



## CITY OF LIBBY

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# REGULAR COUNCIL MEETING #1636

SEPTEMBER 5, 2023 @ 7:00 PM

COUNCIL CHAMBERS – CITY HALL

### **CALL TO ORDER:**

- Pledge of Allegiance
- Prayer Bill Sonntag
- Roll Call
- Welcome
- Approve City Council meeting #1634 minutes dated August 7, 2023, City Council meeting #1635 minutes dated August 21, 2023, and Public Hearing minutes dated August 21, 2023.

### **ANNOUNCEMENTS:**

### **COMMITTEE REPORTS:**

- City Administrators Report
- Fire
- Police
- Ordinances
- Lights/Streets/Sidewalks
- Building
- Water/Sewer
- Zoning Commission
- Cemetery/Parks
- Finance
- Wildlife
- City-County Board of Health
- Park District Manager of Projects

**PUBLIC COMMENT ON NON-AGENDA ITEMS:** This is an opportunity for the public to offer comments related to issues that are not currently on the agenda that the council has jurisdiction over. Public comment is limited to 3 minutes.

**OLD BUSINESS:** Each previous agenda item will be introduced by the mayor with a description of the item and explanation for the recommended action to be taken. Following council discussion on each item there will be an opportunity for public comment. Public comment is limited to 3 minutes concerning the agenda item being discussed only.

**NEW BUSINESS:** The mayor will introduce each new agenda item with a description of the item and an explanation for the recommended action to be taken. Following council discussion on each item, there will be an opportunity for public comment. Public comment is limited to 3 minutes concerning the agenda item being discussed only.

1. Public Hearing - Accessory Dwelling Unit.
2. Approve Resolution #2009, Accessory Dwelling Unit.
3. Approve all claims received to date.
4. Approve all business license applications received to date.
  - a. Peachie Clean, 287 Westgate Ave., LLC., House cleaning and car detailing service.

**UNFINISHED BUSINESS:** Each item will be introduced by the mayor (or assigned liaison) with a description of the item. Following council discussion on each item, there will be an opportunity for public comment. No action will be taken. Public comment is limited to 3 minutes concerning each item.

**GENERAL COMMENTS FROM COUNCIL:** Public comment will not be taken during this portion of the meeting.

**ADJOURNMENT:**

The manner of Addressing Council:

- Each person, not a Council member, shall address the Council at the time designated in the agenda or as directed by the Council, by stepping to the podium or microphone, giving that person's name and address in an audible tone of voice for the record, unless further time is granted by the Council, shall limit the address to the Council to three minutes.
- All remarks shall be addressed to the Council as a body and not to any member of the Council or Staff with no personal remarks allowed.
- No person, other than the Council and the person having the floor, shall be permitted to enter any discussion either directly or through a member of the Council, without the permission of the Presiding Officer.
- Any person making personal, impertinent, or slanderous remarks or who shall become boisterous or disruptive during the council meeting shall be forthwith barred from further presentation to the council by the presiding officer unless permission to continue is granted by a majority vote of the council.

**ATTENTION:**

To access this meeting electronically with **ZOOM**,  
Dial: 253-215-8782  
Meeting ID: **4042719951**  
Password: **151041**  
**Posted:** 8/31/23

## **ORDINANCE NO. 2009**

### **AN ORDINANCE ADDING A NEW CHAPTER TO TITLE 17, ENTITLED “ACCESSORY DWELLING UNITS” and ADDING DEFINITIONS TO 17.04**

**WHEREAS**, the Montana State Legislature passed and the Governor signed SB 528 requiring municipalities to adopt certain regulations in relation to accessory dwelling units; and

**WHEREAS**, the State of Montana included restrictions on municipalities relating to establishing design criteria; and

**WHEREAS**, the City of Libby has identified the need for additional housing in the 2023 Growth Policy; and

**WHEREAS**, the City of Libby Zoning Commission discussed accessory dwelling units and certain design standards at the May 22, 2023, June 26, 2023, and July 31, 2023 meetings and recommends the language identified herein.

**NOW THEREFORE**, be it ordained by the City Council of the City of Libby, Montana the following changes to Title 17, Chapter 04 and Chapter \_\_ are hereby adopted:

#### **Chapter 17.04 DEFINITIONS**

“Accessory Dwelling Unit” means a self-contained living unit on the same parcel as a single-family dwelling of greater square footage that includes its own cooking, sleeping and sanitation facilities; and complies with or is otherwise exempt from any applicable building code, fire code and public health and safety regulations adopted pursuant to Title 50, Chapter 2, Montana Code Annotated.

“Gross Floor Area” means the interior habitable area of a single-family dwelling or an accessory dwelling unit.

#### **Chapter 17\_\_ ACCESSORY DWELLING UNITS**

- A. One accessory dwelling unit (ADU) shall be permitted on a lot or parcel that contains a single-family dwelling.
- B. ADUs must be framed and on a permanent foundation.
- C. An ADU may be detached from, attached or internal to, the existing single-family dwelling.
- D. If the ADU is detached from or attached to the single-family dwelling, it may not be more than 75% of the gross floor area (GFA) of the single-family dwelling or 1,000 square feet (sf), whichever is less.
- E. No additional parking is required for the ADU.

This Ordinance is effective thirty (30) days after its adoption by the City Council of the City of Libby, Montana, and signing by the Mayor thereof.

**FIRST READING** and approved by City Council on the 7th day of August 2023.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LIBBY, MONTANA** on this 5th day of September 2023.

Attest:

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Peggy Williams, Mayor

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Leann Monigold, Clerk/Treasurer