



Yellowstone County Zoning Commission Minutes for the Meeting of Monday, January 12, 2015

The County Zoning Commission met on Monday, January 12, 2015 in the Miller Building 1st floor conference room located at 2825 3rd Avenue North. Chairman Dennis Cook called the meeting to order at 4:00 p.m.

| Commissioners and Staff | | 01/12/2015 | 02/09/2015 | 03/09/2015 | 04/13/2015 | 05/11/2015 | 06/08/2015 | 07/13/2015 | 08/10/2015 | 09/14/2015 | 10/13/2015 | 11/09/2015 | 12/14/2015 | | |
|-------------------------|--------------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|--|--|
| Dennis Cook | Chairman | 1 | | | | | | | | | | | | | |
| Al Littler | Vice Chairman | 1 | | | | | | | | | | | | | |
| Terri Welborn | Commissioner | 1 | | | | | | | | | | | | | |
| Ole Shafer | Commissioner | 1 | | | | | | | | | | | | | |
| Nicole Cromwell | Planner II/ Zoning Coordinator | 1 | | | | | | | | | | | | | |
| Wyeth Friday | Planner II | - | | | | | | | | | | | | | |
| Juliet Spalding | Planner II | - | | | | | | | | | | | | | |
| Lora Mattox | Planner II | - | | | | | | | | | | | | | |
| Tamara Deines | Planning Clerk | 1 | | | | | | | | | | | | | |
| Karen Husman | Planning Assistant | - | | | | | | | | | | | | | |

At 4:05 p.m., Chairman Cook opened the meeting and introduced the County Zoning Commission members and staff in attendance: Nicole Cromwell, Zoning Coordinator; and Tammy Deines, Planning Clerk

Announcements:

- The next County Zoning Commission meeting on Monday, February 9, 2015 will be cancelled due to a lack of agenda items.
- Nicole Cromwell announced there is one opening for a Commissioner on the Yellowstone County Zoning Commission.

Disclosure of Conflict of Interest: There was no disclosures of conflict of interest.

Disclosure of Outside Communication

There was no one on the Commission wishing to disclose any outside communication.

Approval of the December 8, 2014 Meeting Minutes

Chairman Cook called for approval of the December 8, 2014 meeting minutes.

Motion

Ole Shafer made a motion and Al Littler seconded the motion to approve the December 8, 2015 meeting minutes.

The motion carried with a unanimous voice vote.

Public Comment

Chairman Cook asked if there was anyone wishing to speak during the public comment portion of the meeting. He stated any member of the public can be heard on any subject that is not on the agenda; the Yellowstone County Zoning Commission will not take any action on these items at this time, but could choose to add an item to the next meeting agenda for discussion. There were no public comments at this time.

Public Hearings:

Chairman Cook reviewed the rules for the procedure by which the public hearings will be conducted. He said the applications heard at this meeting would be forwarded to the Board of County Commissioners on **Tuesday, January 27, 2015**, in the Board of County Commissioners Board Room 403A in the Yellowstone County Courthouse.

Item #1: ; Zone Change #655 – Council Initiated text amendment – Dog Grooming in NC zones – A zone change to Section 27-306 – Commercial and Industrial Uses – to allow dog grooming with no outdoor kennels or exercise yards in all Neighborhood Commercial (NC) zones. The City Council initiated the amendment on November 24, 2014.

REQUEST

PROBLEM/ISSUE STATEMENT: The existing Zoning Regulations at Section 27-306 defines where certain uses are allowed, conditionally allowed or prohibited. In 1997, when the City and County unified the zoning regulations, dog grooming was designated as an allowed use in only 4 zoning districts – Community Commercial (CC), Highway Commercial (HC), Controlled Industrial (CI) and Heavy Industrial (HI). Prior to 1997, the City Zoning Regulations did not allow dog grooming or other Animal Services (SIC 075) in the CC zone.

Ed Jorden, DVM and Gerry Neumann, are partners in a new development project currently under construction on the north east corner of 32nd Street West and Central Avenue. Several years ago, the City Council changed the zoning of this land from Residential 9,600 (R-96) to Neighborhood Commercial (NC) to facilitate the redevelopment and infill of this corner property. Mr. Neumann did not chose the CC zoning for the property because of the directly adjacent neighborhood and the possibility of high intensity uses allowed in the CC zone, such as bars, casinos, warehousing and other high traffic uses. Mr. Jorden currently has a veterinary practice located on Shiloh Road. Part of his business is provision of dog grooming services. Mr. Jorden would like to relocate the dog grooming services to this new location. Mr. Jorden and Mr. Neumann were not aware of the prohibition on dog grooming in the NC zone. Mr. Jorden was advised the issue could be resolved by either changing the zoning of the property from NC to CC or requesting an amendment to the text of Zoning Regulations to allow this use in the NC zone.

Amendments to the Zoning Regulations may be initiated by the Board of County Commissioners, the City Council, the Planning Board, the County Zoning Commission, or the City Zoning Commission. The proposed amendment will affect City property and County property. Planning staff has had preliminary discussion on the proposed amendment and it appears this use is appropriate in the NC zoning districts.

The City Council initiated the zoning text amendment on November 24, 2014.
Proposed Amendment Section 27-306

Sec. 27-306. District Regulations: Commercial and Industrial Uses.

| TITLES AND DESCRIPTION OF INDUSTRIES | Residential Professional | Neighborhood Commercial | Community Commercial | Highway Commercial | Central Business District | Controlled Industrial | Heavy Industrial | Public | South 27th Street Corridor |
|--|--------------------------|-------------------------|----------------------|--------------------|---------------------------|-----------------------|------------------|--------|----------------------------|
| SR - SPECIAL REVIEW A - ALLOWED | | | | | | | | | |

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|--|---|----|----|----|---|---|---|---|----|
| 07 AGRICULTURAL SERVICES (EXCEPT BELOW): | | | | A | | A | A | | |
| – Offices only | A | A | A | A | A | A | A | | A |
| 0741 Veterinary services for livestock: | | | | | | | | | |
| – Boarding | | | | | | A | A | | |
| – Outpatient only | | | | SR | | A | A | | |
| 0742 Veterinary services for animal specialties: | | | | | | | | | |
| – Boarding | | | SR | A | | A | A | | SR |
| – Outpatient only | | SR | A | A | | A | A | | A |
| 075 Animal services, except veterinary (except below): | | | | | | | | | |
| – Dog grooming* | | A* | A | A | | A | A | | |
| – Public animal shelters | | | | | | | | A | |
| * In NC zones no outdoor exercise areas or kennels allowed | | | | | | | | | |

RECOMMENDATION

The Planning Division is recommending approval.

Zoning Coordinator stated the City Zoning Commission has forwarded a recommendation of approval. She pointed out that Planning Staff feels this is a good amendment and she pointed out the clause, “in Neighborhood Commercial zones no outdoor exercise areas or kennels allowed”.

Discussion

Chairman Cook called for discussion. Al Littler asked about the allowances in Section 0742/ for Boarding, and Nicole Cromwell explained the differences between Neighborhood Commercial and Community Commercial zones. She said dog grooming and services to pets is a growing

industry and this proposal is more akin to a human salon. She said notices were sent to all Neighborhood Commercial property owners and staff received no comments.

At 4:10 p.m., Chairman Cook opened the public hearing and asked if there was anyone wishing to speak in favor of County Zone Change #655. There was none. Chairman Cook closed the public hearing and entertained a motion.

Commissioner Shafer made a motion and it Commissioner Littler seconded the motion to forward a recommendation of approval of Zone Change #655 as presented by staff.

Chairman Cook called for discussion on the motion. There was none.

The motion carried with a unanimous voice vote, 4-0.

7. OTHER BUSINESS

7a. Election of Officers for the 2015 term

Commissioner Welborn and Commissioner Shafer recommended Dennis Cook to serve as Chairman and Al Littler to serve as Vice Chairman of the Yellowstone County Zoning Commission for the 2015 term.

Motion

Commissioner Welborn made a motion and it was seconded by Commissioner Shafer nominated Commissioner Dennis Cook to serve as Chairman and Commissioner Al Littler to serve as Vice Chairman of the Yellowstone County Zoning Commission for the 2015 term.

The motion carried with a unanimous voice vote.

Adjournment: The meeting adjourned at 4:39 p.m.

ATTEST: DRAFT. To be approved by a motion on Monday, March 9, 2015

Dennis Cook, Chairman, Yellowstone County Zoning Commission

Nicole M. Cromwell, Zoning Coordinator