



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.



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

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.



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

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



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

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.

Draft. To be approved by a motion at the next scheduled meeting.



**City-County Planning Division
Monday, December 10, 2018
Yellowstone County Zoning Commission**

| <i>Printed Name</i> | <i>Address/email</i> |
|-----------------------------|--|
| DAVE WISZ | 2601 WISZ ST |
| 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

✓



**City-County Planning Division
Monday, December 10, 2018
Yellowstone County Zoning Commission**

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



**City-County Planning Division
 Monday, December 10, 2018
 Yellowstone County Zoning Commission**

| <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 |
| Ronald Himmelspach | 8943 KATZMAN RD 59101 |
| Brock Lohman | 43 Shown Owl Trail brock@bridgserve.com |
| Gary P. Smith | 6725 Cutthroat Dr. Billings 59106 |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |



**City-County Planning Division
Monday, December 10, 2018
Yellowstone County Zoning Commission**

| <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