



**City of Billings Zoning Commission
Meeting Minutes September 7, 2021**

The City of Billings Zoning Commission met on Tuesday, September 7, 2021 at 4:30 p.m., 2825 3rd Avenue North in the Miller Building 1st Floor Conference Room. The public may attend in person or watch the meeting live on Facebook (see below). The Public may call in during specific Public Comment periods at **(406) 237-6165**. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to 3 minutes of testimony as is customary. Comments may be sent to **Board via email before 1:00 PM on Tuesday, September 7, 2021**. All e-mails received prior to this time will become part of the record for the public hearing. Live coverage can be viewed on the City of Billings Facebook page here; <https://www.facebook.com/Billings-Planning-Community-Services-Department-1738982159659260/?ref=bookmarks>

The City Council has designated Monday, September 27, 2021, at 5:30 p.m. as the date and time to receive the Zoning Commission recommendation and **conduct a public hearing for the first reading of the ordinance for this zone change request.** If approved on first reading, a **second reading public hearing will occur on Monday, October 11, 2021 at 5:30 pm.**

Commission and Staff		01/05/2021	02/02/2021	03/02/2021	04/06/2021	05/04/2021	06/01/2021	07/06/2021	08/03/2021	09/07/2021	10/05/2021	11/02/2021	12/07/2021
Mike Larson	Chairman	1	1	E	1	1	1	1	1	1			
Daniel J. Brooks	Commissioner	1	1	1	1	1	E	1	1	1			
VACANT	Commissioner	1	1	1	1	1	1	1	1	-	-	-	-
Greg McCall	Vice Chairman	E	1	E	E	E	E	1	E	1			
Trina White	Commissioner	1	1	1	A	1	1	1	1	1			
Wyeth Friday	Director, Planning & Community Services	-	-	-	-	-	1	-	-	-			
Monica Plecker	Division Planning Manager	-	-	-	-	-	-	-	-	-			
Nicole Cromwell	Planner, Zoning Coordinator	1	1	1	1	1	1	1	1	1			
Tammy Deines	Planning Clerk	-	-	-	-	-	-	1	-	-			
Dave Green	Planner II	-	-	-	-	-	-	-	-	-			
Karen Husman	Planner I	1	1	1	-	-	1	1	1	-			
Robbin Bartley	Administrative Support	1	1	1	1	1	1	-	1	1			

Total Number of 2021 Applications	01/05/2021	02/02/2021	03/02/2021	04/06/2021	05/04/2021	06/01/2021	07/06/2021	08/03/2021	09/07/2021	10/05/2021	11/02/2021	12/07/2021	TOTAL
Zone Change	-	2	1	1*	1	2	0	4	1				12
Special Review	2	0	0	0	0	0	1	0	0				3

Chairman Larson introduced the Planning Division Staff and Commission: Attending Staff were Nicole Cromwell, Zoning Coordinator, Karen Husman, Planner I and Robbin Bartley, Administrative Assistant (Virtually)

Attending:

Public Comment

Chairman Larson called for public comments. There were no public comments. Chairman Larson closed the public comment portion of the meeting.

Approval of Minutes: August 3, 2021

Commissioner Brooks made a motion and Commissioner White seconded the motion to approve the August 3, 2021 meeting minutes with changes to the conflict of interest from Yes to No for all commissioners. The motion carried with a unanimous voice vote.

Disclosure of Conflict of Interest

COMMISSIONER	Yes	No	ABSTAINED	ABSENT
Mike Larson		X		
Daniel J. Brooks		X		
VACANT				
Greg McCall		X		
Trina White		X		

Disclosure of Outside Communication

COMMISSIONER	Yes	No	ABSTAINED	ABSENT
Mike Larson		X		
Daniel J. Brooks		X		
VACANT				
Greg McCall		X		
Trina White		X		

Public Hearings:

City Zone Change 998 – South of Sweet Grass Creek Dr, West of 54th St. W, East of 58th St. W & North of High Ditch - A zone change request from N4 to a Mixed Residential Planned Neighborhood Development (MR-PND) consisting of First Neighborhood Residential (N1), Mid-Century Neighborhood (N2), Suburban Neighborhood Residential (N3), Mixed Residential 1 (NX1) and Open Space, Parks and Recreation (P1) on RL Subdivision, Lot 1, 53.452 acres within the amended Block 7 Planting Area, Yellowstone Meadows Phase 3, an 53.452 acre parcel of land. A pre-application neighborhood meeting was held on July 21, 2021 at 6:00 pm in a virtual meeting format. Tax ID: C06082

PND Zone Change Process

Section 27-800

New Zoning Tool to allow more efficient land use decisions

- Concurrent with annexation
- Applies to all requests of >= 10 acres
- Helps build new neighborhoods that are walkable, sociable and resilient (BMCC 27-801.A)
- Allows phasing of annexation but adoption of full zoning plan in advance
- Provides more detail on new neighborhood infrastructure (streets/roads)

Staff Recommendation:

Planning Staff recommends approval and adoption of the findings of the ten review criteria for Zone Change 998, a Mixed Residential Planned Neighborhood

Zone Change 998

Planning staff recommends approval of the zone change to N3, N2, N1, NX1 and P1

- Meets the Growth Policy and West Billings Neighborhood Plan
- Adjacent uses and zoning compatible with proposed zoning plan
- Meets the PND zone district standards for arterial street zoning, block lengths, connectivity and zone district assembly

Before making a recommendation to the City Council, the Zoning Commission shall consider the following findings of the ten review criteria for Zone Change 998:

- (1) Whether the new zoning is designed in accordance with the growth policy;
- (2) Whether the new zoning is designed to secure from fire and other dangers;
- (3) Whether the new zoning will promote public health, public safety and general welfare;
- (4) Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;
- (5) Whether the new zoning will provide adequate light and air;
- (6) Whether the new zoning will affect motorized and non-motorized transportation;
- (7) Whether the new zoning will promote compatible urban growth;
- (8) Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses;
- (9) Whether the new zoning will conserve the value of buildings; and
- (10) Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings.

1) Is the new zoning designed in accordance with the Growth Policy?

The proposed zone change is consistent with the following guidelines of the 2016 Growth Policy and the West Billings Neighborhood Plan (2001):

The West Billings Neighborhood Plan goals and objectives stated the need to locate compatible uses and offer a range of housing choices and development densities. The West Billings Plan adopted a number of Goals, Policies, and Implementation Strategies. The proposed MR-PND for Sweetgrass Creek is consistent with the following adopted Policies of Planned Growth Goal 1: Establish Development Patterns that Use Land More Efficiently

Policy R "Encourage innovative land-use planning techniques to be used in building higher density and mixed-use developments as well as infill developments."

The proposed MR-PND is compatible with goals of the West Billings Neighborhood Plan. The proposed zone change and street layout will accommodate uses that are compatible in a mixed-residential environment. The proposed development will also have good access to outdoor activities and is in proximity to a proposed regional park - Cottonwood Park. 54th St West is an arterial street and neighborhood services are beginning to develop at the intersection of 54th St W and Grand Avenue.

Discussion

Commissioner White asked for explanation regarding allowable uses in M1 zoning areas. Staff explained it is residential, allowing up to 4 dwelling units.

Applicant Presentation

Chairman Larson called for presentation by the applicant.

Scott Worthington, 5948 Ironwood Drive, Billings, MT

The proposed zoning is compatible and consistent with existing zoning and usage. It is connected to existing neighborhoods with good walkability. It is an efficient and appropriate use of the land and will attract various families with various incomes.

Public Hearing: 4:50PM

Chairman Larson opened the public hearing and called for anyone wishing to speak in favor or against City Zone Change #998.

Dan Wells, 5847 Whispering Woods, Billings, MT 59106

Mr. Wells is in favor of the zone change. It has been agricultural ground. They have lifted the elevation approximately 3 feet and he is looking forward to annexation.

Mirna Clark, 2211 Stampede Drive, Gillette, WY 82718

Ms. Clark is opposed to the zone change stating she has concerns about the sale of the land, the flood plain status and how the run off will affect her land. She also stated it will be a traffic overload for Grand Ave. She feels no consideration is being given to the surrounding property owners.

Rebuttal

Scott Worthington stated statistics prove development increases the surrounding property values. Currently the traffic studies are being done. The dirt added to raise the elevation does not affect the flood plain as it is above and to the west.

Motion

Commissioner Brooks made a motion and Commissioner White seconded the motion to approve City Zone Change #998.

Discussion

Commissioner McCall appreciates the zoning. Chair Larson stated development pays for road improvement and infrastructures. Commissioner White likes the design.

COMMISSIONER	Yes	No	ABSTAINED	ABSENT
Mike Larson	X			
Daniel J. Brooks	X			
VACANT				
Greg McCall	X			
Trina White	X			

The Motion carried to approve City Zone Change #998 with a 4-0 vote.

Other Business: Next meeting review will include Marijuana Regulations in the City Limits. It may be a lengthy meeting. Ciity Council will review the limitations regarding sales and distribution in the City Limits. Applications are being received for Jack King’s position on the Zoning Commission following his resignation.

Adjournment: The meeting adjourned at 5:11PM.

ATTEST: To be Approved by a motion October 5, 2021
--Robbin Bartley, Administrative Assistant

From: Karen Freeman <kafreeman2017@gmail.com>

Sent: Thursday, September 2, 2021 11:32 AM

To: Bartley, Robbin <bartleyr@billingsmt.gov>

Subject: [EXTERNAL] Zoning commission re: Sweetgrass Proposed Zoning

Dear Zoning Commission,

I am writing this letter on behalf of the Clark family, who currently have 20 acres for sale directly across the street on 54th.

They would like to oppose the zone change. They feel the zone change will adversely affect their property for sale and devalue it.

They feel the added traffic to 54th will make their land difficult to sell with the street access for this development almost directly across the street from theirs.

Submitted on behalf of the Clark family,

Karen Freeman

Century 21

Sent from [Mail](#) for Windows

**COMMENTS TO BILLING METROPOLITAN
PLANNING ORGANIZATION**, 2825 3RD AVE. NORTH, BILLINGS
MT 59101' 4TH FLOOR , P 406.247.8676, (NOTE I HAVE A THIRD PART
INTEREST) IN THE PROPERTY AT (2447 54TH ST W),
SOUTH WEST PART OF THE NOTIFICATION AREA.

IT IS REQUESTED THAT THESE COMMENTS BECOME PART OF THE RECORD
FOR THE PUBLIC HEARING OF: 7 SEPTEMBER 2021, IN ACCORDANCE WITH
REFERENCED LETTER BELOW.

REFERENCE (A) BILLINGS PLANNING & COMMUNITY SERVICE LETTER,
DATED 13 AUGUST 2021 , CITY ZONE CHANGE 998, PROJECT NUMBER PZX-21-
00205
ZONE CHANGE FROM (N4) TO A MIXED RESIDENTIAL PLANNED
NEIGHBORHOOD DEVELOPMENT (MR-PND)

NX1 MIXED RESIDENTIAL 1

**NX1 DISTRICT IS INTENDED TO CONTINUE THE CHARACTER OF THE FIRST
NEIGHBORHOODS WITH SINGLE FAMILY,
TWO FAMILY**

AND SMALL SCALE MULTIPLE FAMILY HOMES WITH 3- 4 UNITS.

**MULTIPLE FAMILY HOMES ARE INTENDED TO MATCH THE SCALE OF THE
NEIGHBORHOOD SINGLE FAMILY HOMES WITH CHARACTERISTICS SUCH AS:
BUILDING WIDTH, PARKING AND GARAGES LOCATION, ROOF DESIGN, AND
DOORS AND WINDOWS ON THE FRONT FACADES.**

**HOW MANY PARKING SPACES PER UNIT? DOES GARAGE LOCATION MEAN
WITH GARAGES OR WHAT?**

WHAT IS ON THE BACK FACADES?

**NX2 DISTRICT IS INTENDED FOR SMALL AND MID SCALE MULTIPLE FAMILY
HOMES WITH 3 TO 8 UNITS, IN SMALL NEIGHBORHOOD NODES. THE
BUILDINGS ARE ORIENTED TO THE STREETS IN BLOCKS THAT MAY BE
WALKED, WITH DOOR AND WINDOWS ON THE FRONT FACADES AND PARKING
/GARAGES LOCATED BEHIND THE BUILDINGS.**

CRITERIA (3), (4)

**HOW MANY STORIES? HOW MANY BEDROOMS, HOW MANY PEOPLE CAN
COMFORTABLE LIVE IN EACH? HOW MANY PARKING SPACES PER UNIT,
HOW MANY GARAGE PER LOCATION?**

THE SAME QUESTIONS FOR N3

HOW MANY PEOPLE WILL ULTIMATELY BE THERE? HOW LONG WILL I HAVE TO WAIT AT TRAFFIC LIGHTS AT TRAIL CREEK DRIVE , AND SWEET GRASS CREEK DRIVE ON A TYPICAL MORNING AROUND 8 AM?

**WHAT IS THE EXPECTED IMPACT TO SCHOOLS? AND SCHOOL TAXES?
CRITERIA (4)**

**WHAT IS THE EXPECTED IMPACTED TO WATER SEWAGE TAXES?
CRITERIA (4)**

**WILL THERE BE STREET LIGHTING?
CRITERIA (3)**

**NX3: MIXED RESIDENTIAL 3
INTENDED FOR LARGE SCALE MULTIPLE FAMILY HOMES IN LARGER
NEIGHBORHOOD NODES.
MAY INCLUDE LARGER APARTMENT BUILDINGS WITH MORE THAN 8 UNITS
PER STRUCTURE.**

HOW MANY PEOPLE WILL ULTIMATELY BE THERE? CRITERIA (3), (10)

**PARKING / GARAGES LOCATED BEHIND BUILDINGS,
THIS SOUND LIKE A PARKING LOT? WITH NO GARAGES CRITERIA (3),**

**CENTRAL GATHERING SPACES,
WILL THEY BE LIGHTED? HIGH-DENSITY LIVING AREAS ARE A BREEDING
GROUND FOR TROUBLE, MISCHIEF, FIGHTS, STEELING, KILLINGS, DRUGS...
HOW WILL THESE POSSIBILITIES BE PREVENTED?**

**DOES THIS MEAN THAT THERE WILL BE NO PARKING ON THE MAIN STREETS.
CRITERIA (3)**

**RMH RESIDENTIAL MANUFACTURED HOME PROVIDE STABLE ENVIRONMENTS
FOR INDIVIDUAL MANUFACTURED HOMES, MANUFACTURED HOME PARKS,
AND COMPATIBLE ACCESSORY USE.**

**THIS IS NOT ACCEPTABLE IN A WEST BILLINGS RESIDENTIAL DEVELOPMENT.
IT WILL DEVALUE THE DEVELOPMENT PROPERTY AS WELL AS THE
SURROUNDING PROPERTY. CRITERIA (9), (10)**

**I WOULD THINK THAT THE ANSWERS TO THE QUESTIONS ABOVE SHOULD BE
ANSWERED AND AGREED TO PRIOR TO ANY APPROVAL. THIS MEANS
DISAPPROVE TILL THEN.**

**I PRAY THAT THIS WILL BE A QUIET CHRISTIAN NEIGHBORHOOD IN LINE WITH
THE MORALS AND TRADITIONS OF THE CHURCH YOU ARE SURROUNDING.**

**KEITH C. CLARK
187 CR 3363
PARADISE, TX 76073 / 2447 54 ST W, BILLINGS, MT
(1) 817-713-3455**