

SECTION 9 URBAN RESIDENTIAL MIXED-USE DISTRICT (UR)

-Section Contents-

901	Intent.....	9-2
902	R-1/R-2	9-2
903	R-3	9-3
904	R-4/R-O	9-3
905	R-U	9-5
906	B-1	9-6
907	B-2	9-8
908	CLM	9-8
909	M-I	9-9
910	PLI.....	9-9
911	Airport.....	9-9
912	Parking Standards	9-9
913	Lighting Standards	9-9

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901 Intent
Add UR District Intent

902 R-1/R-2

902.01 Intent

The R-1/R-2 (residential) Zone provides for residential dwellings and limited nonresidential development that protects and enhances the residential nature of the area.

902.02 Principal Uses

The following principal uses are allowable in the R-1/R-2 Zone: (Any uses that should be added or removed from this list?)

902.02.01 Agriculture, apiculture, forestry, horticulture, silviculture

902.02.02 Boarding/rooming house (1-3 residents)

902.02.03 Community residential facility, Type I (1 to 12 residents)

902.02.04 Day care, adult (up to 12 adults)

902.02.05 Day care, family (up to 6 children)

902.02.06 Day care, group (7 to 12 children)

902.02.07 On-site construction office

902.02.08 Open space

902.02.09 Parks/playgrounds

902.02.10 Public safety facility (Do you agree that a public safety facility should be a Principal Use and not a Conditional Use?) Comments received from ZAP: Some say Principal Use (located in places where they serve people, cuts response times, and lowers insurance costs); others say Conditional Use (allows for public comment/input – Would you want a fire station next to your house?). Likely.

902.02.11 Residence, single-dwelling unit

902.02.12 Residence, two-dwelling units

902.02.13 Trails

902.02.14 Utility, distributed power

902.02.15 Utility, minor

902.03 Accessory Uses

Each permitted accessory use shall be customarily incidental to the principal use established on the same parcel; be subordinate to and serve such principal use; be subordinate in area, extent, and purpose to such principal use; and contribute to the comfort, convenience, or necessity of users of such principal use.

The following uses shall be allowed only when a principal use has already been established on the parcel:

902.03.01 Accessory Uses and Buildings

902.03.02 Home Occupations, in compliance with Section 16, of these Regulations.

902.03.03 Temporary Uses, in compliance with Section 15 of these Regulations.

902.04 Conditional Uses

The following uses are permitted, upon approval of a Conditional Use Permit (CUP) by the Board of Adjustment (BoA), in accordance with Section 14, of these Regulations: (Any uses that should be added or removed from this list?)

- 902.04.01 Bed and breakfast
- 902.04.02 Cemeteries, mausoleums, columbariums (Remove?) Comments received from ZAP: Columbariums should continue to be permitted uses where associated with religious organizations such as the Episcopal Cathedral. Likely.
- 902.04.03 Community cultural facility
- 902.04.04 Community residential facility, Type II (13 or more residents)
- 902.04.05 Day care center (13 or more individuals)
- 902.04.06 Educational facility (Higher Education)
- 902.04.07 Educational facility (K-12)
- 902.04.08 Mobile home park
- 902.04.09 Parking lot
- 902.04.10 Residence, multiple-dwelling units (3 or more units) Comments received from ZAP: Make a principal use so as not to segregate social classes.
- 902.04.11 Worship facility

902.05 Minimum Lot Area

There is no minimum lot area. Comments received from ZAP: Lot sizes for single-family residences should be limited to 0.5-1.0 acre.

902.06 Maximum Lot Coverage

Forty (40%) percent.

Comments received from ZAP: 60%; increase maximums or no maximum; concerns about irrigating too much grass with 40% maximum lot coverage and being at odds with STEEP Analysis results.

902.07 Minimum Setbacks

Front: Ten (10) feet.
Rear: Ten (10) feet.
Side: Eight (8) feet.

Comments received from ZAP: Disagree with 8-foot side-yards. Need to be decreased. Concerns about irrigating too much grass and being at odds with STEEP Analysis results. 8-foot side-yards are ok if measured from wall and not eave, otherwise make it a 6-foot side-yard setback from the eave and allow a maximum 24-inch eave.

902.08 Encroachments (Setbacks)

Utility distribution lines and related equipment may be located within a required setback.

902.09 Building Height
Maximum building height: thirty (30) feet. **Comments received from ZAP: Increase to 42 feet.**

Height limitations do not apply to the following: spires, belfries, cupolas, chimneys, water tanks, elevator housings, solar energy systems, streetlights, and utility poles.

902.10 Street Standards
Construction of streets shall be in accordance with the adopted City of Helena "Engineering and Design Standards".

Comments received from ZAP: City standards always means annexation; this is the equivalent of saying that "the purple can only be developed on City services, thus annexation is required." This is a subdivision regulation and shouldn't be under zoning. City requires 600-foot block length, Complete Streets components, and right-of-way (County uses "public access and utility easements).

902.11 Parking Standards
The minimum number of off-street parking spaces required for each land use can be found in Section 912.03.01.

902.12 Lighting Standards
All outdoor electrical lighting shall be installed in conformance with the lighting standards found in Section 913.

903 R-3

903.01 Intent
The R-3 (residential) Zone provides for the development of a mixture of residential structures to serve varied housing needs and allows limited compatible nonresidential uses.

903.02 Principal Uses
The following principal uses are allowable in the R-3 Zone: **(Any uses that should be added or removed from this list?)**

903.02.01 Agriculture, apiculture, forestry, horticulture, silviculture **(Remove any?)**
Comments received from ZAP: Good question. Seems quite general.

903.02.02 Boarding/rooming house (1-3 residents)

903.02.03 Community residential facility, Type I (1 to 12 residents)

903.02.04 Day care, adult (up to 12 adults)

903.02.05 Day care, family (up to 6 children)

903.02.06 Day care, group (7 to 12 children)

903.02.07 On-site construction office

903.02.08 Open space

903.02.09 Parks/playgrounds

- 903.02.10 Public safety facility (Do you agree that a public safety facility should be a Principal Use and not a Conditional Use?) Comments received from ZAP: Some say Principal Use (located in places where they serve people, cuts response times, and lowers insurance costs); others say Conditional Use (allows for public comment/input – Would you want a fire station next to your house?). Likely.
- 903.02.11 Residence, single-dwelling unit
- 903.02.12 Residence, two-dwelling units
- 903.02.13 Residence, multiple-dwelling units (3 or more units)
- 903.02.14 Trails
- 903.02.15 Utility, distributed power
- 903.02.16 Utility, minor

903.03 Accessory Uses

Each permitted accessory use shall be customarily incidental to the principal use established on the same parcel; be subordinate to and serve such principal use; be subordinate in area, extent, and purpose to such principal use; and contribute to the comfort, convenience, or necessity of users of such principal use.

The following uses shall be allowed only when a principal use has already been established on the parcel:

- 903.03.01 Accessory Uses and Buildings
- 903.03.02 Home Occupations, in compliance with Section 16, of these Regulations.
- 903.03.03 Temporary Uses, in compliance with Section 15 of these Regulations.

903.04 Conditional Uses

The following uses are permitted, upon approval of a CUP by the BoA, in accordance with Section 14, of these Regulations: (Any uses that should be added or removed from this list?)

- 903.04.01 Artisan shop
- 903.04.02 Bed and breakfast
- 903.04.03 Cemeteries, mausoleums, columbariums (Remove?) Comments received from ZAP: Columbariums should continue to be permitted uses where associated with religious organizations such as the Episcopal Cathedral. Likely.
- 903.04.04 Community cultural facility
- 903.04.05 Community residential facility, Type II (13 or more residents)
- 903.04.06 Country inn, guest ranch
- 903.04.07 Day care center (13 or more individuals)
- 903.04.08 Educational facility (Higher Education)
- 903.04.09 Educational facility (K-12)
- 903.04.10 General/professional services
- 903.04.11 General repair
- 903.04.12 Mobile home park
- 903.04.13 Parking lot
- 903.04.14 Worship facility

- 903.05 Minimum Lot Area
There is no minimum lot area. **Comments received from ZAP: Lot sizes for single-family residences should be limited to 0.5-1.0 acre. The density for mobile home parks could be closer (5-10 acres), but ½ the property would have to be open space/playgrounds.**
- 903.06 Maximum Lot Coverage
Forty (40%) percent.
Comments received from ZAP: Increase maximums or no maximum; concerns about irrigating too much grass with 40% maximum lot coverage and being at odds with STEEP Analysis results.
- 903.07 Minimum Setbacks
Front: Ten (10) feet.
Rear: Ten (10) feet.
Side: Six (6) feet.
- 903.08 Encroachments (Setbacks)
Utility distribution lines and related equipment may be located within a required setback.
- 903.09 Building Height
Maximum building height: thirty-six (36) feet.
Comments from ZAP: 42 feet.
Height limitations do not apply to the following: spires, belfries, cupolas, chimneys, water tanks, elevator housings, solar energy systems, streetlights, and utility poles.
- 903.10 Street Standards
Construction of streets shall be in accordance with the adopted City of Helena "Engineering and Design Standards".
Comments received from ZAP: City standards always means annexation; this is the equivalent of saying that "the purple can only be developed on City services, thus annexation is required." This is a subdivision regulation and shouldn't be under zoning. City requires 600-foot block length, Complete Streets components, and right-of-way (County uses "public access and utility easements).
- 903.11 Parking Standards
The minimum number of off-street parking spaces required for each land use can be found in Section 912.03.01
- 903.12 Lighting Standards
All outdoor electrical lighting shall be installed in conformance with the lighting standards found in Section 913.

904 R-4/R-O

904.01 Intent

The R-4/R-O (residential-office) Zone provides for a compatible mix of higher density residential development with professional and business offices and associated service uses.

904.02 Principal Uses

The following principal uses are allowable in the R-4/R-O Zone: **(Any uses that should be added or removed from this list?)**

- 904.02.01 Administrative government agency
- 904.02.02 Administrative services
- 904.02.03 Agriculture, apiculture, forestry, horticulture, silviculture **(Remove any?)**
- 904.02.04 Boarding/rooming house (1-3 residents)
- 904.02.05 Boarding/rooming house (4-20 residents)
- 904.02.06 Community residential facility, Type I (1 to 12 residents)
- 904.02.07 Community residential facility, Type II (13 or more residents)
- 904.02.08 Day care, adult (up to 12 adults)
- 904.02.09 Day care, family (up to 6 children)
- 904.02.10 Day care, group (7 to 12 children)
- 904.02.11 General/professional services
- 904.02.12 Health care center
- 904.02.13 Instructional facility
- 904.02.14 Mobile home park
- 904.02.15 On-site construction office
- 904.02.16 Open space
- 904.02.17 Parks/playgrounds
- 904.02.18 Public safety facility **(Do you agree that a public safety facility should be a Principal Use and not a Conditional Use?)** **Comments received from ZAP: Some say Principal Use (located in places where they serve people, cuts response times, and lowers insurance costs); others say Conditional Use (allows for public comment/input – Would you want a fire station next to your house?). Likely.**
- 904.02.19 Residence, single-dwelling unit
- 904.02.20 Residence, two-dwelling units
- 904.02.21 Residence, multiple-dwelling units (3 or more units)
- 904.02.22 Restaurant
- 904.02.23 Trails
- 904.02.24 Utility, distributed power
- 904.02.25 Utility, minor
- 904.02.26 Worship facility

904.03 Accessory Uses

Each permitted accessory use shall be customarily incidental to the principal use established on the same parcel; be subordinate to and serve such principal use; be

subordinate in area, extent, and purpose to such principal use; and contribute to the comfort, convenience, or necessity of users of such principal use.

The following uses shall be allowed only when a principal use has already been established on the parcel:

904.03.01 Accessory Uses and Buildings

904.03.02 Home Occupations, in compliance with Section 16, of these Regulations.

904.03.03 Temporary Uses, in compliance with Section 15 of these Regulations.

904.04 Conditional Uses

The following uses are permitted, upon approval of a CUP by the BoA, in accordance with Section 14, of these Regulations: **(Any uses that should be added or removed from this list?)**

904.04.01 Artisan shop

904.04.02 Bed and breakfast

904.04.03 Cemeteries, mausoleums, columbariums **(Remove?) Comments received from ZAP: Columbariums should continue to be permitted uses where associated with religious organizations such as the Episcopal Cathedral. Likely.**

904.04.04 Community cultural facility

904.04.05 Country inn, guest ranch

904.04.06 Day care center (13 or more individuals)

904.04.07 Educational facility (Higher Education)

904.04.08 Educational facility (K-12)

904.04.09 Emergency shelter

904.04.10 Financial services

904.04.11 General repair

904.04.12 Health care facility

904.04.13 Indoor entertainment, sports and recreation

904.04.14 Parking lot

904.06 Minimum Lot Area

There is no minimum lot area. **Comments received from ZAP: Lot sizes for single-family residences should be limited to 0.5-1.0 acre. The density for mobile home parks could be closer (5-10 acres), but ½ the property would have to be open space/playgrounds. Small businesses, small strip malls, apartments/condominiums should be limited to a minimum of 5 acres., with ½ left for open space (including parking lots?).**

904.07 Maximum Lot Coverage

Sixty (60%) percent.

Comments received from ZAP: Increase maximums or no maximum; concerns about irrigating too much grass with 60% maximum lot coverage and being at odds with STEEP Analysis results.

- 904.08 Minimum Setbacks
 Front: Ten (10) feet.
 Rear: Ten (10) feet.
 Side: Six (6) feet.
- 904.09 Encroachments (Setbacks)
 Utility distribution lines and related equipment may be located within a required setback.
- 904.10 Building Height
 Maximum building height: forty-two (42) feet.
- Height limitations do not apply to the following: spires, belfries, cupolas, chimneys, water tanks, elevator housings, solar energy systems, streetlights, and utility poles.
- 904.11 Street Standards
 Construction of streets shall be in accordance with the adopted City of Helena "Engineering and Design Standards".
- Comments received from ZAP: City standards always means annexation; this is the equivalent of saying that "the purple can only be developed on City services, thus annexation is required." This is a subdivision regulation and shouldn't be under zoning. City requires 600-foot block length, Complete Streets components, and right-of-way (County uses "public access and utility easements).
- 904.12 Parking Standards
 The minimum number of off-street parking spaces required for each land use can be found in Section 912.03.01
- 904.13 Lighting Standards
 All outdoor electrical lighting shall be installed in conformance with the lighting standards found in Section 913.
- 905 R-U
- 905.01 Intent
 The R-U (residential-urban) Zone provides for stand-alone single or duplex structures, and a compatible mix of professional and business offices and associated service uses.
- 905.02 Principal Uses
 The following principal uses are allowable in the R-U Zone: (Any uses that should be added or removed from this list?)
- 905.02.01 Administrative government agency
 905.02.02 Administrative services
 905.02.03 Agriculture, apiculture, forestry, horticulture, silviculture (Remove any?)
Not sure.

- 905.02.04 Boarding/rooming house (1-3 residents)
- 905.02.05 Community residential facility, Type I (1 to 12 residents)
- 905.02.06 Day care, adult (up to 12 adults)
- 905.02.07 Day care, family (up to 6 children)
- 905.02.08 Day care, group (7 to 12 children)
- 905.02.09 General/professional services
- 905.02.10 Healthcare center
- 905.02.11 Instructional facility
- 905.02.12 On-site construction office
- 905.02.13 Open space
- 905.02.14 Parks/playgrounds
- 905.02.15 Public safety facility (Do you agree that a public safety facility should be a Principal Use and not a Conditional Use?) Comments received from ZAP: Some say Principal Use (located in places where they serve people, cuts response times, and lowers insurance costs); others say Conditional Use (allows for public comment/input – Would you want a fire station next to your house?). Likely.
- 905.02.16 Residence, single-dwelling unit
- 905.02.17 Residence, two-dwelling units
- 905.02.18 Restaurant
- 905.02.19 Trails
- 905.02.20 Utility, distributed power
- 905.02.21 Utility, minor
- 905.02.22 Worship facility

905.03

Accessory Uses

Each permitted accessory use shall be customarily incidental to the principal use established on the same parcel; be subordinate to and serve such principal use; be subordinate in area, extent, and purpose to such principal use; and contribute to the comfort, convenience, or necessity of users of such principal use.

The following uses shall be allowed only when a principal use has already been established on the parcel:

- 905.03.01 Accessory Uses and Buildings
- 905.03.02 Home Occupations, in compliance with Section 16, of these Regulations.
- 905.03.03 Temporary Uses, in compliance with Section 15 of these Regulations.

905.04

Conditional Uses

The following uses are permitted, upon approval of a CUP by the BoA, in accordance with Section 14, of these Regulations: (Any uses that should be added or removed from this list?)

- 905.04.01 Artisan shop
- 905.04.02 Bed and breakfast
- 905.04.03 Cemeteries, mausoleums, columbariums (Remove?) Comments received from ZAP: Columbariums should continue to be permitted uses

where associated with religious organizations such as the Episcopal Cathedral. Likely.

- 905.04.04 Community cultural facility
- 905.04.05 Community residential facility, Type II (13 or more residents)
- 905.04.06 Country inn, guest ranch
- 905.04.07 Day care center (13 or more individuals)
- 905.04.08 Educational facility (Higher Education)
- 905.04.09 Educational facility (K-12)
- 905.04.10 Emergency shelter
- 905.04.11 Financial services
- 905.04.12 General repair
- 905.04.13 Healthcare facility
- 905.04.14 Indoor entertainment, sports and recreation
- 905.04.15 Mobile home park
- 905.04.16 Parking lot

905.05 Minimum Lot Area

There is no minimum lot area. Comments received from ZAP: Lot sizes for single-family residences should be limited to 0.5-1.0 acre. The density for mobile home parks could be closer (5-10 acres), but ½ the property would have to be open space/playgrounds. Small businesses, small strip malls, apartments/condominiums should be limited to a minimum of 5 acres., with ½ left for open space (including parking lots?).

905.06 Maximum Lot Coverage

Sixty (60%) percent. Additional 5% for porch attached to front or side. Comments received from ZAP: 70% or no maximum.

905.08 Minimum Setbacks

Front: No minimum.
Rear: No minimum.
Side: No minimum.

905.09 Building Height

Maximum building height: forty-two (42) feet.

Height limitations do not apply to the following: spires, belfries, cupolas, chimneys, water tanks, elevator housings, solar energy systems, streetlights, and utility poles.

905.10 Street Standards

Construction of streets shall be in accordance with the adopted City of Helena "Engineering and Design Standards".

Comments received from ZAP: City standards always means annexation; this is the equivalent of saying that "the purple can only be developed on City services, thus annexation is required." This is a subdivision regulation and shouldn't be under zoning. City requires 600-foot block length, Complete Streets components, and right-of-way (County uses "public access and utility easements).

- 905.11 Parking Standards
The minimum number of off-street parking spaces required for each land use can be found in Section 912.03.01
- 905.12 Lighting Standards
All outdoor electrical lighting shall be installed in conformance with the lighting standards found in Section 913.
- 906 B-1 Comments received from ZAP: Remove B-1 zoning.
- 906.01 Intent
The B-1 (neighborhood business) Zone provides for a compatible mixture of residential, public, and small-scale commercial uses that serve as transitions between zones.
- 906.02 Principal Uses
The following principal uses are allowable in the B-1 Zone: (Any uses that should be added or removed from this list?)
- 906.02.01 Administrative government agency
 - 906.02.02 Administrative services
 - 906.02.03 Agriculture, apiculture, forestry, horticulture, silviculture (Remove any?) Not even sure what some are.
 - 906.02.04 Artisan shop
 - 906.02.05 Auction sales
 - 906.02.06 Bed and breakfast
 - 906.02.07 Boarding/rooming house (1-3 residents)
 - 906.02.08 Boarding/rooming house (4-20 residents)
 - 906.02.09 Community center
 - 906.02.10 Community cultural facility
 - 906.02.11 Community residential facility, Type I (1 to 12 residents)
 - 906.02.12 Community residential facility, Type II (13 or more residents)
 - 906.02.13 Country inn, guest ranch
 - 906.02.14 Day care, adult (up to 12 adults)
 - 906.02.15 Day care center (13 or more individuals)
 - 906.02.16 Day care, family (up to 6 children)
 - 906.02.17 Day care, group (7 to 12 children)
 - 906.02.18 Equipment rental, small
 - 906.02.19 Financial services
 - 906.02.20 Funeral home
 - 906.02.21 General/professional services
 - 906.02.22 General repair
 - 906.02.23 General retail sales
 - 906.02.24 Health care center
 - 906.02.25 Indoor entertainment, sports and recreation
 - 906.02.26 Instructional facility
 - 906.02.27 Itinerant outdoor sales

- 906.02.28 Medical marijuana dispensary
- 906.02.29 On-site construction office
- 906.02.30 Open space
- 906.02.31 Outdoor concerts and theatrical performances
- 906.02.32 Parking lot
- 906.02.33 Parks/playgrounds
- 906.02.34 Public safety facility
- 906.02.35 Residence, single-dwelling unit
- 906.02.36 Residence, two-dwelling units
- 906.02.37 Residence, multiple-dwelling units (3 or more units)
- 906.02.38 Restaurant
- 906.02.39 Specialized food production
- 906.02.40 Trails
- 906.02.41 Utility, distributed power
- 906.02.42 Utility, minor
- 906.02.43 Veterinary clinic, small animals
- 906.02.44 Worship facility

906.03 Accessory Uses

Each permitted accessory use shall be customarily incidental to the principal use established on the same parcel; be subordinate to and serve such principal use; be subordinate in area, extent, and purpose to such principal use; and contribute to the comfort, convenience, or necessity of users of such principal use.

The following uses shall be allowed only when a principal use has already been established on the parcel:

- 906.03.01 Accessory Uses and Buildings
- 906.03.02 Home Occupations, in compliance with Section 16, of these Regulations.
- 906.03.03 Temporary Uses, in compliance with Section 15 of these Regulations.

906.04 Conditional Uses

The following uses are permitted, upon approval of a CUP by the BoA, in accordance with Section 14, of these Regulations: **Any uses that should be added or removed from this list?**

- 906.04.01 Bus terminal
- 906.04.02 Cemeteries, mausoleums, columbariums **(Remove?) Comments received from ZAP: Columbariums should continue to be permitted uses where associated with religious organizations such as the Episcopal Cathedral. Likely.**
- 906.04.03 Commercial kennel, animal boarding, stables or other animal-related services
- 906.04.04 Educational facility (Higher Education)
- 906.04.05 Educational facility (K-12)
- 906.04.06 Emergency shelter
- 906.04.07 Health care facility
- 906.04.08 Hotel/motel, lodge, resort

- 906.04.09 Industrial, light
- 906.04.10 Mobile home park
- 906.04.11 Parking structure
- 906.04.12 Pre-release center

906.05 Minimum Lot Area

There is no minimum lot area for non-residential or a single-dwelling unit residence. For multiple dwelling units, the minimum lot area is 1,000 square feet per dwelling unit. **Comments received from ZAP: Lot sizes for single-family residences should be limited to 0.5-1.0 acre. The density for mobile home parks could be closer (5-10 acres), but ½ the property would have to be open space/playgrounds. Small businesses, small strip malls, apartments/condominiums should be limited to a minimum of 5 acres., with ½ left for open space (including parking lots?).**

906.06 Maximum Lot Coverage

No maximum for non-residential uses. Sixty (60%) percent for residential uses.

906.07 Minimum Setbacks

Front: No minimum.
Rear: Fifteen (15) feet.
Side: Six (6) feet.

906.08 Encroachments (Setbacks)

Utility distribution lines and related equipment may be located within a required setback.

906.09 Building Height

Maximum building height: thirty-six (36) feet.

Comments received from ZAP: Likely much higher; 50-60 feet.

Height limitations do not apply to the following: spires, belfries, cupolas, chimneys, water tanks, elevator housings, solar energy systems, streetlights, and utility poles.

906.10 Street Standards

Construction of streets shall be in accordance with the adopted City of Helena "Engineering and Design Standards".

Comments received from ZAP: City standards always means annexation; this is the equivalent of saying that "the purple can only be developed on City services, thus annexation is required." This is a subdivision regulation and shouldn't be under zoning. City requires 600-foot block length, Complete Streets components, and right-of-way (County uses "public access and utility easements).

906.11 Parking Standards

The minimum number of off-street parking spaces required for each land use can be found in Section 912.03.01

906.12 Lighting Standards
All outdoor electrical lighting shall be installed in conformance with the lighting standards found in Section 913.

907 B-2 Comments received from ZAP: Would like to see some form-based zoning included.

907.01 Intent
The B-2 (general commercial) Zone provides for compatible residential uses and a broad range of commercial and service uses.

907.02 Principal Uses
The following principal uses are allowable in the B-2 Zone: Any uses that should be added or removed from this list?

- 907.02.01 Administrative government agency
- 907.02.02 Administrative services
- 907.02.03 Agriculture, apiculture, forestry, horticulture, silviculture
- 907.02.04 Agriculture supply sales
- 907.02.05 Artisan shop
- 907.02.06 Auction sales
- 907.02.07 Bed and breakfast
- 907.02.08 Boarding/rooming house (1-3 residents)
- 907.02.09 Boarding/rooming house (4-20 residents)
- 907.02.10 Bus terminal
- 907.02.11 Carnivals and circuses
- 907.02.12 Community center
- 907.02.13 Community cultural facility
- 907.02.14 Community residential facility, Type I (1 to 12 residents)
- 907.02.15 Community residential facility, Type II (13 or more residents)
- 907.02.16 Construction material sales
- 907.02.17 Country inn, guest ranch
- 907.02.18 Day care, adult (up to 12 adults)
- 907.02.19 Day care center (13 or more individuals)
- 907.02.20 Day care, family (up to 6 children)
- 907.02.21 Day care, group (7 to 12 children)
- 907.02.22 Equipment rental, large
- 907.02.23 Equipment rental, small
- 907.02.24 Financial services
- 907.02.25 Funeral home
- 907.02.26 General/professional services
- 907.02.27 General repair
- 907.02.28 General retail sales
- 907.02.29 Health care center
- 907.02.30 Health care facility
- 907.02.31 Hotel/motel, lodge, resort
- 907.02.32 Indoor entertainment, sports and recreation
- 907.02.33 Instructional facility

- 907.02.34 Itinerant outdoor sales
- 907.02.35 Manufactured/mobile/modular housing sales
- 907.02.36 Medical marijuana dispensary
- 907.02.37 On-site construction office
- 907.02.38 Open space
- 907.02.39 Outdoor concerts and theatrical performances
- 907.02.40 Parking lot
- 907.02.41 Parks/playgrounds
- 907.02.42 Public safety facility
- 907.02.43 Residence, single-dwelling unit
- 907.02.44 Residence, two-dwelling units
- 907.02.45 Residence, multiple-dwelling units (3 or more units)
- 907.02.46 Restaurant
- 907.02.47 Restaurant, drive-in
- 907.02.48 Specialized food production
- 907.02.49 Tavern
- 907.02.50 Trails
- 907.02.51 Utility, distributed power
- 907.02.52 Utility, minor
- 907.02.53 Vehicle fuel sales
- 907.02.54 Vehicle sales and rental
- 907.02.55 Vehicle services
- 907.02.56 Veterinary clinic, small animals
- 907.02.57 Worship facility

907.03

Accessory Uses

Each permitted accessory use shall be customarily incidental to the principal use established on the same parcel; be subordinate to and serve such principal use; be subordinate in area, extent, and purpose to such principal use; and contribute to the comfort, convenience, or necessity of users of such principal use.

The following uses shall be allowed only when a principal use has already been established on the parcel:

- 907.03.01 Accessory Uses and Buildings
- 907.03.02 Home Occupations, in compliance with Section 16, of these Regulations.
- 907.03.03 Temporary Uses, in compliance with Section 15 of these Regulations.

907.04

Conditional Uses

The following uses are permitted, upon approval of a CUP by the BoA, in accordance with Section 14, of these Regulations: **(Any uses that should be added or removed from this list?)**

- 907.04.01 Animal shelter
- 907.04.02 Campground/RV park
- 907.04.03 Casino
- 907.04.04 Cemeteries, mausoleums, columbariums **(Remove?) Comments received from ZAP: Columbariums should continue to be permitted**

uses where associated with religious organizations such as the Episcopal Cathedral. Probably ok.

- 907.04.05 Commercial kennel, animal boarding, stables or other animal-related services
- 907.04.06 Contractor yard
- 907.04.07 Educational facility (Higher Education)
- 907.04.08 Educational facility (K-12)
- 907.04.09 Emergency shelter
- 907.04.10 Industrial, light
- 907.04.11 Mini-storage facility
- 907.04.12 Mobile home park
- 907.04.13 Outdoor entertainment, sports and recreation
- 907.04.14 Parking structure
- 907.04.15 Pre-release center
- 907.04.16 Shopping center
- 907.04.17 Vehicle repair
- 907.04.18 Veterinary clinic, large animals
- 907.04.19 Warehouse

907.05 Minimum Lot Area

There is no minimum lot area. **Comments received from ZAP: Lot sizes for single-family residences should be limited to 0.5-1.0 acre. The density for mobile home parks could be closer (5-10 acres), but ½ the property would have to be open space/playgrounds. Small businesses, small strip malls, apartments/condominiums should be limited to a minimum of 5 acres., with ½ left for open space (including parking lots?).**

907.06 Maximum Lot Coverage

No maximum.

907.07 Minimum Setbacks

Front: No minimum.

Rear: No minimum, unless abutting a residential zone and then the minimum setback is fifteen (15) feet.

Side: No minimum, unless abutting a residential zone and then the minimum setback is ten (10) feet.

907.08 Encroachments (Setbacks)

Utility distribution lines and related equipment may be located with a required setback.

907.09 Building Height

Maximum building height: seventy-five (75) feet. **Comments received from ZAP: Want to see large, nice buildings with small parking areas.**

Height limitations do not apply to the following: spires, belfries, cupolas, chimneys, water tanks, elevator housings, solar energy systems, streetlights, and utility poles.

907.10 Street Standards
Construction of streets shall be in accordance with the adopted City of Helena “Engineering and Design Standards”.

Comments received from ZAP: City standards always means annexation; this is the equivalent of saying that “the purple can only be developed on City services, thus annexation is required.” This is a subdivision regulation and shouldn’t be under zoning. City requires 600-foot block length, Complete Streets components, and right-of-way (County uses “public access and utility easements).

907.11 Parking Standards
The minimum number of off-street parking spaces required for each land use can be found in Section 912.03.01. **Comments received from ZAP: Want to see small parking areas with large, nice buildings.**

907.12 Lighting Standards
All outdoor electrical lighting shall be installed in conformance with the lighting standards found in Section 913.

Comments received from ZAP: Add downtown zoning (Padbury).

908 CLM

908.01 Intent
The CLM (Commercial-Light Manufacturing) Zone provides for commercial and light manufacturing needs.

908.02 Principal Uses
The following principal uses are allowable in the CLM Zone: **(Any uses that should be added or removed from this list?)**

- 908.02.01 Administrative government agency
- 908.02.02 Administrative services
- 908.02.03 Agricultural commodity storage facility
- 908.02.04 Agriculture, apiculture, forestry, horticulture, silviculture **(Remove any?)** **Comments received from ZAP: Likely ok.**
- 908.02.05 Agriculture supply sales
- 908.02.06 Artisan shop
- 908.02.07 Auction sales
- 908.02.08 Boarding/rooming house (1-3 residents)
- 908.02.09 Boarding/rooming house (4-20 residents)
- 908.02.10 Bus terminal
- 908.02.11 Carnivals and circuses
- 908.02.12 Commercial kennel, animal boarding, stables or other animal-related services
- 908.02.13 Community center
- 908.02.14 Composting facility/landfill
- 908.02.15 Construction material sales

- 908.02.16 Contractor yard
- 908.02.17 Crematorium
- 908.02.18 Educational facility (Higher Education)
- 908.02.19 Equipment rental, large
- 908.02.20 Equipment rental, small
- 908.02.21 Freight terminal
- 908.02.22 Funeral home
- 908.02.23 General/professional services
- 908.02.24 General repair
- 908.02.25 General retail sales
- 908.02.26 Indoor entertainment, sports and recreation
- 908.02.27 Industrial, light
- 908.02.28 Instructional facility
- 908.02.29 Itinerant outdoor sales
- 908.02.30 Manufactured/mobile/modular housing sales
- 908.02.31 Medical marijuana dispensary
- 908.02.32 Mini-storage facility
- 908.02.33 On-site construction office
- 908.02.34 Open space
- 908.02.35 Outdoor concerts and theatrical performances
- 908.02.36 Parking lot
- 908.02.37 Parking structure
- 908.02.38 Parks/playgrounds
- 908.02.39 Public safety facility
- 908.02.40 Railroad yard
- 908.02.41 Recycling center
- 908.02.42 Residence, single-dwelling unit
- 908.02.43 Residence, two-dwelling units
- 908.02.44 Specialized food production
- 908.02.45 Trails
- 908.02.46 Utility, distributed power
- 908.02.47 Utility, minor
- 908.02.48 Vehicle fuel sales
- 908.02.49 Vehicle repair
- 908.02.50 Vehicle sales and rental
- 908.02.51 Vehicle services
- 908.02.52 Veterinary clinic, large animals
- 908.02.53 Veterinary clinic, small animals
- 908.02.54 Warehouse
- 908.02.55 Worship facility

908.03

Accessory Uses

Each permitted accessory use shall be customarily incidental to the principal use established on the same parcel; be subordinate to and serve such principal use; be subordinate in area, extent, and purpose to such principal use; and contribute to the comfort, convenience, or necessity of users of such principal use.

The following uses shall be allowed only when a principal use has already been established on the parcel:

- 908.03.01 Accessory Uses and Buildings
- 908.03.02 Home Occupations, in compliance with Section 16, of these Regulations.
- 908.03.03 Temporary Uses, in compliance with Section 15 of these Regulations.

908.04 Conditional Uses

The following uses are permitted, upon approval of a CUP by the BoA, in accordance with Section 14, of these Regulations: **(Any uses that should be added or removed from this list?)**

- 908.04.01 Animal shelter
- 908.04.02 Campground/RV park
- 908.04.03 Casino
- 908.04.04 Cemeteries, mausoleums, columbariums **(Remove?) Comments received from ZAP: Columbariums should continue to be permitted uses where associated with religious organizations such as the Episcopal Cathedral. Probably ok.**
- 908.04.05 Community residential facility, Type I (1 to 12 residents)
- 908.04.06 Community residential facility, Type II (13 or more residents)
- 908.04.07 Correctional facility
- 908.04.08 Day care, adult (up to 12 adults)
- 908.04.09 Day care center (13 or more individuals)
- 908.04.10 Day care, family (up to 6 children)
- 908.04.11 Day care, group (7 to 12 children)
- 908.04.12 Educational facility (K-12)
- 908.04.13 Emergency shelter
- 908.04.14 Fuel tank farm
- 908.04.15 Industrial, heavy
- 908.04.16 Industrial park
- 908.04.17 Junkyard
- 908.04.18 Medical marijuana grow operation
- 908.04.19 Outdoor entertainment, sports and recreation
- 908.04.20 Pre-release center
- 908.04.21 Residence, multiple-dwelling units (3 or more units)
- 908.04.22 Restaurant
- 908.04.23 Sexually-oriented business
- 908.04.24 Shopping center
- 908.04.25 Tavern

908.05 Minimum Lot Area

There is no minimum lot area. **Comments received from ZAP: Lot sizes for single-family residences should be limited to 0.5-1.0 acre. Small businesses, small strip malls, apartments/condominiums should be limited to a minimum of 5 acres., with ½ left for open space (including parking lots?).**

908.06 Maximum Lot Coverage

No maximum.

908.07 Minimum Setbacks

Front: Fifteen (15) feet.

Rear: No minimum, unless abutting a residential zone and then the minimum setback is fifteen (15) feet.

Side: No minimum., unless abutting a residential zone and then the minimum setback is fifteen (15) feet.

908.08 Encroachments (Setbacks)

Utility distribution lines and related equipment may be located with a required setback.

908.09 Building Height

Maximum building height: sixty (60) feet.

Height limitations do not apply to the following: spires, belfries, cupolas, chimneys, water tanks, elevator housings, solar energy systems, streetlights, and utility poles.

908.10 Street Standards

Construction of streets shall be in accordance with the adopted City of Helena "Engineering and Design Standards".

Comments received from ZAP: City standards always means annexation; this is the equivalent of saying that "the purple can only be developed on City services, thus annexation is required." This is a subdivision regulation and shouldn't be under zoning. City requires 600-foot block length, Complete Streets components, and right-of-way (County uses "public access and utility easements).

908.11 Parking Standards

The minimum number of off-street parking spaces required for each land use can be found in Section 912.03.01.

908.12 Lighting Standards

All outdoor electrical lighting shall be installed in conformance with the lighting standards found in Section 913.

909 M-I

909.01 Intent

The M-I (Manufacturing and Industrial) Zone provides for manufacturing and other industrial uses.

909.02 Principal Uses

The following principal uses are allowable in the M-I Zone: **(Any uses that should be added or removed from this list?)**

909.02.01 Agricultural commodity storage facility

- 909.02.02 Agriculture, apiculture, forestry, horticulture, silviculture **(Remove any?)**
- 909.02.03 Agriculture supply sales
- 909.02.04 Artisan shop
- 909.02.05 Boarding/rooming house (1-3 residents)
- 909.02.06 Boarding/rooming house (4-20 residents)
- 909.02.07 Carnivals and circuses
- 909.02.08 Commercial kennel, animal boarding, stables or other animal-related services
- 909.02.09 Composting facility/landfill
- 909.02.10 Construction material sales
- 909.02.11 Contractor yard
- 909.02.12 Crematorium
- 909.02.13 Equipment rental, large
- 909.02.14 Equipment rental, small
- 909.02.15 Freight terminal
- 909.02.16 Funeral home
- 909.02.17 General repair
- 909.02.18 Indoor entertainment, sports and recreation
- 909.02.19 Industrial, heavy
- 909.02.20 Industrial, light
- 909.02.21 Industrial park
- 909.02.22 Instructional facility
- 909.02.23 Junkyard
- 909.02.24 Manufactured/mobile/modular housing sales
- 909.02.25 Medical marijuana dispensary
- 909.02.26 Mini-storage facility
- 909.02.27 On-site construction office
- 909.02.28 Open space
- 909.02.29 Outdoor concerts and theatrical performances
- 909.02.30 Parking lot
- 909.02.31 Parking structure
- 909.02.32 Public safety facility
- 909.02.33 Railroad yard
- 909.02.34 Recycling center
- 909.02.35 Residence, single-dwelling unit
- 909.02.36 Specialized food production
- 909.02.37 Trails
- 909.02.38 Utility, distributed power
- 909.02.39 Utility, major
- 909.02.40 Utility, minor
- 909.02.41 Vehicle repair
- 909.02.42 Vehicle services
- 909.02.43 Veterinary clinic, large animals
- 909.02.44 Veterinary clinic, small animals
- 909.02.45 Warehouse

909.03 Accessory Uses

Each permitted accessory use shall be customarily incidental to the principal use established on the same parcel; be subordinate to and serve such principal use; be subordinate in area, extent, and purpose to such principal use; and contribute to the comfort, convenience, or necessity of users of such principal use.

The following uses shall be allowed only when a principal use has already been established on the parcel:

- 909.03.01 Accessory Uses and Buildings
- 909.03.02 Home Occupations, in compliance with Section 16, of these Regulations.
- 909.03.03 Temporary Uses, in compliance with Section 15 of these Regulations.

909.04 Conditional Uses

The following uses are permitted, upon approval of a CUP by the BoA, in accordance with Section 14, of these Regulations: (Any uses that should be added or removed from this list?)

- 909.04.01 Animal shelter
- 909.04.02 Cemeteries, mausoleums, columbariums (Remove?) Comments received from ZAP: Columbariums should continue to be permitted uses where associated with religious organizations such as the Episcopal Cathedral. Keep.
- 909.04.03 Correctional facility
- 909.04.04 Fuel tank farm
- 909.04.05 Motor vehicle wrecking facility
- 909.04.06 Outdoor entertainment, sports and recreation

909.05 Minimum Lot Area

There is no minimum lot area. Comments received from ZAP: Lot sizes for single-family residences should be limited to 0.5-1.0 acre. Small businesses, small strip malls, apartments/condominiums should be limited to a minimum of 5 acres., with ½ left for open space (including parking lots?).

909.06 Maximum Lot Coverage

No maximum.

909.07 Minimum Setbacks

Front: Fifteen (15) feet.

Rear: No minimum, unless abutting a residential zone and then the minimum setback is fifteen (15) feet.

Side: No minimum, unless abutting a residential zone and then the minimum setback is fifteen (15) feet.

909.08 Encroachments (Setbacks)

Utility distribution lines and related equipment may be located with a required setback.

909.09 Building Height

Maximum building height: sixty (60) feet.

Height limitations do not apply to the following: spires, belfries, cupolas, chimneys, water tanks, elevator housings, solar energy systems, streetlights, and utility poles.

909.10 Street Standards

Construction of streets shall be in accordance with the adopted City of Helena “Engineering and Design Standards”.

Comments received from ZAP: City standards always means annexation; this is the equivalent of saying that “the purple can only be developed on City services, thus annexation is required.” This is a subdivision regulation and shouldn’t be under zoning. City requires 600-foot block length, Complete Streets components, and right-of-way (County uses “public access and utility easements).

909.11 Parking Standards

The minimum number of off-street parking spaces required for each land use can be found in Section 912.03.01

909.12 Lighting Standards

All outdoor electrical lighting shall be installed in conformance with the lighting standards found in Section 913.

910 PLI

910.01 Intent

The PLI (Public Lands and Institutions) Zone provides for and applies only to public and quasi-public institutional uses and lands, and recreational, educational, and public service activities for the general benefit of the citizens of the City.

910.02 Principal Uses

The following principal uses are allowable in the PLI Zone: **(Any uses that should be added or removed from this list?)**

910.02.01 Administrative government agency

910.02.02 Agriculture, apiculture, forestry, horticulture, silviculture **(Remove any?)** **Comments received from ZAP: Probably should be removed.**

910.02.03 Animal shelter

910.02.04 Carnivals and circuses

910.02.05 Community center

910.02.06 Community cultural facility

910.02.07 Community residential facility, Type II (13 or more residents)

910.02.08 Day care, adult (up to 12 adults)

910.02.09 Day care center (13 or more individuals)

910.02.10 Educational facility (Higher Education)

910.02.11 Educational facility (K-12)

910.02.12 Health care facility

910.02.13 Instructional facility

- 910.02.14 On-site construction office
- 910.02.15 Open space
- 910.02.16 Outdoor concerts and theatrical performances
- 910.02.17 Outdoor entertainment, sports, and recreation
- 910.02.18 Parking lot
- 910.02.19 Parking structure
- 910.02.20 Parks/playgrounds
- 910.02.21 Public safety facility
- 910.02.22 Trails
- 910.02.23 Utility, distributed power
- 910.02.24 Utility, major
- 910.02.25 Utility, minor
- 910.02.26 Worship facility

910.03 Accessory Uses

Each permitted accessory use shall be customarily incidental to the principal use established on the same parcel; be subordinate to and serve such principal use; be subordinate in area, extent, and purpose to such principal use; and contribute to the comfort, convenience, or necessity of users of such principal use.

The following uses shall be allowed only when a principal use has already been established on the parcel:

- 910.03.01 Accessory Uses and Buildings
- 910.03.02 Temporary Uses, in compliance with Section 15 of these Regulations.

910.04 Conditional Uses

The following uses are permitted, upon approval of a CUP by the BoA, in accordance with Section 14, of these Regulations: Any uses that should be added or removed from this list?

- 910.04.01 Bus terminal
- 910.04.02 Cemeteries, mausoleums, columbariums (Remove?) Comments received from ZAP: Columbariums should continue to be permitted uses where associated with religious organizations such as the Episcopal Cathedral.
- 910.04.03 Correctional facility
- 910.04.04 Emergency shelter
- 910.04.05 Pre-release center

910.05 Minimum Lot Area

There is no minimum lot area. Small businesses, small strip malls, apartments/condominiums should be limited to a minimum of 5 acres., with ½ left for open space (including parking lots?).

901.06 Maximum Lot Coverage

No maximum.

- 910.07 Minimum Setbacks
 Front: No minimum.
 Rear: No minimum, unless abutting a residential zone and then the minimum setback is fifteen (15) feet.
 Side: No minimum, unless abutting a residential zone and then the minimum setback is fifteen (15) feet.
- 910.08 Encroachments (Setbacks)
 Utility distribution lines and related equipment may be located with a required setback.
- 910.09 Building Height
 Maximum building height: sixty (60) feet.

 Height limitations do not apply to the following: spires, belfries, cupolas, chimneys, water tanks, elevator housings, solar energy systems, streetlights, and utility poles.
- 910.10 Street Standards
 Construction of streets shall be in accordance with the adopted City of Helena "Engineering and Design Standards".
- Comments received from ZAP: City standards always means annexation; this is the equivalent of saying that "the purple can only be developed on City services, thus annexation is required." This is a subdivision regulation and shouldn't be under zoning. City requires 600-foot block length, Complete Streets components, and right-of-way (County uses "public access and utility easements).
- 910.11 Parking Standards
 The minimum number of off-street parking spaces required for each land use can be found in Section 912.03.01
- 910.12 Lighting Standards
 All outdoor electrical lighting shall be installed in conformance with the lighting standards found in Section 913.

Renumber 912 and 913 Airport zoning removed.

- 912 Parking Standards (Any specific feedback regarding the Parking Standards Section?)

Comments received from ZAP: Disagree with using City parking requirements. Too auto-centric. Prefer maximums, not minimum. Not fully fleshed out. Excessive parking requirements that increase development costs (if possible, incorporate some form-based zoning concepts). Define off-street parking. Does it include a garage and driveway or other?

- 912.01 Intent of Off-street Parking Requirements
 The intent of these parking requirements is to ensure that a reasonable amount of off-street parking is created for development and to lessen hazardous conditions on streets. The intent of this Section is further defined by these objectives for parking:

- 912.01.01 Ensure adequate bicycle parking and increase the number of walking and biking trips used for travel between buildings and uses.
- 912.01.02 Encourage infill development and pedestrian activity.
- 912.01.03 Reduce the emission of greenhouse gases from the driving of internal combustion engine powered vehicles that have an impact on climate change.

912.02 Definition

For purposes of this Section, the following term and its derivations shall have the meaning given herein:

Housing for Older Persons: Dwelling units operated under any State or federal program that are specifically designed and operated for elderly persons or any dwelling unit that is operated for occupancy by at least one person fifty-five (55) years of age or older per unit in at least eighty percent (80%) of the occupied units and adheres to a policy that demonstrates intent to house persons fifty-five (55) or older.

912.03 Minimum Number of Off-street Parking Spaces Required **All uses need to be included**

- 912.03.01 The minimum number of off-street parking spaces required for each land use, unless parking reductions are allowed. All calculations are rounded up to the nearest whole number.

Land Use		Parking Requirement
Residential uses:		
	Boarding/rooming house, 1 – 3 residents	1 space/room for rent plus 2 additional spaces if part of building is used as a single-dwelling unit
	Boarding/rooming house, 4 – 20 residents	1 space/room for rent plus 2 additional spaces if part of building is used as a single-dwelling unit
	Community residential facility, type I, 1 – 12 residents	1 space for each 3 sleeping area rooms
	Community residential facility, type II, 13 or more residents	1 space for each 3 sleeping area rooms
	Mobile home park	2 spaces/dwelling unit
	Residence, single-dwelling unit	2 spaces/dwelling unit
	Residence, two-dwelling units	2 spaces/dwelling unit
	Residence, multiple-dwelling units (3 or more units):	1 space/dwelling unit
	Housing for older persons	1 space/dwelling unit
Nonresidential uses:		
	Agricultural uses:	

	Horticulture	None required
Community services/uses:		
	Administrative government agency	3.0 spaces/1,000 sq. ft. g.f.a.
	Animal shelter	2.79 spaces/1,000 sq. ft. g.f.a.
	Community center	4 spaces/1,000 sq. ft. g.f.a.
	Community cultural facility	2 spaces/1,000 sq. ft. g.f.a.
	Correctional facility	3 spaces/1,000 sq. ft. g.f.a.
	Prerelease center	3 spaces/1,000 sq. ft. g.f.a.
	Public safety facility	3 spaces/1,000 sq. ft. g.f.a.
	Worship facility	0.25 space/seat
Education:		
	Higher education	0.31 space/student
	Instructional facility	0.31 space/student
	K – 12:	
	Elementary/middle school	0.12 space/student
	High school	0.31 space/student
Food and beverage sales:		
	Casino	14 spaces/1,000 sq. ft. g.f.a.
	Restaurant	14 spaces/1,000 sq. ft. g.f.a.
	Restaurant, drive-in:	
	21 or more seats	14 spaces/1,000 sq. ft. g.f.a.
	Less than 21 seats	0.5 space/seat
	Specialized food production:	
	Area used for on site consumption	14 spaces/1,000 sq. ft. g.f.a.
	Manufacturing/production area	1.19 spaces/1,000 sq. ft. g.f.a.
	Tavern	14 spaces/1,000 sq. ft. g.f.a.
Healthcare:		
	Healthcare center	4.11 spaces/1,000 sq. ft. g.f.a.
	Healthcare facility	1.8 spaces/bed
Industrial/manufacturing:		
	Contractor yard	0.5 space/1,000 sq. ft. g.f.a.; no less than 1 on site space must be provided
	Industrial, heavy	1.19 spaces/1,000 sq. ft. g.f.a.
	Industrial, light	1.19 spaces/1,000 sq. ft. g.f.a.

	Industrial park	1.19 spaces/1,000 sq. ft. g.f.a.
	Junkyard	1.19 spaces/1,000 sq. ft. g.f.a.
	Motor vehicle wrecking facility	1.19 spaces/1,000 sq. ft. g.f.a.
Overnight accommodations:		
	Bed and breakfast	0.89 space/room plus 1 space/dwelling unit
	Campground/RV park	1 space/RV or tent space
	Country inn	0.89 space/room plus 1 space/dwelling unit
	Emergency shelter	1 space/3 rooms
	Hotel/motel	0.89 space/room
Recreation, indoor:		
	Indoor entertainment, sports and recreation:	4.37 spaces/1,000 sq. ft. g.f.a.
	Theaters for movies and performing arts	0.25 space/seat
Recreation, outdoor:		
	Open space	None required
	Outdoor entertainment, sports and recreation	0.25 space/seat
	Parks/playgrounds	None required
Rental and repair:		
	General repair	1.19 spaces/1,000 sq. ft. g.f.a.
	Large equipment rental	2.92 spaces/1,000 sq. ft. g.f.a.
	Small equipment rental	2.92 spaces/1,000 sq. ft. g.f.a.
Sales:		
	Agriculture supply sales	2.1 spaces/1,000 sq. ft. g.f.a.
	Auction sales	2.1 spaces/1,000 sq. ft. g.f.a.
	Construction material sales	3.29 spaces/1,000 sq. ft. g.f.a.
	General/specialty sales:	3 spaces/1,000 sq. ft. g.f.a.
	Furniture/carpet/appliance store	1 space/1,000 sq. ft. g.f.a.
	Grocery store	3 spaces/1,000 sq. ft. g.f.a.
	Machinery sales	1.5 spaces/1,000 sq. ft. g.f.a.
	Manufactured housing sales	2.1 spaces/1,000 sq. ft. g.f.a.
	Sexually oriented business	3 spaces/1,000 sq. ft. g.f.a.
	Shopping center	3 spaces/1,000 sq. ft. g.f.a.
Services:		

	Administrative services	3 spaces/1,000 sq. ft. g.f.a.
	Artisan shop	1.19 spaces/1,000 sq. ft. g.f.a.
	Commercial kennel	1.19 spaces/1,000 sq. ft. g.f.a.
	Crematorium	1.19 spaces/1,000 sq. ft. g.f.a.
	Daycare, adult (up to 12)	3 spaces/1,000 sq. ft. g.f.a.
	Daycare center (13 or more children)	3 spaces/1,000 sq. ft. g.f.a.
	Daycare, family	None required
	Daycare, group	3 spaces/1,000 sq. ft. g.f.a.
	Financial services	3 spaces/1,000 sq. ft. g.f.a.; stacking lanes for each drive up and ATM do not count toward the on site parking requirement
	Funeral home	0.25 space/seat
	General/professional services	3 spaces/1,000 sq. ft. g.f.a.
	Veterinary clinic, large or small animals	3 spaces/1,000 sq. ft. g.f.a.
	Storage:	
	Agricultural commodity storage facility	0.5 space/1,000 sq. ft. g.f.a.
	Fuel tank farm	0.5 space/1,000 sq. ft. g.f.a.
	Ministorage facility	0.5 space/1,000 sq. ft. g.f.a.
	Warehouse	0.5 space/1,000 sq. ft. g.f.a.
	Transportation:	
	Airport	None required
	Bus terminal:	
	Office space	3.0 spaces/1,000 sq. ft. g.f.a.
	Storage	0.5 space/1,000 sq. ft. g.f.a.
	Freight terminal	0.5 space/1,000 sq. ft. g.f.a.
	Parking lot	n/a
	Parking structure	n/a
	Railroad yard	1.19 spaces/1,000 sq. ft. g.f.a.
	Utilities:	
	Composting	1.19 spaces/1,000 sq. ft. g.f.a.
	Recycling	1.19 spaces/1,000 sq. ft. g.f.a.
	Utility, distributed power	1.19 spaces/1,000 sq. ft. g.f.a.
	Utility, major	1.19 spaces/1,000 sq. ft. g.f.a.
	Utility, minor	1.19 spaces/1,000 sq. ft. g.f.a.

	Vehicle trade and service:	
	Vehicle fuel sales:	2.1 spaces/1,000 sq. ft. g.f.a.
	If combined with convenience store	3 spaces/1,000 sq. ft. g.f.a.
	Vehicle repair	2.1 spaces/1,000 sq. ft. g.f.a.
	Vehicle sales and rental	1 space/1,000 sq. ft. g.f.a.
	Vehicle services	1 space/1,000 sq. ft. g.f.a.

912.03.02 For uses not specifically provided for in this Section, the Zoning Administrator may determine the minimum number of parking spaces required, using as a guide the listed use which most closely resembles the use proposed.

912.04 ADA Accessible Parking

912.04.01 Accessible parking spaces must be provided, located, designed, and signed according to the federal Americans with Disabilities Act (ADA) and the regulations and ADA accessibility guidelines promulgated by the United States Department of Justice.

912.04.02 The required number of off-street parking spaces may be reduced to accommodate changes in the number of accessible parking spaces to comply with the federal Americans with Disabilities Act, Americans with Disabilities Act Amendment Act, and the regulations and ADA accessibility guidelines promulgated by the United States Department of Justice. A variance is not required if this change reduces the number of off-street parking spaces below the minimum off-street parking requirement.

912.05 Off-street Parking Design Standards

912.05.01 Off street parking spaces must be at least nine (9) feet wide and twenty (20) feet long, exclusive of access drives, rights-of-way, or ramps for all uses, except for tracts with only a single-dwelling unit residence, two-dwelling unit residence, or three-dwelling unit residence.

912.05.02 All off-street parking spaces and access areas must be improved with a minimum of two (2) inches of asphalt concrete paving on a suitable base, or comparable section of portland cement concrete, or textured concrete with colored aggregate, pavers, or other suitable material which may include permeable alternatives, in accordance with specifications established by City of Helena engineering design standards. Required off-street parking must be completed prior to the occupancy of the building.

912.06 Non-conforming Parking

- 912.06.01 Any lot, parcel, or tract, or use of a lot, parcel, or tract, which on the effective date of this Section, or any amendment hereto, is nonconforming as to compliance with the parking required under this Section, the amount and location of parking on the lot, parcel, or tract, may be continued in the same manner as if it were conforming.
- 912.06.02 Except for existing single-dwelling unit residences, the parking requirements of this Section apply to the lot, parcel, or tract when the off-street parking is reconstructed or changed, or if the gross floor area of any building on the lot, parcel, or tract is increased by more than twenty-five (25%) percent.

912.07 Off-site and Shared Parking

- 912.07.01 Required off-street parking must be located on the same lot, parcel, tract, or combination of lots, parcels, or tracts under a common ownership and used for a common purpose, except as otherwise provided in this Section.
- 912.07.02 Required off-street parking for buildings and uses located in the B-1, B-2, CLM, M-I, and PLI Zones may be located within seven hundred (700) feet of the buildings and uses, as measured along a straight line between the two (2) nearest points of the building containing the main use and the off-site parking use.
- 912.07.03 The Zoning Administrator may authorize the shared use of off-street parking areas by different buildings and uses, if the following conditions are met:



- 912.07.03.01 The uses do not have similar operating hours or other conflicting demands;
- 912.07.03.02 The buildings must be located within seven hundred (700) feet of the shared off-street parking area, as measured by a straight line between the two (2) nearest points of the building containing the use and the lot, parcel, or tract containing the parking area; and
- 912.07.03.03 Adequate pedestrian access between the parking lot and the use is provided.

912.08 Pedestrian Access and Bicycle Space Requirements

- 912.08.01 Pedestrian pathways must be located through parking areas to provide the shortest feasible connection from the parking area to building entryways, public sidewalks, and transit stops. Pedestrian pathways in and through parking areas must be designed and constructed to meet the following criteria:
 - 912.08.01.01 Limit conflict between pedestrians and vehicular traffic;

- 912.08.01.02 Be clearly delineated using techniques such as contrasting textured or colored material, striping, segregation of pathway from vehicle travel lanes, and raised pathway surfaces; and
- 912.08.01.03 Must be a minimum of five (5) feet wide.

912.08.02 Vehicle stops or curbing must be installed in parking lots where necessary to prevent vehicles from encroaching over sidewalks, pedestrian pathways, entryway areas, driveways, streets, alleys, or more than two (2) feet into landscaped areas.

912.08.03 Parking lots that have ten (10) or more parking spaces must provide three (3) bicycle spaces within fifty (50) feet of a main building entryway. Parking lots that have fifty (50) or more parking spaces must provide additional secure bicycle parking equal to five (5%) percent of the total number of parking spaces in excess of ten (10). Bicycle spaces must hold a bike upright, allow for securing the bicycle to an immovable object, and not conflict with pedestrian and vehicle traffic.

912.09 Parking Space Reductions

A reduction in the minimum required number of off-street parking spaces is permitted in this Section. Parking space reductions under this Section may not exceed fifty (50%) percent of the minimum off-street requirement, except as provided in subsection 912.09.01.04 of this Section. Required off-street parking spaces may be reduced as follows:

912.09.01 Nonresidential uses:



912.09.01.01 On-street parking spaces may satisfy the off-street parking requirements, on a one for one basis, for each legal on-street parking space on a public street right-of-way that is immediately adjacent to the property containing the use. Each uninterrupted twenty (20) linear feet in the portion of the public street designated for public parking of vehicles located within imaginary extensions of the property boundaries onto the street is one parking space. If the boundary extensions intersect any continuous twenty (20) foot length used to determine a parking space, that intersected portion is considered one parking space, regardless of size. Recognition of this space does not create a property interest in the on-street parking and does not guarantee permanent availability of that space within public right-of-way.

912.09.01.02 For every two (2) bicycle spaces on the property above the number required for the minimum bicycle space requirements, one required off-street parking space requirement is satisfied. The maximum reduction allowed under this subsection is twenty

(20%) percent of the minimum off-street parking spaces required. This reduction cannot reduce the number of required accessible parking spaces. Bicycle spaces must hold a bike upright, allow for securing the bicycle to an immovable object, be clearly visible, provide shelter from weather elements, and not conflict with pedestrian and vehicle traffic.

912.09.01.03 Worship facilities may reduce on-site parking requirements by ninety (90%) percent if the applicant shows the required number of parking spaces can be met by other private or public parking spaces located within one thousand (1000) feet of the property. The applicant must demonstrate that these off-site spaces are primarily used during noncompeting operating hours and there are pedestrian facilities to connect the off-site parking to the property.

912.09.01 Single-, two- and multiple-dwelling unit residential uses:

For residential uses containing a single-dwelling unit or a two-dwelling unit located in any zoning district; or a multiple-dwelling unit located within an R-3, R-4, R-O, B-1, or B-2 Zone, on-street parking spaces may satisfy the off-street parking requirements, on a one for one basis, for each legal on-street parking space on a public street right-of-way that is immediately adjacent to the property containing the use. Each uninterrupted twenty (20) linear feet in the portion of the public street designated for public parking of vehicles located within imaginary extensions of the property boundaries onto the street is one parking space. If the boundary extensions intersect any continuous twenty (20) foot length used to determine a parking space, that intersected portion is considered one parking space, regardless of size.

913 Lighting Standards (Any specific feedback regarding the Lighting Standards Section?)

Comments received from ZAP: Not fully fleshed out; Is wording like downward facing directive lighting implicitly understood in the presented descriptions? Remove lighting section.

913.01 Definitions

Words and phrases used in this Section, unless the context clearly indicates otherwise, mean as follows:

Commercial: Property or structure thereon that is used for any purpose other than residential.

Direct Glare Source: Light that originates in a direct line of sight from a light source that results in objectionable glare.

Existing Street Lighting: Those streetlight fixtures in operation as of March 1, 2000.

Fixture: The assembly that holds the lamp in a lighting system. It includes the elements designed to give light output control, such as a reflector (mirror) or refractor (lens), the ballast housing, and the attachment parts.

Historic Streetlight: Streetlight fixtures manufactured before January 1, 1950.

Horizontal Cutoff: Fixtures that are designed in such a manner that light rays emitted by the fixture, either directly from the lamp, lens, or housing, are only projected below a horizontal plane running through the lowest point on the light source.

Light Source: Artificial light emitted directly from a fixture lamp, lens, or mirror. Light which is reflected after leaving the fixture does not constitute a light source.

Light Trespass: Any form of artificial illumination emanating from a light fixture that penetrates other property and creates a direct glare source that exceeds one-half (1/2) foot-candles in a vertical plane at the subject property line. **Comments received from ZAP: Light trespass standard is overly strict allowing only 0.5-foot candles of light onto neighboring property, and should be rewritten or the 0.5-foot candles increased to 2 or 3-foot candles; 0.5-foot candles is unnecessary street light screening, as it is not bright enough to create a problem (3 to 4-foot candles is preferred).**

Residential: A property or structure containing less than five (5) dwelling units that is used primarily as a dwelling place.

Streetlight: An outdoor light fixture located within a public right of way irrespective of ownership.

913.02

Residential Lighting

913.02.01 Except as further provided, an exterior residential light fixture installed or replaced after March 1, 2000, must use a horizontal cutoff. This requirement does not apply to any exterior residential lighting fixture producing two thousand eight hundred fifty (2,850) average lumens (equivalent of a 150-watt incandescent bulb) or less. **Comments received from ZAP: This allows a neighboring resident to create light trespass not allowed for streetlights.**

913.02.02 Exterior residential lighting may not result in light trespass on adjacent property.

913.02.03 The height of an exterior residential light fixture may not exceed the structure height permitted in the zone wherein the fixture is located.

913.03

Commercial Lighting

913.03.01 Commercial lighting installed after March 1, 2000, must use a horizontal cutoff. Commercial lighting installed prior to March 1, 2000, may not be used without a horizontal cutoff after January 1, 2010.

- 913.03.02 A commercial lighting fixture attached to a pole may not exceed a height of thirty-four (34) feet from the ground to the bottom of the fixture. The fixture height must be brought into conformance at the time of the replacement of the pole.
- 913.03.03 The light source in a commercial fixture may not emit an illumination of more than thirty (30) candle feet as measured three (3) feet above ground level at any point underneath the fixture.
- 913.03.04 Exterior commercial lighting may not result in light trespass on adjacent property.
- 913.03.05 The requirements for commercial lights using a horizontal cutoff do not apply to:
 - 913.03.05.01 Fixtures producing two thousand eight hundred fifty (2,850) average lumens (equivalent of a 150-watt incandescent bulb) or less; and
 - 913.03.05.02 Sign lighting.
- 913.03.06 The height of an exterior commercial light fixture may not exceed the structure height permitted in the zone wherein the fixture is located.

913.04

Feature Lighting

Monuments, natural terrestrial features, and buildings may be illuminated by upward directed light, providing:

- 913.04.01 The light beam is narrowly focused so as not to exceed the width and height upon the object being illuminated;
- 913.04.02 The light is directed on the feature being lit and not directly upwards; and
- 913.04.03 The illumination does not constitute a trespass or glare that is objectionable to neighboring properties.

913.05

American Flag Illumination

The American flag may be illuminated by upward directed light that is focused only onto the flag and by a light source that does not exceed two hundred sixty-five thousand (265,000) mean lumens.

913.06

Construction Sites

The Zoning Administrator may grant temporary exemptions from the provisions of this Section for lighting of construction sites, including night security during construction, upon consideration of a lighting mitigation plan submitted by the owner of the construction site or the owner's representative. Criteria for approval include duration, number, location, and height of each light source, and hours of operation.

913.07

Exemptions

The following types of lighting are exempt from the provisions of this Section:

- 913.07.01 Temporary Lighting for Events: Temporary lighting for circuses, carnivals, fairs and other events that does not constitute a light trespass to neighboring property is exempt from this Section during the duration of the event.
- 913.07.02 Seasonal Lighting: Seasonal lighting used for the celebration of commonly acknowledged holidays and special events, so long as it does not constitute a light trespass.
- 913.07.03 Airport and Emergency Lighting: Lighting for runways at airports, illumination of towers and other tall structures for aircraft warnings and other aeronautical lighting is exempt from this Section. Lights used during emergencies or by police, fire, public works and public utility personnel in their official duties are exempt from this Section.
- 913.07.04 Public Recreational Lighting: Public recreational lighting.
- 913.08 Street Lighting; Standard
 - 913.08.01 Light Configuration: All street lighting must be configured with a horizontal cutoff, and positioned so as to minimize any objectionable direct glare source and not create light trespass.
 - 913.08.02 Bulb Type: Mercury vapor bulbs or lamps may not be used in streetlights.
- 913.09 Nonconformance
 - 913.09.01 All existing street lighting fixtures not otherwise exempt that are in violation of this Section are permitted as nonconforming street lighting until fixtures are replaced. Any replacement of a fixture on a nonconforming streetlight must comply with this Section. Historic streetlights may be repaired or replaced with nonconforming fixtures without losing nonconforming status.
- 913.10 Exempt Fixtures
 - 913.10.01 Traffic signals and other traffic safety and control devices are exempt from the requirements of this Section.
 - 913.10.02 Historic streetlights are exempt from the requirements of this Section. Historic street lighting must, to the extent possible, utilize and orient the lighting so as to accommodate the aesthetic values of the surrounding area while minimizing light trespass.
 - 913.10.03 Low amperage decorative lighting used to illuminate pedestrian pathways and walking malls are exempt from the requirements of this Section.
- 913.11 Prohibitions
The installation of any mercury vapor light fixture, lamp or replacement bulb for use as an outdoor light is prohibited. Mercury vapor lamps in use for outdoor lighting for

residential, commercial or municipal uses on February 23, 2000, may not be used after January 1, 2010.

Areas with Floodway/Zone A will have rural densities per the Growth Policy.

DRAFT