

**Ordinance No. 599**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIDNEY, MONTANA, AMENDING TITLE 11, CHAPTERS 4-13, ZONING REGULATIONS, OF THE CITY CODE OF THE CITY OF SIDNEY, MONTANA.**

WHEREAS, the City Council of the City of Sidney desires to amend Title 11, Chapters 4-13, Zoning Regulations, to amend Day Care Home allowed in all Residential Zoning Districts R-1 through C-2; and Day Care Center only allowed in Commercial Zoning Districts R-3, C-1, C-2, B-1 through CLM.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS by the City Council of the City of Sidney that Chapters 4-13 of Title 11 of the City Code of the City of Sidney is hereby amended as follows:

- §11.4.40 ALLOWED USES R-1
- §11.5.40 ALLOWED USES R-2
- §11.6.40 ALLOWED USES R-3
- §11.7.50 ALLOWED USES C-1
- §11.8.50 ALLOWED USES C-2
- §11.9.60 ALLOWED USES C-3
- §11.10.40 ALLOWED USES B-1
- §11.11.40 ALLOWED USES B-2
- §11.12.40 ALLOWED USES B-3
- §11.13.40 ALLOWED USES CLM

Day Care Home must be allowed in all residential zoning districts R-1 through C-2.

Day Care Center is only allowed in Commercial Zoning Districts R-3, C-1, C-2, B-1 through CLM.

§11.11.40 ALLOWED USES

Allowed Uses B-2		
Permitted		
Bakery	Home Occupation See Section <b>Error! Reference source not found.</b>	Multi-household Dwellings; Townhomes, Duplexes, & Single Household
Day Care, Home See Section B	Public Parks & Recreation	Barber & Beauty Shops
Professional Office	Florist	Pharmacy

Grocery Store	Funeral Home	Self Service/ Automatic Laundry
Restaurant	Government Buildings, Facilities	Worship Facility
Medical Office	Theatre; No Drive-In	
<b>Conditional</b>		
School	Wireless Communication Facility	Tavern
Electrical substation	Retail Sales and Services	Fire, Police or Public Utility Buildings
Library	School	Bed & Breakfast; See Section <b>Error! Reference source not found..Error! Reference source not found.</b>
Day Care, Center; See Section B	Mini-warehouse storage	Cemeteries
	Assisted Living, >8 Persons Served	

§11.14.40 ALLOWED USES M-1

<b>Allowed Uses M-1</b>		
<b>Permitted</b>		
All Manufacturing and Industrial Uses Not Prohibited by Law	Wholesale Sales	Recycling Center
Rodeo & Fairgrounds	Governmental Buildings, Facilities	Auto, R.V. & Marine Sales and Service
Building Materials Sales, Wholesale	Public Buildings	Automobile Washing
Veterinarian Clinic	Laundry Facilities; Dry Cleaning	Electrical Substation
Mini-warehouse storage	Wireless Communication Facility	Self Service/Automatic Laundry
Repair Services Small Appliances	Automotive & Marine Sales and Service	Agricultural/Industrial Equipment Sales and Service
Tire Sales and Service	Data Mining/Crypto Currency	
<b>Conditional</b>		

Acid Manufacturing	Wholesale Storage or Warehousing of Acids	Asphalt or Concrete Batch Plants
Cement, Lime, Gypsum or Plaster of Paris Manufacturing	Fat Rendering, Fertilizer, Gas or Glue Manufacturing	Manufacture of Explosives or Storage of Explosives, Including Gases
Petroleum or Petroleum Products Refining	Slaughter-House Stockyards & Feedlots	Smelting or Reduction of Ore or Metallurgical Products
Junk and Salvage Yards	Retail Sales & Services	Single Household
Technical or Training Schools		

§11.17.22 SPECIFIC USES

*B. Day Care or Group Care Centers*

**Definitions**

*Day Care Center*

An out-of-home place in which care is provided to sixteen (16) or more children or adults, or provides adult day care in conjunction with a Long Term Care Facility or Health Care Facility.

*Day Care Home*

A private residence or other structure in which day care services are provided to three (3) to fifteen (15) children or adults.

§11.18.43. Off Street Parking Required Spaces

Off-Street Parking Requirements (Minimums)			
Residential		Public & Quasi Public	
1 or 2 Dwelling	1/du	Day Care, Home	2
3-6 Dwellings	1/du	Day Care, Center	1/Staff Plus 5
> 6 Dwellings	1/du	Government Buildings	3.3/1000 sf
Guest House	1/du	Health Care Facility; Long Term Care Facility	1/3 Employee & 1/3 Beds
Efficiency units	1/du	Library	1/300 sf
Senior Housing	.5/du	School, Elementary or Jr. High	1/Staff & Faculty

Commercial		School, Senior High	1/Staff & Faculty & 1/5 students
Auto, Vehicle Sales	2/salesmen	Worship Facility	1/5 Seats
Auto, Vehicle Service	4/service bay	Business or Trade School	1/Staff & Student
Bank/Credit Union	1/400 sf	University/College	1/1.5 Students
Bed & Breakfast	1/room + 1 for Owner/Manager	Recreation & Entertainment	
Restaurants	1/3 seats	Bowling Alley	5/Alley
Fast Food Restaurants	1/4 seats	Golf Course	6/Hole
Alcohol Establishments	1/3 seats	Indoor Entertainment	5.5/ 1,000 sf
Hotel & Motel	1/room	Miniature Golf Course	2/Hole
Conference w/ lodging	.5/seat	Private Health Club	4/Court & 1/ 200 Other sf
Restaurant w/ lodging	1/4 seats	Public Assembly	1/3 Seats
Retail	5/1,000 sf	Theater	1/3 Seats
Office		Industrial	
General Professional	3.3/1000 sf	Freight, Distribution	2/3 Employees
Medical & Dental	5/1000 sf	Manufacturing, Assembly	2/3 Employees
Miscellaneous		Mini-Storage	1/10 Units
For any other use not specifically mentioned or provided for, the zoning administrator shall determine the standards to be applied for parking, using this as a guide for uses which most closely resembles the use provided.		Warehousing	2/3 Employees or 1/1000 sf whichever is less.
Notes: du = dwelling unit      sf = square feet			

1<sup>st</sup> reading: \_\_\_\_\_

2<sup>nd</sup> reading: \_\_\_\_\_

Commissioner \_\_\_\_\_ moved the adoption of the foregoing Ordinance. The Motion was seconded by Commissioner \_\_\_\_\_. On roll call vote of the Commissioners vote "AYE": \_\_\_\_\_

\_\_\_\_\_, and the following Commissioners vote "NAY": \_\_\_\_\_  
 \_\_\_\_\_ Absent and not voting:  
 \_\_\_\_\_

WHEREUPON, the Motion was passed and the Ordinance declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
**Mayor**

ATTEST:

\_\_\_\_\_  
**City Clerk/Treasurer**