IN WIRELESS COMMUNICATION REGULATIONS AS SET OUT IN SECTIONS 27-619 AND 27-620, BMCC AND NEW STANDARDS FOR LAND MOBILE RADIO AND TELEVISION AND RADIO BROADCAST FACILITIES AS SET OUT IN SECTION 27-620, BMCC.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:**

Section 1. That Section 27-305 of the Billings, Montana, City Code be amended so that the following portions of the section shall read as follows, with all other portions of Section 27-305 remaining unchanged:

Sec. 27-305. District Regulations: Residential Uses.

TITLES AND DESCRIPTION OF INDUSTRIES	Agricultural-Open Space	Agricultural-Suburban	Residential-15,000	Residential-9,600	Residential-8,000	Residential-7,000	Residential-6,000	Residential-5,000	Residential-Multi-Family	Residential-Multi-Family-Restricted	Residential-Manufactured Home
SR – SPECIAL REVIEW A – ALLOWED											
<del>Amateur Radio Tower</del> <u>Antenna Support Structures:</u>											
100 feet or less in height (See the <del>Section 27-619</del> for additional requirements)	A	A	A	A	A	A	A	A	A	A	A
<del>Towers</del> Greater than 100 feet in height	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Broadcasting (Radio and Television) Stations and Studios including any related <del>towers, antennae and dishes and antenna support structures (see section 27-621 for additional requirements).</del>	SR										
<u>Alternative antenna support structures located on school, government-owned utility and other government sites.</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Roof-mounted antennae located on school, government-owned utility and other government sites.</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Antennae co-located on existing or approved alternative antenna support structures or antenna support structures.</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Antenna support structures 50 feet or less in height (see additional requirements in section 27-621).</u>	<u>A</u>										

Antenna support structures greater than 50 feet in height SR

Broadcast antenna or tower farm SR

Commercial Communication Towers and Dishes (Excluding Amateur Radio Towers, Radio and Television Broadcasting) Antenna Support Structures:

<u>Camouflaged Towers/antennae</u>	A	A	A	A	A	A	A	A	A	A	A
<u>Alternative antenna support structures located on school, government-owned utility and other government sites.</u>	A	A	A	A	A	A	A	A	A	A	A
<u>Roof-mounted antennae located on school, government-owned utility and other government sites.</u>	A	A	A	A	A	A	A	A	A	A	A
<u>Antennae co-located on existing or approved alternative antenna support structures or antenna support structures.</u>	A	A	A	A	A	A	A	A	A	A	A
<del>Towers</del> <u>Antenna support structures 50 feet or less in height (see additional requirements in Section 27-620).</u>	A										
<del>Towers</del> <u>Antenna support structures greater than 50 feet in height.</u>	SR										
Tower farms.	SR										

Section 2. That Section 27-306 of the Billings, Montana, City Code be amended so that the following portions of the section shall read as follows, with all other portions of Section 27-306 remaining unchanged:

Sec. 27-306. District Regulations: Commercial Uses.

TITLES AND DESCRIPTION OF INDUSTRIES	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Central Business District	Controlled Industrial	Heavy Industrial	Public	South 27 <sup>th</sup> Street Corridor
SR – SPECIAL REVIEW									
A – ALLOWED									
48 Communications:									
Offices only	A	A	A	A	A	A	A	A	A
<u>Amateur Radio Towers Antenna Support Structures:</u>									
100 feet or less in height (See Section 27-619 for additional requirements)	A	A	A	A	A	A	A	A	A
Greater than 100 feet in height	SR	SR	SR	SR	SR	SR	A	SR	SR

Broadcasting (Radio and Television) Services:

Stations and studios	SR	SR	A	A	A	A	A	A	A
<del>Towers</del> <u>Antenna support structures that which meet the height restrictions for building in BMCC Section 37-309.</u>	SR	SR	A	A	A	A	A	A	A
<del>Towers</del> <u>Antenna support structures exceeding the maximum height for buildings in BMCC, Section 27-309, or exceed 50 feet in height whichever is less.</u>	SR	SR	SR	SR	SR	SR	A	SR	SR
<u>Broadcast antenna or tower farms</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>		<u>SR</u>	<u>A</u>	<u>SR</u>	
<del>Commercial Communication Towers and Dishes (Excluding Amateur Radio Towers, Radio and Television Broadcasting) Antenna Support Structures:</del>									
<del>Camouflaged Towers/antennae</del> <u>Alternative antenna support structures.</u>	A	A	A	A	A	A	A	A	A
<u>Antenna support structures located on school, government-owned utility or other government sites.</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Antennae co-located on existing or approved alternative antenna support structures or antenna support structures.</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Roof-mounted antenna</u>	<u>SR</u>	<u>SR</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<del>Towers</del> <u>Antenna support structures 50 feet or less in height (see additional requirements in Section 27-620).</u>	SR	SR	A	A	A	A	A	A	A
<del>Towers</del> <u>Antenna support structures greater than 50 feet in height.</u>	SR	SR	SR	SR	SR	SR	A	SR	SR
Tower farms			SR	SR		SR	A	SR	
Dishes over 12' in Diameter	SR	SR	A	A	A	A	A	SR	SR

Section 3. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 4. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 5. 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 23<sup>rd</sup> day of July, 2001.

PASSED, ADOPTED and APPROVED on second reading this 13<sup>th</sup> day of August, 2001.

CITY OF BILLINGS



By \_\_\_\_\_  
Mayor

*Charles F. Tolley*

ATTEST:

By *Marita Herold*  
City Clerk