



**Yellowstone County Zoning Commission  
Minutes for the Meeting of  
Monday, June 10, 2019**

The County Zoning Commission met on Monday, June 10, 2019 in the Miller Building 1<sup>st</sup> Floor Conference Room, 2825 3<sup>rd</sup> Ave 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 County Zone Change #694 will be held on Tuesday, June 25, 2019, at 9:30 a.m., 3<sup>rd</sup> Floor of the Stillwater Building at 316 N 26<sup>th</sup> St, Commissioner’s Hearing Room. The Board of County Commissioners will hear all persons wishing to speak relative to the proposed zone change.

Chairman Boucher opened the meeting and introduced the County Zoning Commission members and staff in attendance: Nicole Cromwell, Zoning Coordinator; Planning Division Manager Monica Plecker, Planner I; Tamara Deines, Planning Clerk

Commissioners and Staff		01/14/2019	02/11/2019	03/11/2019	04/08/2019	05/10/2019	06/25/2019						
Jerry T. Ray	Commissioner	1	1	-	1	1							
Troy Boucher	Commissioner Chairman	1	E	-	1	1							
Ryan Wittman	Commissioner	1	1	-	1	1							
Tyler Bush	Commissioner Chairman	E	1	-	1	E							
Todd Hewett	Commissioner	1	1	-	1	E							

**Attending:** Chuck Platt, Diamond Real Estate; Donald Hurley applicant

**Public Comment**

Chairman Boucher 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 Ex Parte Communication: County Zone Change #693:** There was none. The Commissioners reported no Ex Parte Communications. Staff received the following outside communications: None



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**Disclosure of Ex Parte Communication: Zone Change 693:** The Commissioners reported no Ex Parte Communications. Staff received the following outside communications: none.

**Motion. Approval of Minutes: April 8, 2019.** (The May 13, 2019, 4:00 p.m. meeting was cancelled). Approval of the April 8, 2019 meeting minutes is delayed.

### **Item 1:**

Zoning Coordinator Nicole Cromwell read the legal notice for County Zone Change #694 into the record. In the absence of Planner Karen Miller, Planning Division Manager Monica Plecker will present the staff report.

**County Zone Change #694 – 2891 U.S. Highway 87 N - Change from R-96 to CC -** A zone change request from Residential-9600 (R-96) to Community Commercial (CC), on C.O.S. 603, PARCEL 2A, AMND, S11, T01 N, R26 E, a 1.896 acre parcel of land. A pre-application neighborhood meeting was held on April 24, 2019, at 2811 Highway 87 N. Tax ID: D05032

### **REQUEST**

County Zone Change 694 – 2821 US Hwy 87 N. - A zone change from Residential 9,600 (R-96) to Community Commercial (CC), on C.O.S. 603, PARCEL 2A, AMND, S11, T01 N, R26 E, a 1.896 acre parcel of land. A pre-application neighborhood meeting was held on April 24, 2019, at 2811 Highway 87 N. Presented by Karen Husman, Planner I

### **RECOMMENDATION**

Planning staff recommends approval of Zone Change #694 and adoption of the findings of the 11 criteria for this zone change.

### **Discussion**

Chairman Boucher called for questions from the Board. Board member Ray asked about the services for this parcel. Ms. Plecker stated Heights Water and a septic system serve this parcel. She said Staff received no formal written comments in advance of this meeting.

### **Public Hearing**

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



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**Chuck Platt, Diamond Real Estate, 145 Grand Avenue, Billings, Montana  
Applicant, Donald Hurley, 2811 US Highway 87 N, Billings, Montana**

Mr. Platt said he has had the parcel for sale several times in the last ten years.

Commissioner Ray commented he is surprised there is no further public comment on this application. Mr. Hurley commented on his previous applications for this parcel. He said the school does not have interest in this parcel. Mr. Platt stated they have had a number of calls on the parcel but no interest in residential uses. He said it was marketed last year as a Residential-9,600 parcel, and they worked with WWC Engineering to explore a patio home development. He said they feel that the zone change will allow more potential development for this parcel. In response to question by Commissioner Wittman, Mr. Platt stated if approved, the commercial zone change would make it more marketable and allow more flexibility for a buyer. He pointed out there are limitations for uses due to its proximity to the school.

Chairman Boucher asked if there is anyone else wishing to speak in favor or against County Zone Change #694. There was none. Chairman Boucher closed the hearing and called for a motion.

**Motion**

**Commissioner Boucher made a motion and Commissioner Ray seconded the motion to forward a recommendation to the BOCC to approve YC Zone Change #694 and adoption of the findings of the 11 criteria for this zone change.**

**Discussion.**

Chairman Boucher called for discussion. There was no further discussion on the motion.

<b>Name</b>	<b>Favor</b>	<b>Against</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Boucher	1			
Commissioner Wittman	1			
Commissioner Ray	1			
Commissioner Bush				1
Commissioner Hewett				1

**The motion carried 3-0.**



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**OTHER BUSINESS**

a. The next Yellowstone County Zoning Commission meeting is scheduled for Monday, June 8, 2019, 4:00 p.m. in the Miller Building 1<sup>st</sup> Floor Conference Room, 2825 3<sup>rd</sup> Avenue North.

**Adjournment:** The meeting adjourned **4:18** p.m.

**Approved by a motion September 9, 2019**

