



**Yellowstone County Zoning Commission  
DRAFT Minutes for the Meeting of  
Monday, September 24, 2020  
Project ReCode**

**The County Zoning Commission met on Monday, August 27, 2020 at 4:30 p.m.** Due to the COVID-19 health concerns, the format of the County Zoning Commission meeting will be held in a virtual videoconferencing environment.

The Zoning Commission will hear all persons wishing to speak relative to the proposed Text Amendments. Testimony regarding the above-mentioned item may also be submitted in writing to the Planning Division, 2825 3rd Avenue North, 4th Floor, Miller Building, Billings, MT 59101 or via email to [cromwelln@billingsmt.gov](mailto:cromwelln@billingsmt.gov) or [Plnonline@billingsmt.gov](mailto:Plnonline@billingsmt.gov)

The Zoning Commission is conducting multiple topic-focused hearings on the draft zoning codes. The Zoning Commission will meet after all hearings are completed to make formal recommendations to the Board of County Commissioners. Additional public hearing notices will be published for future dates, times & locations.

The public hearing will be broadcast on the Planning Community Services Department Facebook page <https://www.facebook.com/Billings-Planning-Community-Services-Department> and a call-in phone number will be published and broadcast so members of the public can call in during the public hearing at 406-247-6120. Community 7 Television will also broadcast the public hearing live on their Facebook page: <https://www.facebook.com/comm7tv>.

The hearings will be recorded and available for viewing at any time on both Facebook pages above. Additional information and copies of the draft amendments are available in the Planning and Community Services Office, the County Clerk and Recorder, the County Commissioners' Office, the City Clerk's Office, and online at <https://project-recode.com/code-outline> (Draft Sections 27-300, 27-400, 27-500, 27-600, 27-800, 27-900 and 27-1000).

Commissioners and Staff		01/13/20	02/10/20	03/09/20	04/13/20	05/11/20	06/08/20	07/13/20	08/10/20	08/26/20	08/27/20	09/14/20	09/24/20	10/12/20
Jerry T. Ray	Commissioner	1	-	-	-	1	-	-	1	1	1	1	1	
Troy Boucher	Commissioner Chairman	1	-	-	-	1	-	-	1	1	1	1	1	
Ryan Wittman	Commissioner	1	-	-	-	E	-	-	A	E	E	R	R	
Tyler Bush	Commissioner Chairman	E	-	-	-	1	-	--	1	1	1	1	1	
Todd Hewett	Commissioner	1	-	-	-	1	-		A	A	A	A	A	



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Chairman Boucher opened the meeting and introduced the County Zoning Commission members and Planning Division staff: Nicole Cromwell, Zoning Coordinator, Monica Plecker, Planning Division Manager, Tammy Deines, Planning Clerk, Jeannette Vieg, Planning Assistant

**Other Participants** Leslie Oberholtzer, Consultant, SAFEbuilt; Community 7 TV. There are no other public attendees this afternoon.

**Public Comment**

Chairman Boucher asked if there was anyone wishing to speak during the public comment portion of the meeting. The Public may call in during specific Public Comment periods at (406) 237-6120. 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. There was no public comment.

**Item 1: Text Amendment – Project ReCode – Proposed Draft Sections 27-200: Zoning Map Update; 27-1600: Administrative Procedures**

The Zoning Commission is conducting multiple topic-focused hearings on the draft zoning codes. This final sixth session of the City Zoning Commission will review the Zoning Map Update and the Administrative Procedures for the new Zoning Code.

**Recommendation**

Staff recommends the Zoning Commission review the draft map and administrative procedures and hold a public hearing. No action on the document is required at this time.

Zoning Coordinator Nicole Cromwell opened the staff presentation with the Steering Committee Guiding Principles and Mission Statement. She reviewed the existing zoning districts and the new zoning districts, which whenever possible and practicable, are equivalent to the existing zones. Some zoning districts were consolidated to better fit with areas.

- Most newer R-96 zones = N3 zone on map
- District updated to reflect actual use and development – reduce nonconformities
- Duplexes in existing R-96 updated to N1 or N2
- Four unit buildings updated to NX1
- CC zone – three new zones = CMU1, CMU2 and CX
- HC zone – updated to CX
- Entryway zone – updated to CX, I1, CMU1 or2, NMU

**Zoning Map Updates-** The new map is more precise and has less variation of color. The City limits line is depicted in dark green, and new colors are used for the Public zones.

**Administrative Procedures- New code section – includes all types of processes.**

Process Flow Charts are provided throughout the document.



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- Permit reviews (zoning compliance for buildings, fences, signs, temporary uses etc.)
- Zoning Variances
- Special Reviews
- Zoning Changes
- Planned Neighborhood Developments
- Appeals

**Administrative Procedures: New rules for Special Review-**Special Review is a special exception to the zone district. No longer an “allowed” use

- Specific criteria to ensure proposed use in compatible with the site:
  - Pre-application meetings will be required for the neighborhood
  - Consistent with Growth Policy
  - Do not endanger public health, safety, or general welfare
  - Complies with Site Development – landscaping, parking, signage, building requirements
  - Signs, hours of operation, noise, vibrations, timeframe for development, buffering adjacent
- Expires if not acted on within 1 year of approval
- Expires for non-use after 6 months

**Public Adoption Process:**

Sept 23rd – City Zoning Commission – Map and Administrative Procedures

Sept 24th – County Zoning Commission – Map and Administrative Procedures

October 12th – County Zoning Commission – final discussion and recommendation to BOCC

October 14th – City Zoning Commission – final discussion and recommendation to City Council

**Discussion**

Nicole Cromwell offered to answer questions from the Commissioners. Commissioner Boucher asked for clarification on the Administrative Relief. Nicole Cromwell explained this is new to the code, and it has to do with site development characteristics in some of the districts. The applicant is able to ask the Planning Director or administrator for a 2% adjustment from the requirement for the district. Currently it is under the landscaping code. There is some administrative relief through the approval process. Commissioner Boucher asked if this would relate to a pool cover variance. Nicole Cromwell stated this would be one scenario of administrative relief, especially if it is a temporary situation. There were no further questions from the Zoning Commission. Staff will distribute the entire draft code to the Commissioners for their review.



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**Public Hearing:** Chairman Boucher opened the public hearing and announced the Public Comment phone number 237-6165. There were no calls from the public. Chairman Boucher closed the public hearing. No action will be taken at this time. The County Zoning Commission will convene on October 12, 2020 and forward a recommendation and findings to the Board of County Commissioners.

**OTHER BUSINESS**

a. **Announcement:** The next Yellowstone County Zoning Commission meeting will be held on Monday, October 12, 2020 in a virtual video conference format.

**Adjournment 5:07 PM**

**DRAFT-To be approved by a motion at the next scheduled meeting**

*--Tamara L. Deines, Planning Clerk*