County of Yellowstone Board of Adjustment
CANCELATION NOTICE-Thursday, May 9, 2019, 4:00 p.m.
Miller Building, 1st Floor Conference Room
2825 3rd Avenue North, Billings, Montana

CANCELATION NOTICE

Due to a lack of agenda items, the Thursday, May 9, 2019 Yellowstone County Board of Adjustment meeting is canceled. The June 13, 2019 meeting will be held as legally announced and advertised. Thank you!!

DELAYED: Approval of Minutes: January 10, 2019

County Board of Adjustment-Canceled

Meeting Date: 05/09/2019

Information

Subject

DELAYED: Approval of Minutes: January 10, 2019

Attachments

YBOAminutes_2019_01_10_DRAFT

Yellowstone County Board of Adjustment
Meeting Minutes, January 10, 2019
DRAFT- To be approved by a Motion-February 14, 2019

The County Board of Adjustment met on January 10, 2019 in the 1st Floor Conference Room of the Miller Building located at 2925 3rd Avenue North. Chairperson Boucher called the meeting to order at 4:00 p.m.

Name	Title	03/08/2018	05/10/2018	11/08/2018	01/10/2019	02/14/2019					
Blaine Poppler	Vice Chair	1	1	1	1	-					
Carlotta Hecker	Board member	1	1	1	1	-					
Troy Boucher	Chairman	1	1	1	1	-					
Tyler Bush	Board member	-	-	-	E	-					
Vacant		-	-	-		-					

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

Others in Attendance: Tobin Novasio; Pam Ask; Jeff Kanning Collaborative Designs; Tim Sather; Clint Reynolds

Public Comments: There were no public comments.

Approval of Minutes: November 8, 2018
Motion
Board member Poppler made a motion and Board member Boucher seconded the motion to approve the November 8, 2018 meeting minutes as submitted. The motion passed with a unanimous voice vote.

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

Disclosure of Exparte Communication
There were no disclosures of exparte communication from the Board.

PUBLIC HEARINGS:
Zoning Coordinator Nicole Cromwell reviewed the procedures for public hearing and stated the Board will open a public hearing and allow public comment this evening. She reviewed the hearing and presentation processes for the meeting for reviewing and acting on each variance.

Yellowstone County Board of Adjustment
Meeting Minutes, January 10, 2019
DRAFT- To be approved by a Motion-February 14, 2019

Item #1: County Variance #291-1932 US Highway 87 East-Lockwood Schools-Land Use Contrary to Zoning. Karen Husman, Planner I, presenting.

Nicole Cromwell read the rules and procedures for a public hearing and the legal ad for county Variance #291.

REQUEST

Variance 291 – 1932 US Highway 87 East – Lockwood Schools – Land Use Contrary to Zoning – A request to conduct a public forum on a public agency request to use agency land contrary to zoning. The County Board of Adjustment has no power to approve, deny or attached conditions to the proposed use. State law (MCA 76-2-402) requires a forum before the Board of Adjustment to receive public comment. The legal description of the property is C/S 918, Tract A and is in a Public (P) zoning district. The site plan will not meet the required perimeter landscaping (Sec. 27-1100) or the required number of off-street parking spaces (Sec. 27-1200). Tax ID D05970.

REASONS

This is a request to use public land for public purposes contrary to zoning. Lockwood Schools submitted site plan will not meet the required perimeter landscaping (Sec. 27-1100) or the required number of off-street parking spaces (Sec. 27-1200). State statute allows public agencies to use land contrary to zoning after a public hearing is held by the local Board of Adjustment. As illustrated in MCA 76-2-402(2), the Board shall have no power to deny the proposed use but shall act only to allow a public hearing for comment on the proposed use.

The state law provision that exempts local agencies from local zoning compliance provides an opportunity for the public to provide comment and eliminates the need for one government authority to approve, deny or place conditions on the necessary public improvements of another public agency. Many public agency projects are subject to other permitting and development permissions ranging from financial authority and building code compliance to state and federal environmental policy conformance. These processes also offer the opportunity to provide public comment.

RECOMMENDATION:

The Planning Division is recommending the Board conduct the public hearing and allow comment on the Lockwood Schools perimeter landscaping and required number of parking spaces.

Discussion

Chairperson Boucher called for questions and discussion from the members of the Board. There was none.

Public Hearing

Chairperson Boucher opened the public hearing and asked if there is anyone wishing to speak in favor or against County Variance #291.

Tobin Novasio, Superintendent, Lockwood Schools, 3455 Ford Road

Mr. Novasio represents the Lockwood School District. He stated the school has forward a request to place "No Parking" signs placed on Highway 87. They hope to alleviate parking issues by moving the event location to the southerly portion of the parcel. He gave an overview of the proposed project. There is no intention of holding multiple events at one time. Regarding the letter of protest, Mr. Novasio explained there is a 60-foot nonexclusive access agreement along Stonehaven. This project will include paving of Stonehaven Road as they wished to have two ways to egress from the parking lot. He pointed out the location of the 48-space staff parking lot and the auxiliary gymnasium.

Jeff Kanning, Collaborative Design Architects, 1008 Poly Drive, Billings, Montana

Mr. Kanning stated public meetings were started in December and they received positive responses. The school decided to build on a 66-acre site and the plan is to be a Class A school in the future. The State of Montana awarded Lockwood School District the ability to become a K-12 school last December. The plan is to create a "junior college campus" feel and centralize the parking. Currently the campus has 374 parking spaces and this plan will provide an increase of 240 parking spaces. The overall onsite parking will be increased by 300 spaces. The design will address student safety and will benefit the communities of Lockwood and Billings as a whole. Mr. Kanning compared parking availability of nearby high schools. Regarding the landscaping, the variance request will address landscaping requirements along Stonehaven and Highway 87. Langlas and Associates are under contract for construction and they hope to begin March 11, 2019. In response to question by Board member Poppler, Mr. Kanning said Stonehaven with be built with a 30-foot width with gravel shoulders.

Clint Reynolds, 5916 Sam Snead Trail, Billings, Montana

Mr. Reynolds is representing the neighboring mobile park. He asked for clarification on the 4 478 additional spaces and it was given by Jeff Kanning and Tobin Novasio. He asked to see the landscaping site plan and it was provided by Ms. Husman. He asked about bunching some streets along Stonehaven track area to buffer the housing. Mr. Reynolds commented other entities will use this facility.

Chairperson Boucher asked if there is anyone else wishing to speak in favor or against County Variance #291. There was none. At 4:24 p.m., Chairperson Boucher closed the public hearing.

Other Business/Announcements

- **Announcement: The February 14, 2019 Yellowstone** County Board of Adjustment meeting is cancelled due to a lack of applications. The next meeting will be held as legally announced and advertised.
  Adjournment: Adjourned 5:30 p.m. (DRAFT- TO BE APPROVED BY A MOTION MARCH 7, 2019)