

EXHIBIT D:
(to Resolution 2020-01)

July 30, 2020

**Proposed Amendments to the
April 14, 2020 DRAFT Helena Valley Zoning Regulations**

This proposed amendment was drafted in an attempt to address a concern raised during the Consolidated City and County Planning Board work session on July 21, 2020. The amendment is presented with a page number, and section number citation to facilitate review. The amendment proposed by Community Development and Planning Staff (Staff) is in colored underlined text (underlined text), while proposed deletions are indicated with colored strikethrough text (~~strikethrough text~~).

Previously proposed Staff amendments (Exhibit B to Resolution 2020-01 and Exhibit C to Resolution 2020-01) are shown herein where a similar section is presented. Staff has added an explanatory note after the proposed changes indicated by bolded italic text in brackets [*italic text in brackets*]. Staff recommends that the proposed amendment be reviewed in consultation with the April 14, 2020 DRAFT Helena Valley Zoning Regulations which are available online at <https://www.lccountymt.gov/cdp/zoning.html>.

SECTION 7 RURAL RESIDENTIAL MIXED USE

Page 7-2, April 14, 2020 DRAFT Helena Valley Zoning Regulations

708.04 Non-Conforming Parcel Minimum Setbacks

~~For non-conforming parcels, the front, side, and rear setbacks shall be ten (10) feet for a principal use, special exception use, and accessory use. A conditional use shall be subject to the same setbacks unless otherwise defined with the CUP.~~

For any parcel which does not meet the minimum lot area requirement as defined in Section 706 and which is subject to Section 1802, the front, side, and rear setbacks (for principal, accessory, and special exception uses) shall be ten (10) feet. A conditional use shall be subject to the same setbacks unless otherwise defined with the CUP.

[STAFF NOTES ON PROPOSED CHANGES: On June 25, 2020, Planning Board Members requested options to reduce the impacts of zoning on existing parcels, particularly in the Rimini area. The addition of a reduced front, side, and rear setback for non-conforming parcels provides greater flexibility for existing parcels and will reduce the need for variance requests. After reading the proposed language (in Exhibit C), a Planning Board member expressed a concern that the language was not clearly referring to a parcel that does not meet the minimum lot area requirement in Section 706.]