

TABLE OF CONTENTS – WORKING DRAFT

Title 17 - Zoning Code

The following table of contents outlines proposed elements of a revised Title 17 Zoning Code for Butte-Silver Bow. Contents are organized to reflect the proposed format and flow of the new code, with the middle column illustrating where content within the existing Title 17 Zoning Code will be brought under this new format. It is expected that existing content will be modified as part of the update process. The proposed framework is also expected to evolve in the coming months, as drafting of the new code begins. Therefore, the table of contents below should be considered a working draft that is in process; nothing is finalized and everything remains subject to change.

PROPOSED TABLE OF CONTENTS	EXISTING TITLE 17 CONTENT	COMMENTS
I. General Provisions	Chapter 17.02 - General Provisions	Revised chapter, revised and new content
A. Title	17.02.010 - Title.	
B. Authority		
C. Purpose and Relationship to the Comprehensive Plan	17.02.020 - Interpretation, purpose and conflict.	
D. Interpretation and Rules of Construction	17.36.020 - Additional uses subject to board of adjustment determination.	
E. Official Zoning Map	17.06.020 - Districts established. 17.06.030 - Zoning map adopted.	
F. Errors and Omissions		
G. Severability		
H. Effective Date		
II. Applicability and Conformity		New chapter, new and revised content
A. Jurisdiction		
B. Compliance Required	17.36.010 - Conformance required.	
C. Prior Actions and Penalties		
D. Uniformity within Districts		
E. Conformity with Other Laws	17.02.020 - Interpretation, purpose and conflict.	

F. Application of Deed Restrictions		
G. Vested Development Rights		
H. Transitional Rules		
I. Applications in Process	17.56.060 - Plans to accompany applications 17.56.070 - Commencement of construction. 17.56.080 - Demolition.	
J. Approved Site-Specific Plans		
K. Unexpired Permits		
L. Legacy Districts		
M. Nonconformities		Cross-reference to non-conformities chapter
III. Zoning Districts	Chapter 17.06 - Districts, Boundaries, and Map	Revised chapter, new and revised content
A. Types of Zoning Districts		Base district, overlay district, legacy district, etc.
B. Zoning Districts Established	17.06.040 - Determination of boundaries.	
1. Open Space Conservation	Chapter 17.21 - OS-C Conservation Open Space Zoning District	
2. Open Space Developable	Chapter 17.22 - OS-D Developable Open Space Zoning District	
3. Working Lands		
4. Rural Residential	Chapter 17.35 - Ramsay Zoning	
5. Rural Center	Chapter 17.20 - R-C Rural Center Zone Chapter 17.31 - RM-2 Rural Industrial Zone Chapter 17.35 - Ramsay Zoning	
6. Suburban Residential	Chapter 17.08 - R1-S ONE-Family Suburban Residence Zone Chapter 17.18 - R4-S Manufactured Home Suburban Zone Chapter 17.35 - Ramsay Zoning	

7. Detached Residential	Chapter 17.08 - R1-S ONE-Family Suburban Residence Zone Chapter 17.10 - R-1 One-Family Residence Zone Chapter 17.16 - R-4 Manufactured Home Zone Chapter 17.35 - Ramsay Zoning	
8. Attached Residential	Chapter 17.12 - R-2 Two-Family Residence Zone	
9. Mixed Residential	Chapter 17.14 - R-3 Multi-Family Residence Zone	
10. Local Commercial	Chapter 17.23 - Local Commercial Zone Chapter 17.35 - Ramsay Zoning	
11. Contemporary Neighborhood Overlay		
12. Traditional Neighborhood Overlay		
13. Transportation Gateway Overlay		
14. Commercial Corridor	Chapter 17.24 - C-2 Community Commercial Zone Chapter 17.27 - C-M Commercial And Light Industrial Zone	
15. Uptown Neighborhood		
16. Live Make Neighborhood		
17. Uptown Core	Chapter 17.26 - C-3 Central Commercial Zone	
18. Uptown Edge		
19. Light Industrial	Chapter 17.28 - M-1 Light Industrial Zone Chapter 17.31 - RM-2 Rural Industrial Zone	
20. Heavy Industrial	Chapter 17.30 - M-2 Heavy Industrial Zone	

21. Campus and Institutional	Chapter 17.32 - E-1 Public College Zone	
22. Airport	Chapter 17.34 - Airport Zoning	
C. Dimensional Standards Table		Pull in all lot area, coverage, yard, setback, bulk and dimensional, and height standards from the established zones, to reflect in a comprehensive table.
D. Use-Regulations		
1. Determination of a Use Category		
2. Determination of Principal Uses		
3. Interpreting the Table of Uses		
4. Table of Use	17.44.020 - Permitted uses in certain zones.	Pull in all permitted and conditional uses from the established zones, to reflect in a comprehensive table.
IV. Building Types		New chapter, new content
A. Building Types Defined		Potential building types to consider: detached house, cottage, duplex (duplex, single frontage), tri-plex, quad-plex, townhouse, multiplex (small/large), apartment, neighborhood shopfront, mixed-use center, drive-through, civic, distribution and storage, all-purpose
B. Building Types Allowed by District		
C. Building Elements		
V. Use Specific Conditions		New chapter, new and revised content
A. Purpose and Applicability		
B. Agricultural Uses		
C. Residential Uses	17.36.080 - Mobile homes. Chapter 17.37 - Manufactured Homes' Parks and Individual Manufactured Homes	

	17.38.255 - Townhouse complexes. Chapter 17.44 - Home Occupations	
D. Civic, Institutional, and Cultural Uses	17.38.210 - Public and private nonprofit schools. 17.38.220 - Private schools operated for profit. 17.38.230 - Churches and convents. 17.38.240 - Public service and utility buildings.	
E. Commercial and Business Uses	17.38.250 - Professional and business offices. 17.38.252 - Child day care centers.	
F. Industrial Uses	17.36.060 - Recovery and use of mineral resources.	
G. Park, Recreation, and Open Space Uses	17.36.030 - Open space. 17.38.200 - Public owned playgrounds and park lands including park buildings and concessions.	
H. Accessory Uses	17.36.090 - Solar collectors, satellite dish antennas and similar accessory structures.	
I. Temporary Uses	17.38.270 - Temporary uses—Definitions. 17.38.280 - Temporary uses—Exemptions. 17.38.290 - Temporary uses—Permitted uses. 17.38.300 - Temporary uses—Facility and site. 17.38.310 - Temporary uses—Parking facilities. 17.38.320 - Temporary uses—Signs. 17.38.330 - Temporary uses—Conformance.	

VI. General Regulations	Chapter 17.36 - General Regulations	Revised chapter, new and revised content
A. Rules of Measurement		
B. Lots and Blocks		
1. Erection of Structures Only on Lots of Record		
2. Principal Buildings Limited		
3. Reduction of Lot and Development Site Limited		
4. Lot Area Coverage		Lot depth/width ratio
5. Setbacks		Establishing front, rear, side yard, corner setbacks
6. Street Frontage	17.36.050 - Street frontage required.	Build-to lines established
7. Permitted Encroachments		
8. Site Preparation and Modifications Limited		
9. Yard and Open Space Calculations		
C. Transportation and Mobility		
1. Street Classifications		
2. Lot Access and Limitations		Driveway requirements, alleys, orientation
3. Clear Sight Distance	17.36.040 - Vision clearance triangle—Corner lot. 17.36.041 - Vision clearance triangle—Driveways and alleys.	
4. Improvements Required		
D. Regulation of Certain Public Nuisances		
1. Utilities and Equipment	17.36.070 - Utility structures.	Air conditioning unit placement and screening requirements
2. Odor, Noise, Vibration, and Dust	17.36.060 - Recovery and use of mineral resources. 17.38.010 - Emission of hazardous or offensive substances.	

	17.38.020 - Air, water and soil pollution.	
VII. Parking and Loading	Chapter 17.40 - Off-Street Loading And Parking	Revised chapter, new and revised content
A. General Parking Standards	<p>17.40.020 - Off-street parking—Building enlargement.</p> <p>17.40.040 - Off-street parking—Access/ownership.</p> <p>17.40.050 - Off-street parking—Residential encroachment.</p> <p>17.40.070 - Off-street parking—Uses not mentioned in this title.</p> <p>17.40.080 - Off-street parking—Mixed occupancies.</p> <p>17.40.600 - Cash in lieu of parking.</p> <p>17.40.800 - Off-street parking—Completion bond required.</p> <p>17.40.810 - Off-street parking—Completion bond not required.</p> <p>17.40.820 - Bonding—Cost figure.</p> <p>17.40.830 - Bonding—Form.</p> <p>17.40.840 - Off-street parking—Improvement time.</p> <p>17.40.850 - Off-street parking—Failure to complete.</p>	
B. Off Street Vehicle Parking Required	<p>17.40.010 - Off-street parking and loading—Space required.</p> <p>17.40.920 - Off-street parking—Number of employees.</p> <p>17.40.940 - Off-street parking—Seating.</p>	Include parking maximums in commercial and mixed-use districts

C. Exceptions to Off-Street Parking Requirements	17.40.060 - Off-street parking and loading—Exempted area.	
D. Off-street Vehicle Parking Standards	17.38.045 - Landscaping requirements—Parking lot site development. 17.40.030 - Off-street parking—Location. 17.40.120 - Off-street parking—Compact car parking spaces. 17.40.130 - Off-street parking—Size of parking space. 17.40.200 - Off-street parking—Handicapped requirements. 17.40.300 - Off-street parking—Surface and drainage. 17.40.310 - Off-street parking—Lighting. 17.40.320 - Off-street parking—Curbs. 17.40.330 - Off-street parking—Traffic-control devices. 17.40.340 - Off-street parking—Maintenance. 17.40.350 - Off-street parking—Accesses. 17.40.900 - Off-street parking—Table of minimum standards.	To include parking space/module dimensions, parking lot design, parking structure design, accessible parking re
1. Parking Reductions	17.40.090 - Off-street parking—Ridesharing. 17.40.100 - Off-street parking—Joint use of spaces. 17.40.110 - Off-street parking—Conditions required for joint use.	Incentives that allow for reductions in established parking minimums

2. Overflow, Event, and Temporary Parking		Includes provisions for parking on unpaved surfaces; excess parking
3. Parking for Changes in or Expansions to an Existing Use		
4. Parking and Storage of Other Vehicles Requiring Licenses		
5. Parking and Storage of Non-residential Vehicles in Residential Districts		
6. Parking for Vehicles for Sale		
E. Access Management and Circulation	17.40.350 - Off-street parking—Accesses. 17.40.500 - Off-street loading—Access. 17.40.300 - Off-street parking—Surface and drainage.	
1. Stacking Spaces		
2. Drive-through Design Requirements		
F. Loading Area Requirements	17.40.510 - Off-street loading—Location near residential zone. 17.40.520 - Off-street loading—Size of berth. 17.40.530 - Off-street loading—Parking space. 17.40.540 - Off-street loading—Location within building. 17.40.550 - Off-street loading—Table of minimum standards.	
G. Multi-Modal Facilities		To include bicycle and pedestrian facility requirements, electric vehicle chargin stations, etc.

VIII. Landscaping, Buffers, and Open Space		New chapter, new and revised content
A. Purpose and Applicability	17.38.035 - Landscaping requirements—Intent. 17.38.036 - Landscaping requirements—Zones.	Establish when, where, and what requirements apply (including expansion of use);
B. Landscaping and Maintenance Plan Required	17.38.052 - Landscaping requirements—Maintenance. 17.38.053 - Landscaping requirements—Site plan required. 17.38.054 - Screening—Waste material and excavated soil material. 17.38.055 - Sprinkler system installation requirements. 17.38.060 - Landscaping—Completion bond required. 17.38.061 - Landscaping—Completion bond not required. 17.38.062 - Bonding—Cost figure. 17.38.063 - Bonding—Form. 17.38.064 - Landscaping—Improvement time. 17.38.065 - Landscaping bond life. 17.38.066 - Landscaping—Failure to complete. 17.38.067 - Bonding—Release.	Establish when a site plan is required; maintenance provisions; process for approval (zoning compliance permit)
C. Onsite Landscaping Requirements	17.38.037 - Landscaping requirements—Determination of area. 17.38.041 - Landscaping requirements—New site development. 17.38.042 - Landscaping requirements—Existing site development.	Establish materials required,

	<p>17.38.043 - Landscaping requirements—Undeveloped portions of property.</p> <p>17.38.044 - Landscaping requirements— Commercial or industrial uses in residential zones.</p> <p>17.38.045 - Landscaping requirements—Parking lot site development.</p> <p>17.38.047 - Landscaping requirements—Tree and shrub minimum sizes.</p> <p>17.38.048 - Landscaping requirements—Area of vegetation.</p>	
D. Offsite Landscaping Requirements	<p>17.38.050 - Landscaping requirements— Sidewalk and curb/gutter; front and corner yards.</p> <p>17.38.051 - Landscaping requirements— Boulevards.</p>	
E. Buffers	17.38.046 - Landscaping buffers.	
F. Tree Preservation	17.38.049 - Landscaping requirements—Trees required.	
G. Fences, Walls, and Screening	<p>17.36.042 - Fence height— Residential zones.</p> <p>17.36.043 - Fence height— Sloped lots.</p> <p>17.36.044 - Fence height— Commercial storage areas.</p> <p>17.36.045 - Fence height— Industrial zones.</p> <p>17.36.046 - Barbed wire fences—Commercial and industrial zones.</p> <p>17.36.047 - Barbed wire fences—Residential zones.</p> <p>17.36.048 - Electric fences.</p> <p>17.36.100 - Fences.</p>	Wildlife and construction fencing, earth berms, materials allowed, etc.

	17.38.030 - Screening activities.	
H. Open Space Amenity Requirements	17.36.030 - Open space.	Tie back to parkland dedication in subdivision and identify what types of park and open space amenities can meet the dedication requirement in certain zones.
IX. Urban Design and Other Development Standards	17.38.080 - Other standards as warranted. 17.38.090 - Private sanitary facilities—Lot area requirements. 17.38.100 - Relocation of existing structures and uses. 17.38.110 - Conversions of large residences.	New chapter, new content
A. Purpose and Applicability		
B. Urban Design Standards		
C. Architectural Standards		
D. Historic Preservation Standards	17.36.110 - Historic building.	Integrate guidelines and standards from the Historic Preservation Plan and Ordinance
E. Lighting		
F. Public Realm Design Incentives		Look for guidance and pull in or cross-reference appropriate standards from in Title 12 Streets, Sidewalks, and Public Spaces
X. Signs	Chapter 17.42 - Signs	Revised chapter, new and revised content
Purpose and Applicability	17.42.010 - Purpose. 17.42.020 - Scope.	
Permit Required	17.42.090 - Permit—Application. 17.42.095 - Fees. 17.42.100 - Removal. 17.42.110 - Compliance.	Include signs permitted without a permit

General Provisions	17.42.040 - General provisions. 17.42.070 - Nonconforming signs.	Historic signs, ghost signs
Prohibited Signs		
Temporary Signs		
Sign Types Permitted By District		
Additional Requirements By Sign Type	17.42.050 - On-premises signs. 17.42.055 - Freestanding signs—Development complexes. 17.42.060 - Off-premises signs.	
Sign Design Standards and Measurements	17.42.080 - Construction specifications.	
XI. Environmental Design and Hazard Mitigation		New chapter, new and revised content
A. Cultural Resource Protection	17.36.060 - Recovery and use of mineral resources.	
B. Floodplain Development		Pull in appropriate content and reference Title 18 Floodplain Regulations
C. Grading, Drainage, and Erosion Control	17.38.025 - Stormwater drainage.	
D. Riparian Resource Protections	Chapter 17.47 - Water Channel Management Zone	May consider making this an overlay or performance district
E. Viewshed Protection		
F. Hillside and Ridgeline Development		
G. Wildland Urban Interface (WUI) Site Design		
H. Brownfield Development	17.36.060 - Recovery and use of mineral resources.	
XII. Development Types		New chapter, new and revised content
A. Planned Unit Development	17.38.070 - Planned unit developments in limited zones. Chapter 17.46 - Planned Unit Developments	Procedural content may be moved under this chapter - TBD

	<p>17.46.130 - PUD zone— Requirements generally.</p> <p>17.46.140 - PUD zone— Combined with other zones.</p> <p>17.46.150 - PUD zone— Compliance required.</p> <p>17.46.160 - Permitted and conditional uses.</p> <p>17.46.170 - Density requirements.</p> <p>17.46.180 - Minimum site size.</p>	
B. Cluster Development		
C. Conservation Development		This could be separated from cluster development to protect agricultural resources
D. Manufactured and Mobile Home Parks	<p>17.36.080 - Mobile homes.</p> <p>Chapter 17.37 - Manufactured Homes' Parks and Individual Manufactured Homes</p>	
E. Recreational Vehicle Parks and Campgrounds		
XIII. Administrative Procedures and Processes		New chapter, new and revised content
A. Administrative Roles and Responsibilities	<p>17.06.010 - Zoning commission—Created— Duties.</p> <p>Chapter 17.54 - Board Of Adjustment</p>	Zoning administrator, planning board, board of adjustment, board of County Commissioners
B. General Application Requirements		Complete application required, fees established, burden of proof, public notice and hearing requirements, approvals run with the land, files and recording, etc.
C. Types of Decisions		Organized by type of application/permit, the decision type (administrative, legislative, quasi-judicial), and

		who makes the decision (back to roles and responsibilities)
1. Administrative Decisions		
a. Zoning Compliance Permit		
b. Determination of a Vested Right		
c. Minor Waiver	Chapter 17.50 - Exceptions And Modifications	
d. Building Permit	17.56.030 - Building permit—Certificate of occupancy. 17.56.040 - Permit fees. 17.56.050 - Temporary certificate of occupancy.	
2. Legislative Decisions		
a. Zoning Text Amendment	17.46.020 - Procedure generally.	
b. Zoning Map Amendment	17.46.030 - Preliminary plan—Submittal—Contents.	
a. Planned Unit Development	17.46.040 - Preliminary plan—Referral to agencies for review.	May decide to keep content in under development types - TBD
3. Quasi-judicial Decisions	17.46.050 - Preliminary plan—Public hearing. 17.46.060 - Preliminary plan—Review by commission. 17.46.070 - Preliminary plan—Consideration of deed restriction or covenants. 17.46.080 - Preliminary plan—Approval, denial or recommendation of revision. 17.46.090 - Preliminary plan—Conditions attached upon approval. 17.46.110 - Appeals—Amendments—Final approval—Building permits.	

	17.46.120 - Time limit on completion.	
a. Appeal of Administrative Decision		
b. Variances	Chapter 17.50 - Exceptions And Modifications	
c. Changes in Non-conforming Uses		
d. Conditional or Special Use Permits	<p>17.38.120 - Special or conditional use permit—Intent.</p> <p>17.38.130 - Special or conditional use permit—Initiation.</p> <p>17.38.140 - Special or conditional use permit—Application procedure.</p> <p>17.38.150 - Special or conditional use permit—Criteria for review of applications.</p> <p>17.38.160 - Special or conditional use permit—Decision of board.</p> <p>17.38.170 - Special use permit—Responsibility of applicant.</p> <p>17.38.180 - Special use permit—Uses allowed.</p>	
XIV. Nonconformities		Revised chapter, new and revised content
A. Purpose and Applicability	17.48.010 - Intent.	
B. General Provisions	<p>17.48.060 - Repairs and maintenance.</p> <p>17.48.070 - Cessation of vehicle wrecking facility or junkyard.</p> <p>17.48.080 - Record of nonconformities.</p>	
C. Nonconforming Parcels	17.48.020 - Lots of record.	
D. Nonconforming Uses	17.48.030 - Uses of land.	

	17.48.050 - Uses within structures.	
E. Nonconforming Structures	17.48.040 - Buildings or structures.	
F. Nonconforming Signs	17.42.070 - Nonconforming signs.	
G. Nonconforming Accessory Uses and Structures		
H. Nonconforming Mobile Homes and Mobile Home Parks		
I. Nonconforming Elements		
J. Temporary Nonconformities		
XV. Enforcement and Penalties		Revised chapter, new and revised content
A. Applicability and Authority	17.56.010 - Enforcement authority. 17.56.020 - Zoning officer—Duties.	
B. Types of Violations		
C. Notice of Violation	17.56.110 - Violation—Penalty.	
D. Initiation of Enforcement Action	17.56.100 - Inspections—Notice of noncompliance.	
E. Inspection and Investigation		
F. Voluntary Compliance		
G. Failure to Act		
H. Criminal Prosecution		
I. Types of Remedies		
J. Remedies are Cumulative		
K. Collection of Unpaid Penalties	17.56.110 - Violation—Penalty.	
L. Notice to Other Departments		
XVI. Definitions	Chapter 17.04 - Definitions	Revised chapter, new and revised content
A. Rules for Interpretation	17.04.005 - Interpretation of grammar.	
B. Rules for Words and Phrases		
C. Definitions	17.04.010 through 17.04.540	

	17.42.030 - Definitions.	
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