



Yellowstone County Zoning Commission Minutes for the Meeting of Monday, December 10, 2018

The County Zoning Commission met on Monday, December 10, 2018 in the Miller Building 1st Floor Conference Room, 2825 3rd Avenue North, Billings, MT at 4:00 p.m. Following the public hearing, the County Zoning Commission will make a recommendation to the Yellowstone County Commissioners.

The Board of County Commissioners public hearing for Zone Change #691, will be held on **Wednesday, January 2, 2019, at 9:30 a.m. at 316 N 26th Street – 3rd Floor, Commissioner’s Hearing Room.** The Board of County Commissioners will hear all persons wishing to speak relative to the proposed zone change.

The Board of County Commissioners public hearing for Special Review #330 will be held on **Wednesday, December 26, 2019, at 9:30 a.m. at 316 N 26th Street – 3rd Floor, Commissioner’s Hearing Room.** The Board of County Commissioners will hear all persons wishing to speak relative to the proposed special review.

Chairman Wittman opened the meeting and introduced the County Zoning Commission members and staff in attendance: Nicole Cromwell, Zoning Coordinator; Karen Husman, Planner I; Tammy Deines, Planning Clerk

Commissioners and Staff		01/08/2018	02/12/2018	03/12/2018	04/09/2018	05/14/2018	06/11/2018	07/09/2018	08/13/2018	09/10/2018	10/08/2018	11/12/2018	12/10/2018
Jerry T. Ray	Commissioner	-	-	1	1	-	-	-	1	-	-	-	1
Troy Boucher	Commissioner Vice Chairman	-	-	1	1	-	-	-	1	-	-	-	1
Ryan Wittman	Commissioner Chairman		-	1	E	-	-	-	1	-	-	-	1
Tyler Bush	Commissioner	-	-	1	1	-	-	-	1	-	-	-	1
Todd Hewett	Commissioner					-	-	-	1	-		-	1

Attending: See attached attendance sheets.

Public Comment

Chairman Wittman 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: YC Zone Change #691: There was none.



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Disclosure of ExParte Communication: YC Special Review #330: There was none. The Commissioners reported no ExParte Communications.

Communications: County Special Review #330 12/02/18 Letter, Rindo Sironi, MD. President, Billings OBGYN Associates; Email, 11/30/2018 E-mail Marilyn Owen; 11/28/2018 E-mail, Julie Prociv; 12/07/2018 E-mail, MGC Consultants-Mark Carlstrom

Motion. Approval of Minutes: August 13, 2018

Commissioner Boucher made a motion and it was seconded by Commissioner Bush to approve the August 13, 2018 meeting minutes as submitted. The motion carried with a unanimous voice vote.

Item #1: REQUEST The legal notice for County Zone Change #691 into the record.

County Zone Change 691 – 3333 N Frontage Road - A zone change from Agriculture Open-Space (A-1) to Controlled Industrial (CI) on the easterly 9.16 acres of C/S 1734, Parcel 1, generally located at 3333 N Frontage Road. A pre-application neighborhood meeting was held on October 22, 2018, at the applicant's office at 316 N 33rd St in Billings, MT. Tax ID: D06413

RECOMMENDATION

Planning staff is recommending the Zoning Commission recommend approval of Zone Change #689 and adoption of the 11 criteria for this zone change.

Discussion

Chairman Wittman called for questions from the Board. Per Commissioner Ray's request, the applicant clarified and said this parcel is part of the Lockwood TEDD district.

Public Hearing Chairman Wittman opened the public hearing and asked for those in opposition or in favor of this application.

Terry Sieffert, PO Box 31181, Billings, Montana

Mr. Sieffert stated this parcel consists of 40.1 acres. He said they wish to have the zoning for this parcel be the same as the rest of the tract. The parcel has electric and gas services but no water is available. Mr. Sieffert stated this parcel will be sold in the future. Caterpillar Clothing and Apex Steel are interested parties.

Mr. Chairman Wittman asked if there is anyone else wishing to speak in favor or against YC Zone Change #691. There were none. Chairman Wittman closed the public hearing at 4:29 p.m. and called for a motion.



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Motion

Commissioner Boucher made a motion and it was seconded by Commissioner Bush to forward a recommendation of approval of Zone Change #691 and adoption of the 11 criteria for this zone change.

Name	Favor	Against	Abstain	Absent
Chairman Wittman	X			
Commissioner Boucher	X			
Commissioner Ray	X			
Commissioner Bush	X			
Commissioner Hewett	X			

The motion passes 5-0.

Item #2: REQUEST The legal notice for County Zone Change #690 into the record. **County Special Review 330 – 3760 Wise Lane - County Special Review 330 – 3760 Wise Lane** - A special review request to operate a gravel extraction open cut mine in an Agriculture Open-Space (A-1) zone on a fraction in the NE ¼ and on a fraction of Lots 1 & 2 in Section 34, Township 1 South, Range 25 East, generally located at 3760 Wise Lane, a 59.21-acre parcel of land. Additional area will be included in the open cut mine area but is not within the Zoning Jurisdiction of Yellowstone County. Tax ID: D01161. Following the public hearing, the County Zoning Commission will make a recommendation to the Yellowstone County Commissioners.

RECOMMENDATION

Planning staff is recommending the Zoning Commission accept the applicant's request for a 30-day delay.

Zoning Coordinator Nicole Cromwell announced receipt of an e-mail from Ed Walker, First Mark Construction requesting the County Zoning Commission postpone today's hearing to allow the applicant to work towards resolving the neighbors' concerns. If this request is approved, this hearing will be legally advertised and held on January 14, 2019, 4:00 PM. A neighborhood meeting is scheduled for December 13, 2018, 7 PM at Oscar's Park. The public hearing requires the Board to remain as a Board and all communications must come through Planning Staff. Those citizens who are unable to attend are encouraged to submit comments in writing to the Planning Division.

Motion

Commissioner Bush made a motion and it was seconded by Commissioner Hewett to accept the request for a 30-day delay for the hearing for Yellowstone County Special Review #330-3760 Wise Lane until the next legally advertised YC Zoning Commission meeting on



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January 14, 2019. (A neighborhood meeting will be held on Thursday, 6:00 PM at the Oscar's Dreamland wedding facility).

Name	Favor	Against	Abstain	Absent
Chairman Wittman	X			
Commissioner Boucher	X			
Commissioner Ray	X			
Commissioner Bush	X			
Commissioner Hewett	X			

The Motion carries, 5-0. The 30-day delay for County Special Review #330 is granted.

Adjournment: The meeting adjourned at 4:25 PM.

Approved by a motion January 14, 2109





**City-County Planning Division
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<i>Printed Name</i>	<i>Address/email</i>
DAVE WISZ	2601 Wise Lane
Teresa Bidleman	3030 Wise Lane
Veronika Evenson	8333 Story Road
Levi Klamert	2810 S. 72nd St. W.
Vicki Davis	3614 Mallard Dr 59101 - redriord9@gmail.com
Wes STANZ	8628 LAUCON LN 59101
CARLOS ARCE	9314 RUDIO ROAD 59101
BEV LEE	9305 RUDIO Rd 59101
TROY DALY	11 1/2 N 19th 59101
Sissel Goldberg	8907 Susanna Dr., Billings, MT 59101
Scott Gierke	6655 Shepherd Rd. E. Shepherd ⁵⁹⁰⁷⁰
Diane Slind	9239 Rudio Rd 59101
Brian Nickel	4014 Hester Road Billings MT 59106
Scott Prociw + Julie Prociw	2936 Wise Lane, 59101
Rindo + Amy Sironi	2930 Wise Ln. 59101
Steve + Marilyn Owen	2924 Wise Ln. 59101

Planning and Community Services Department

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Printed Name	Address/email
Robert A. Wise	2650 Dawson Ln. Billings 59101
DAN Hickey	3224 WISE LANE Billings 59101
JIM COLLINS	60250 IRONWOOD 59101
KEVIN KATZENBERGER	8622 OXFORD RD
HAL OLSON	8710 DORFORD AVE.
ROBERT GOLUBSKI	3540 DUCK CREEK RD 59101
Janis Dolubski	2510 Duck Creek rd 59101
Elzabeta Bellman	8641 Story Rd 59101
Kayla Jones	8639 1/2 Story Rd 59101
Colleen Cantrell	3534 Duck ^{Crk} Rd 59101
Jim Rahr	2105 Broadbrook Ct. Billings 59102
Ray Halsey	1365 Blue Grass Dr. Bls MT
Heather J David	8603 Bighorn Rd 59101
Dawn Carlswood	4313 Duck Cr. R. 59101



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<i>Printed Name</i>	<i>Address</i>
Betty Glantz	2209 Elm St, Billings, MT 59101
Bew McNurlin	8935 Susanna 59101
Barb Smith	9246 Rudio 59101
Rodrick Himmelspach	8943 KATZMAN RD 59101
Brock Lohman	43 Shown Owl Trail brock@bridgserve.com
Gary P. Smith	6725 Cutthroat Dr. Billings 59106



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<i>Printed Name</i>	<i>Address</i>
TERRY JOFFERT	PO BOX 31181 BILLINGS MT 59103
G. Scollars	3306 DUCK CREEK RD. Billings
KATHY SCOLLARD	3306 DUCK CREEK RD. Billings
Ken Frazier	3185 Wise Lane, Billings
JOSEPH STEFEL	3849 MALLARD DR BILGS
EVA STEFER	3849 MALLARD DR. Billings
Kevin Koerber	3339 Brenda Street Billings, 59101
JOHN MALL	9233 RUDIO ROAD BILLINGS 59101
Shirley Wagner	8544 DANFORD AVE
Kirsten Ears	8610 DANFORD AVE 59101
VIRGINIA ONEILL	2921 Hantzman Rd 59101
Ron & Nadine Steel	4365 Duck Creek Rd 59101
Betty Christensen	3215 Wise Lane
Scott Prociw	2936 WISE LANE

Planning and Community Services Department