



**City of Billings Zoning Commission
Meeting Minutes April 5, 2022**

The City of Billings Zoning Commission met on Tuesday, April 5, 2022 at 4:30 p.m., 510 North Broadway, Billings Public Library Community 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 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, April 5, 2022**. 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, April 25, 2022, at 5:30 p.m. as the date and time to receive the Zoning Commission recommendation for the zone changes and hold their public hearing. The Council will conduct a public hearing for the first reading of the ordinance on April 25, 2022. If approved on first reading, a second reading public hearing will occur on Monday, May 9, 2022 at 5:30 pm.

Commission and Staff		01/04/2022	02/01/2022	03/01/2022	04/05/2022	05/03/2022	06/07/2022	07/05/2022	08/02/2022	09/06/2022	10/04/2022	11/01/2022	12/06/2022
Mike Larson	Chairman	1	1	E	1								
Daniel J. Brooks	Commissioner	E	E	1	1								
Greg McCall	Vice Chairman	1	1	1	1								
Trina White	Commissioner	1	E	1	1								
David Goss	Commissioner	1	1	1	1								
Wyeth Friday	Director, PCSD	-	-	-	-								
Monica Plecker	Division Planning Manager	-	-	-	-								
Nicole Cromwell	Zoning Coordinator	1	1	1	1								
Tammy Deines	Planning Clerk	-	1	1	-								
Dave Green	Planner II	-	-	-	-								
Karen Husman	Planner I	-	1	1	1								
Robbin Bartley	Administrative Support	1	1	1	1								

Total Number of 2022 Applications	01/04/2022	02/01/2022	03/01/2022	04/05/2022	05/03/2022	06/07/2022	07/05/2022	08/02/2022	09/06/2022	10/04/2022	11/01/2022	12/06/2022	TOTAL
Zone Change	1	4	2	2									9
Special Review	-	-	1										1

Chair 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: Scott Aspenlieder

Public Comment

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

Approval of Minutes: February 1, 2022 & March 1, 2022

Commissioner White made a motion and Commissioner Brooks seconded the motion to approve the February 1, 2022 and March 1, 2022 meeting minutes both with corrections. The motion carried with a 5-0 voice vote.

Disclosure of Conflict of Interest

COMMISSIONER	DISCLOSED	NONE	ABSTAINED	ABSENT
Mike Larson		X		
Daniel J. Brooks		X		
David Goss		X		
Greg McCall		X		
Trina White		X		

Site visits were completed by ***

Disclosure of Outside Communication

COMMISSIONER	DISCLOSED	NONE	ABSTAINED	ABSENT
Mike Larson		x		
Daniel J. Brooks		x		
David Goss		x		
Greg McCall		x		
Trina White		x		

Public Hearings: City Zone Change 1008 – Shiloh Farm LLC - from A to PND (N2, NO, P1) - A zone change request from Agriculture 10 acres or over (A) to Planned Neighborhood Development including N2, NO, P1 (PND), on Parcel C, COS 1100 Amended, S22, T01 S, R25 E, a 20.58-acre parcel of land, near the intersection of Shiloh Rd. and Zoo Dr. A pre-application neighborhood meeting was held on December 15th at 6:00 p.m. virtually on Zoom. A concurrent annexation is in progress. Tax ID: D00797.

Staff Recommendation:

Planning Staff recommends approval and adoption of the findings of the ten review criteria for Zone Change 1008, a Mixed Use Planned Neighborhood Development zone change from Agriculture (A) to Mid Century Neighborhood N2), Neighborhood Office (NO) and Public 1 (P1).. A concurrent annexation is in progress.

The Zoning Commission may:

- Recommend approval and adoption of the findings of the ten review criteria for Zone Change 1008;
- or,
- Recommend denial and adopt different findings of the ten review criteria for Zone Change 1008;
- or,
- Delay action on the zone change request for up to 30 days;
- or,
- Allow the applicant to withdraw the zone change request.

Questions for staff:

Commissioner Brooks inquired about the designated access to the pedestrian trail. Staff replied there is a plan for that along with the parkland strip of land.

Applicant:

Scott Aspenlieder, Agent, Performance Engineering

We have been trying to accommodate connectivity and parks needs. Also working with Engineering and Public Works to meet requirements for access points and connecting to sidewalks.

Commissioner White asked about the property to the west, who owns it and if further development will happen there. There are negotiations in progress, but no definitive plans.

Commissioner Goss asked about the Shiloh Road access. Shiloh Road has very strict regulations for access. It is far more complex than just applying for an approach permit. Both the City and MDT must approve an additional access. Currently one access is allowed with a right in and right out only.

Chairman Larson inquired about the west side of the round a bout (south side of development) and how future access would happen. Currently it is private property. It is suspected the City of Billings will require a public right of way at some point.

Commissioner Goss asked if the the proposed roads within the development are private. They are private roads.

Public Hearing: 4:45PM

Chair Larson opened the public hearing and called for anyone wishing to speak in favor or against City Zone Change 1008.

In Favor:

Opposed: None

Public Hearing closed at 4:49PM

Discussion:

Motion

Commissioner Brooks made a motion and Commissioner Goss seconded the motion to approve City Zone Change 1008, with staff recommendations.

COMMISSIONER	Yes	No	ABSTAINED	ABSENT
Mike Larson	x			
Daniel J. Brooks	x			
David Goss	x			
Greg McCall	x			

Trina White	x			
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The Motion **passed** to Approve City Zone Change 1008 with a 5-0 vote.

Public Hearings:

City Zone Change 1012 – Text Amendment – Zoning Housekeeping Update – This is the ordinance that will reflect corrections, typographical errors, cross reference errors, as part of the one-year review of the new Zoning Code. There are corrections and modifications proposed for Section 27-300, 27-400, 27-1000, 27-1200, 27-1400, 27-1600 and 27-1800.

Staff Recommendation:

Planning staff recommends the Zoning Commission forward a recommendation of approval for Zone Change 1012, the housekeeping amendments to the new zoning code.

The City Zoning Commission may:

Forward a recommendation of approval and adoption of the findings of the ten review criteria for the text amendments

as proposed; or

Forward a recommendation of approval and adoption of the findings of the ten review criteria with changes to the

proposed text amendments; or

Forward a recommendation of approval for some of the proposed text amendments; or

Forward a recommendation of denial and adopt different findings of the ten review criteria for the text amendments;

or

Delay action on the text amendments to the next Zoning Commission hearing date.

Questions for staff:

Commissioner Goss inquired about the sign measuring description for 2-3 sided signs. After a length discussion, Staff stated a review will ensue and corrections will be made if necessary.

Commissioner White asked staff if the “new code” has been well accepted by the public.

Staff indicated there are some areas where a second look has been needed and changed, but in general it is working well.

Commissioner White excused herself from the meeting at 5:24PM

Public Hearing: 5:32PM

Chair Larson opened the public hearing and called for anyone wishing to speak in favor or against City Zone Change 1012.

In Favor: NONE

Opposed: NONE

Public Hearing closed at 5:33PM

Motion

Commissioner McCall made a motion and Commissioner Brooks seconded the motion to approve City Zone Change 1012- Text Amendment, with staff findings and amendments.

Discussion

COMMISSIONER	Yes	No	ABSTAINED	ABSENT
Mike Larson	x			
Daniel J. Brooks	x			
David Goss	x			
Greg McCall	x			
Trina White				x

The Motion passed to Approve City Zone Change 1012- Text Amendment with a 4-0-1 vote.

Other Business: There are 3 applications heard May 3, 2022.

Adjournment: The meeting adjourned at 5:45PM.

ATTEST: To be Approved by a motion May 2, 2022.

--Robbin Bartley, Administrative Assistant