



**Yellowstone County Zoning Commission
Minutes for the Meeting of
Monday, June 13, 2016**

The County Zoning Commission meeting on May 9, 2016 was canceled due to a lack of agenda items.

The County Zoning Commission met on Monday, June 13, 2016 in the Billings Library Community Room located at 510 North Broadway at 3:30 pm. The Board of County Commissioners public hearing will be held on Tuesday, June 28, 2016, at 9:45 a.m. in Room 403A, 4th Floor of the Yellowstone County Courthouse.

At 4:00 p.m., Chairman Cook opened the meeting and introduced the County Zoning Commission members and staff in attendance: Wyeth Friday, Planning Division Manager, Nicole Cromwell, Zoning Coordinator; Tammy Deines, Planning Clerk

Commissioners and Staff		01-11-2016	02-08-2016	02-12-2016	03-14-2016	04-11-2016	05-09-2016	06-13-2016							
Dennis Cook	Chairman	-	1	1	-	1		1							
Al Littler	Vice Chairman	-	1	1	-	1	R	R							
Jerry T. Ray	Commissioner	-	1	1	-	1	1	E							
Troy Boucher	Commissioner	-	1	1	-	1	1	1							
Ryan Wittman	Commissioner		1	1	-	1	1	1							

Attending: Betti Hinrichs; Beth Degenhart; Roy Zimmerman; Ed Janca; Lew Morris; Lyle Zimmerman; Myles M. Egan; Linda Degenhart; Thomas Smith; Dennis Randall, Sanderson Stewart; Randy Adams; Dale Kod; Lisa Lannen; Beth Walter; Paul Before

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 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 was none.

Disclosure of Conflict of Interest or exparte communication: There was none.

Disclosure of Outside Communication. There was none.



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Approval of Minutes: April 11, 2016. There was no meeting on May13, 2016.

Motion

Commissioner Boucher made a motion and it was seconded by Commissioner Wittman to approve the February 8, 2016 and February 12, 2016 meeting minutes as submitted. The motion carried with a unanimous voice vote.

Public Hearings:

REQUEST

Item #1-County Zone Change 674 – Alexander Road – A zone change request from Agriculture-Open Space (A-1) to Agriculture Suburban (A-S) on lots 1 through 8 of Spring Hill Acreage Tracts, Tracts 1 & 2 of C/S 1245, and Tracts 1 and 2 of C/S 1411, a total area of 27.626 acres of land. A pre-application neighborhood meeting was held on April 23, 2016, at 2717 Alexander Road. Tax IDs: D04993, D04994, D04995, C05516 & C05517

RECOMMENDATION

The Planning Division recommends approval and adoption of the findings of the 11 review criteria for Zone Change 674.

Discussion

Chairman Cook called for questions and discussion from the Zoning Commission. There was none.

Public Hearing

Chairman Cook opened the public hearing at 4:08 p.m. and called for proponents or opponents of Yellowstone County Zone Change #674.

Opponents: There were no opponents to Yellowstone County Zone Chang #674.

Proponents

Beth Degenhart, 2717 Alexander Road, Billings, Montana

Ms. Degenhart is the family representative. If approved, this application will bring the land into conformance with the zoning regulations and allow them to have City water services.

Chairman Cook asked if there was anyone else wanting to speak in favor or against Yellowstone County Zone Change #674. There was none.

At 4:10 p.m., Chairman Cook closed the public hearing and called for a motion.

Motion

Commissioner Boucher made a motion and it was seconded by Commissioner Wittman to



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forward a recommendation to the Board of County Commissioners of approval of County Zone Change #674 with adoption of the Findings of the 11 review criteria.

Chairman Cook Called for a vote on the motion.

Name	Favor	Against	Abstain	Absent
Chairman Cook	X			
Commissioner Boucher	X			
Commissioner Ray				X
Commissioner Wittman	X			

The motion carried with a unanimous voice vote, 3-0.

REQUEST

Item # 2 - County Zone Change #675 – 3415 Grand Avenue – A zone change request from Agriculture-Open Space (A-1) to Community Commercial (CC), Neighborhood Commercial (NC), Residential Professional (RP), Public (P), Residential Multi-family-Restricted (RMF-R), Residential 5,000 (R-50), Residential 7,000 (R-70) and Residential 9,600 (R-96) on Tract 1A of C/S 3364, amended, a +/- 95 acre parcel of land. A pre-application neighborhood meeting was held on April 25, 2016 at Shiloh United Methodist Church, 1810 Shiloh Road. Tax ID: D04784.

RECOMMENDATION

Approval and adoption of the findings of the 11 criteria for Zone Change #675.

Zoning Coordinator Nicole Cromwell opened this agenda item with a staff presentation.

Discussion

Chairman Cook called for discussion and questions by the members of the Board. He commented the potential building height seems to be one of the neighbor’s primary concerns. Nicole Cromwell explained the R-6000R zoning has a 40-foot height limit restriction which may allow for a three story building. The height limit in standard residential zones is 34 feet.

Public Hearing: At 4:25 p.m., Chairman Cook opened the public hearing and asked for anyone wanting to speak in favor or against Yellowstone County Zone Change #675.

Dennis Randall, Sanderson Stewart, 1300 North Transtech Way, Billings, Montana

Mr. Randall is the agent for the Zimmerman family. He explained the process the Zimmerman family has taken to arrive at the proposed zoning plan for the property. He stated the family had recently completed negotiations to provide right of way for both Colton Boulevard and Grand Avenue and both projects are either completed or will be completed soon. He stated the plan was sensitive to the surrounding neighborhoods and zoning and those areas were zoned in identical or similar zones to what is adjacent. He stated the family intends to sell to one or more development entities and they will ensure any new development is done in an attractive manner so it becomes a good addition to the City. He stated the CC zoning is concentrated at the corner as are the other



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properties at the intersection of Grand and Zimmerman Trail. He stated the original proposal presented at the neighborhood meeting was for RMF zoning in the center. After concerns about the unlimited building height and density in the RMF zone, the RMF-R zone was proposed in the application. The RMF-R building height is 40 feet and the remaining residential zones are 34 feet. All residential zones in the County and City are set at either 34 feet or 40 feet. He stated many homes in the area were built as single story or story-and-a-half heights. He stated it is likely similar homes and dwellings will be built in this development. He stated there is no specific development plan at this time for the property nor is there a buyer.

Lew Morris 3385 Avenue F, Billings, Montana

Mr. Morris stated the concerns voiced at the neighborhood meeting was the proposal for RMF zoning. He said the height limitation of 40-feet high seems out of line and it will affect those living on Colton Boulevard. Mr. Morris is President of the Homeowners Association. He said they do not want barracks built in this area.

Ed Janca, 1824 Hampton Place, Billings, Montana

Mr. Janca is Vice President of the Homeowners Association. He voiced concern with the potential for high density and the height of the buildings. Happy with

Beth Walter, 3740 Corbin Drive, Billings, Montana

Ms. Walter voiced concerned with the potential height of buildings in the RMFR-R zoning. She said she wants to have an attractive development, preferably limited to 2-story structures. She asked the Zimmerman family to keep this in mind. Ms. Walter asked about the homes under construction on Colton Boulevard and if the bike path will be continued.

Roy Zimmerman, 3028 LeeAnn Boulevard Billings, Montana

Mr. Zimmerman said the Zimmerman family donated the land to the City for the roundabout, (2.5 acres), and they built 3/4 of Colton Boulevard until development of this property takes place. The bike path will be continued through the parcel and continue on the north side of the property. He said they took the neighborhood concerns in consideration and changed the proposed zoning to R-6000R and the 40-ft. building height limit.

Lisa Lannen, 1845 Tiburon Lane, Billings, Montana

Ms. Lannen stated it will be a large impact to her neighborhood to have the R-7000 zoning instead of single family housing. She voiced concerned with the building heights.

Betti Hinrichs, 1815 Tiburon Lane, Billings, Montana-

Ms. Hinrichs asked if Avenue D will be opened to connect with the new development. She concurred with Ms. Lannen, and stated she would like the development to be compatible with the existing single family housing. She supports Colton Boulevard residents' concerns with the building heights.



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Paul Before, 3630 Corbin Drive, Billings, Montana

Mr. Before purchased his house in 2001. He questioned locating the parkland in the middle of the parcel and voiced concerned with the building heights. M. Before commented on the increased traffic speeds on Colton Boulevard since it has been built. He asked why the parkland is not planned to be used as a buffer to the single family housing.

Lyle Zimmerman, Red Lodge Montana

Mr. Zimmerman spoke in favor of this application and said they tried to meet the desires of the City and will be involved with the development of this property as they have a lot of vested interest in this parcel.

Chairman Cook called for rebuttal.

Rebuttal

Dennis Randall, Sanderson Stewart, 1300 North Transtech Way, Billings, Montana

Mr. Randall gave some perspective on the building height restrictions, and commented that most 2-story homes will “push the envelope” with the 34-foot height restriction. He said it is difficult to have 3 stories with any type of pitch, about the only way to obtain 3 stories is to have a flat roof. In response to question by Chairman Dennis Cook, Mr. Randall said the vacant lots along Colton Boulevard are zoned R-9600 but he has no knowledge of the type of homes that will be constructed. He has not been involved with the construction of the bike path. As for opening there have been discussions with John Michelotti regarding potential for connectivity between Village West Subdivision and this parcel.

Myles Egan, 2690 Southridge Drive, Billings, Montana

Myles Egan said the plans are to construct arts and craftsman style single family homes with a sale price range of \$350,000-\$425,000.

Chairman Cook asked if there was anyone else wanting to speak in favor or against Yellowstone County Zone Change #675. There was none. Chairman Cook closed the public hearing at 5:02 p.m. and called for a motion.

Motion

Commissioner Boucher made a motion and it was seconded by Commissioner Wittman to forward a recommendation of approval of Yellowstone County Zone Change #675 and adoption on the 11 criteria for zone changes.

Discussion

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



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Chairman Cook called for a vote on the motion.

Name	Favor	Against	Abstain	Absent
Chairman Cook	X			
Commissioner Boucher	X			
Commissioner Ray				X
Commissioner Wittman	X			

The motion passes with a unanimous vote, 3-0.

Chairman Cook called for other comments or discussion from the Commissioners. There was none. The Board of County Commissioners public hearing will be held on Tuesday, June 28, 2016, at 9:45 a.m. in Room 403A, 4th Floor of the Yellowstone County Courthouse.

****There will be no Yellowstone County Zoning Commission meeting in July due to the lack of applications.**

Adjournment: The meeting adjourned at 5:05 p.m.

DRAFT: To be approved by a motion on Monday, September 12, 2016