



**Yellowstone County Zoning Commission  
APPROVED- Minutes for the Meeting of  
Monday, October 15, 2019**

The County Zoning Commission met on Monday, October 15, 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 #697 will be held on Tuesday, October 29, 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 Tyler Bush opened the meeting and introduced the County Zoning Commission members and staff in attendance: Nicole Cromwell, Zoning Coordinator. Commissioner Ray attended via conference call.

Commissioners and Staff		01/14/2019	02/11/2019	03/11/2019	04/08/2019	05/10/2019	06/25/2019	07/28/2019	09/09/2019	10/15/2019	11/12/2019		
Jerry T. Ray	Commissioner	1	1	-	1	1	1	1	1	1	-		
Troy Boucher	Commissioner Chairman	1	E	-	1	1	1	1	1	1	-		
Ryan Wittman	Commissioner	1	1	-	1	1	E	E	E	E	-		
Tyler Bush	Commissioner Chairman	E	1	-	1	E	E	A	1	-	-		
Todd Hewett	Commissioner	1	1	-	1	E	1	1	1	1	-		

**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 #694:** There was none. The Commissioners reported no Ex Parte Communications. Staff received the following outside communications.

**Disclosure of Conflict of Interest: County Zone Change #694:** There was none.

**Motion. Approval of Minutes: September 9, 2019**



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**Motion**

**Commissioner Hewitt made a motion and Commissioner Ray seconded the motion to approve the September 9, 2019 meeting minutes as submitted. The motion carried with a unanimous voice vote.**

**Item 1:**

Zoning Coordinator Nicole Cromwell read the legal notice for County Zone Change #697 into the record.

**County Zone Change 697 - 4601 Central Ave - County Zone Change 697 – SE Corner of 60<sup>th</sup> St. & Colton - from A-1 to A-S-** A zone change request from **Agricultural Open Space (A-1) to Agricultural Suburban (A-S)**, on Sunnycove Fruit Farms, Lot 70, an 9.43 acre parcel of land. A pre-application neighborhood meeting was held on August 1, 2019 at 6:30pm, at 60<sup>th</sup> St. & Colton, in the barn on the subject property. Tax ID: D04673

**STAFF PRESENTATION**

**Item #1-YC Zone Change #697-A zone change request from Agricultural Open Space (A-1) to Agricultural Suburban (A-S) on Sunnycove Fruit Farms, Lot 70, a 9.43-acre parcel of land. A pre-application neighborhood meeting was held on August 1, 2019 at 6:30 pm, at 60th St. & Colton, in the barn on the subject property. Presented by Nicole Cromwell, Zoning Coordinator**

**BACKGROUND**

This is a zone change request to allow the subdivision of a 9.43 acre parcel into two lots. The Sunnycove Fruit Farms Subdivision has covenants that allow one division of the original lots, so long as one of the new lots is at least 5 acres in area. The current zoning of A-1 only allows lots of at least 10 acres in area. The proposed A-S zone district allows lots as small as one acre. This area of West Billings has a variety of zone districts including A-1, A-S and Residential 15,000 (R-150). Some parcels within the original Sunnycove Fruit Farms plat have been annexed and subdivided with urban size parcels. These subdivisions include Foxtail Village, Cottonwood Grove, and MK Subdivision to the south and east.

The West Billings Neighborhood Plan (2001) indicates this area is in an "Urban Expansion Area". (Map 9, Planned Growth). Some expansion has occurred with the advent of the city's extension of water and sewer lines in Grand Avenue, 58th St W, 54th St W and Rimrock Road in 2003 to accommodate the Ironwood Subdivision north of Rimrock and east of Molt Road and to serve the existing Yellowstone Club Estates Subdivision. The subject property is within the 5-year limits of annexation for the City of Billings, but the owners are not intending to annex this area at this time.



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Project ReCode is nearly complete and the new zone districts for the County will include a wider variety of rural residential districts. The subject property and other lots south of Colton and north of Grand Avenue are shown in the new "A" zone district in the County. The new "A" zone will be very similar to the existing A-1 and A-S zones in the County zoning regulations. The proposed A-S will have little impact on surrounding uses or neighbors. No comments or objections to the proposed zone change were received by Planning staff.

**RECOMMENDATION**

**Planning staff recommends approval and adoption of the findings of the 11 review criteria for Zone Change #697.**

- Consistent or compatible with adjacent County zoning and neighborhoods
- A predictable or expected County zone in this area
- Property is suitable for proposed uses

**Discussion**

Chairman Boucher called for questions from the Board. There was none.

Chairman Boucher called for presentation by the applicant. Applicants David and Sarah Nigh are not in attendance.

**Public Hearing:**

Chairman Boucher opened the public hearing and called for anyone wishing to speak in favor or against County Zone Change #697. There was none. Chairman Boucher closed the public hearing and called for a motion.

**Motion**

**Commissioner Hewitt made a motion and it was seconded by Commissioner Ray to forward recommendation of approval of County Zone Change #697 as presented by staff and based on the eleven criterion and the Findings of Fact for this zone change.**

**Discussion**

There was no discussion on the motion.



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Name	Favor	Against	Abstain	Absent
Chairman Boucher	1			
Commissioner Wittman				1
Commissioner Ray	1			
Commissioner Bush				1
Commissioner Hewett	1			

**The motion carries, 3-0. County Zone Change #697 is conditionally approved.**

**OTHER BUSINESS**

a. **Announcement:** The Yellowstone County Zoning Commission meeting scheduled for Tuesday, November 12, 2019 is canceled due to a lack of applications.

**Adjournment:** The meeting adjourned 4:15 p.m.

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

