

**ORDINANCES**  
**MILES CITY, MONTANA**

**ORDINANCE NO. 1166**

**AN ORDINANCE ESTABLISHING C-RESIDENTIAL AND LI LIGHT INDUSTRIAL ZONING DISTRICTS, AMENDING SECTION 24-5 OF THE MILES CITY CODE OF ORDINANCES TO DEFINE HIGH-RISE DWELLING, PROVIDING AN EFFECTIVE DATE THEREOF, AND PROVIDING FOR A HEARING THEREON.**

***BE IT ORDAINED*** by the City Council of the City of Miles City, Montana as follows:

**Section 1.** There is enacted a Section 24-67 of the Miles City Code of Ordinances as follows:

***“Sec. 24-67 C Residential District.***

***(a) Permitted uses.***

- (1) Multifamily dwellings, high-rise dwellings and condominiums in excess of an eight-plex.
- (2) Parks, playgrounds, parking and open space areas.
- (3) Accessory uses.

***(b) District regulations.***

***(1) Minimum lot size.***

- a. *Minimum width:* building width plus 20 feet.
- b. *Minimum area:* 17,400 square feet for a nine units plus 1,700 square feet for each additional unit.

***(2) Minimum open area:* 2,500 square feet of open area, excluding parking area, for nine units plus 250 square feet for each additional unit.**

***(3) Setback requirements.***

- a. *Frontages:* 25 feet from the structure line to the property line.
- b. *Rear yard:* 20 feet from the structure line to the rear lot line, exclusive of a 20 foot alley/utility easement.
- c. *Interior yard:* 10 feet from structure line to the side property line.
- d. High-rise structures adjacent to other zones shall increase setbacks by an additional 8 feet per story.

***(4) Maximum height requirements.*** Structure height shall not exceed sixty feet.

***(5) Motor vehicle parking.***

- a. Motor vehicle parking shall be permitted on setbacks and open space.

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b. Two and one-half vehicle parking spaces shall be provided for each unit.

c. Parking of trailers, other motorized vehicles and other non-motorized vehicles or equipment shall not be permitted onsite.

d. Parking shall not be permitted on green space or play grounds.

(6) *Site plan review.* The site plan shall be reviewed and approved by the Planning Board for proper site development.

**Section 2.** There is enacted a Section 24-68 of the Miles City Code of Ordinances as follows:

**“Sec. 24-68. LI Light Industrial District.**

(a) *Intent.* It is the intent of the LI Light Industrial District regulations to provide lands suitable for light industrial type applications which may be in close proximity or adjacent to residential or other zoning districts.

(b) *Permitted uses.*

(1) Manufacturing, fabrication, assembly process, or materials treatment that is conducted totally within an enclosed structure.

(2) Open storage yards, building material yards, and warehousing.

(3) Administrative space associated with a light industrial activity.

(4) Light industrial activities which do not create or tend to create a nuisance, undue hazard to life or property, or detrimental environmental impacts.

(5) Those services and businesses permitted under GC General Commercial except for churches, and multiple family dwellings.

(6) Those services and businesses permitted under HC Heavy Commercial.

(c) *District regulations.*

(1) *Motor vehicle parking.* Adequate off-street parking shall be provided for all rolling stock, all customers and visitors, all employees and management personnel present at any time, and for all freight deliveries and freight handling.

(2) *Utilities.* Design of sanitary sewer and water service systems must meet the requirements of the service provider. Site drainage plans must be submitted for approval. Design of new private utility facilities must submitted for approval.

(3) *Buffer zones.* Buffer zones and screening shall be required to protect adjacent zones which may be negatively impact by the light industrial activities.

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(4) *Site lighting*. Security lights, parking lot lights and other site lighting must be designed so as to not encroach upon adjacent residential zones.

(5) *Signage*. Address or directional signs shall not exceed 6 feet in height and 10 square feet in size. Business and advertising signs shall be limited to building face only. Post type or elevated signs shall not be permitted. Lighted signs shall be dimmed or turned off between the hours of 8:00 p.m. and 7:00 a.m. to reduce light pollution to adjacent residential zones.

(6) *Traffic control*. Industrial or business activities that generate traffic counts in excess of 100 vehicle trips per 24 hour period or that will generate semi-truck or heavy equipment traffic must submit a traffic analysis and traffic plan. Semi-truck or heavy equipment traffic shall not be permitted to create conflict with existing traffic ways with adjacent residential zoning districts.

(7) *Materials and refuse control*. Garbage, refuse, raw materials, manufacturing byproducts, finished products and excess materials shall be screened from view of adjacent zoning districts and maintained in an orderly manner.

(8) *Siteplan review*. Review of the site plan by the planning board is required prior to the commencement of construction or site development.

**Section 3.** Section 24-5 of the Miles City Code of Ordinances is amended to add the following definition:

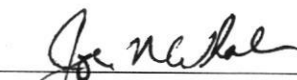
*“Dwelling, high-rise means a dwelling, including a multi-family dwelling, that is three stories or more in height.”*

**Section 4.** A public hearing shall be held upon this proposed zoning amendment before the City Council at 7:00 p.m. on the 13th day of March, 2007 at City Hall, 17 S. Eighth Street, Miles City, Montana.

**Section 5.** The City Clerk shall give notice of the date, time and place of such hearing by publication in the Miles City Star at least 15 days prior to the date of hearing, in accordance with §76-2-303 and §76-2-305 MCA.

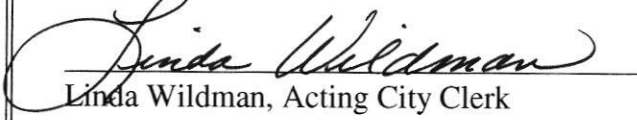
**Section 6.** This amendment shall become effective thirty (30) days following its final passage.

**SAID ORDINANCE READ AND PUT UPON ITS PASSAGE THIS 13TH DAY OF FEBRUARY, 2007.**

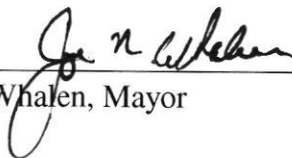
  
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Joe Whalen, Mayor

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ATTEST:

  
Linda Wildman, Acting City Clerk

**SAID ORDINANCE FINALLY PASSED AND APPROVED BY A DULY  
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF  
MILES CITY, MONTANA, THIS 13TH DAY OF MARCH, 2007.**

  
Joe Whalen, Mayor

ATTEST:

  
Linda Wildman, Acting City Clerk