



**City of Billings Zoning Commission
Meeting Minutes August 2, 2022**

The City of Billings Zoning Commission met on Tuesday, August 2, 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, August 2, 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, August 22, 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 hearings. The Council will conduct a public hearing for the first reading of the ordinance on May 23, 2022. If approved on first reading, a second reading public hearing will occur on Monday, September 12, 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	1	-	-	1				
Daniel J. Brooks	Commissioner	E	E	1	1	1	-	-	1				
Greg McCall	Vice Chairman	1	1	1	1	1	-	-	1				
Trina White	Commissioner	1	E	1	1	E	-	-	1				
David Goss	Commissioner	1	1	1	1	1	-	-	1				
Wyeth Friday	Director, PCSD	-	-	-	-	-	-	-	-				
Monica Plecker	Division Planning Manager	-	-	-	-	-	-	-	-				
Nicole Cromwell	Zoning Coordinator	1	1	1	1	1	-	-	1				
Tammy Deines	Planning Clerk	-	1	1	-	-	-	-	-				
Dave Green	Planner II	-	-	-	-	-	-	-	-				
Karen Husman	Planner I	-	1	1	1	1	-	-	-				
Robbin Bartley	Administrative Support	1	1	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	3			1					13
Special Review	-	-	1										1

Chair Larson introduced the Planning Division Staff and Commission: Attending Staff were Nicole Cromwell, Zoning Coordinator and Robbin Bartley, Administrative Assistant (Virtually).

Attending: Jamie Griffin

Chair Larson called the meeting to order a 4:30pm.

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: May 3, 2022

Commissioner Goss made a motion and Commissioner Brooks seconded the motion to approve the May 3, 2022 meeting minutes 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		

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		

Commissioner McCall visited the site.

Public Hearings:

City Zone Change 1016 – 1400 South 24th Street – from I1 to CX - A zone change request from Light Industrial (L1) to Mixed use commercial (CX), on CENEX PARK SUB, BLOCK 5, Lot 10B1, Lot 10A, Lot 10C1, and Lot 11 and C/S 738 Parcel 1B1, a 12.967 acre parcel of land. A pre-application neighborhood meeting was held on June 27, 2022, at 1400 S 24th Street. Tax ID: D00558C, D00559A, A26170, and D00559

Staff Recommendation:

Planning staff recommends approval and adoption of the proposed findings of the 10 review criteria for Zone Change 1016.

- Meets the Growth Policy for Prosperity:
 - Predictable reasonable city taxes and assessments
 - Diversity of available jobs
 - Successful businesses that provide local employment
 - Retaining and supporting existing businesses
- Adjacent uses compatible with proposed zoning
- Existing uses compatible with adjacent CMU2 uses (east) and I1 uses (west)

The City Council shall consider the Zoning Commission recommended findings of the review criteria:

- (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.

The City Zoning Commission may:

Recommend approval and adoption of the findings of the ten review criteria for Zone Change 1013; or,
Recommend denial and adopt different findings of the ten review criteria for Zone Change 1013; or,
Delay action on the zone change request for up to 30 days; or,
Allow the applicant to withdraw the zone change request.

Proposed zoning allows:

- Offices, medical or professional
- Wide-range of commercial businesses, service providers and retail uses

Current zoning does not allow many of these uses including personal services, lodging, financial or medical services

Questions for staff: NONE

Applicant: Jamie Griffin

Is available to take questions.

Questions for applicant: NONE

Public Hearing: 4:42PM

Chair Larson opened the public hearing and called for anyone wishing to speak in favor or against City Zone Change 1016.

In Favor: None

Opposed: None

Public Hearing closed at 4:43PM

Discussion:

Commissioner Goss stated he is not in favor of changing to industrial zoning in general, however it seems applicable here.

Chair Larson stated it is nice to see something moving in at this location.

Commissioner McCall wants abide from his location to this area.

Motion

Commissioner McCall made a motion and Commissioner Brooks seconded the motion to approve City Zone Change 1016.

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 1016 with a 5-0 vote.

Other Business:

Presentation. Commission Discussion. Zoning Atlas. Kendall Colton Frontier Institute of Montana. <https://frontierinstitute.org/reports/the-montana-zoning-atlas/>

The Frontier Institute, based in Helena, Montana, is a non-profit organization that believes in solving problems with more freedom not more government. The organization was founded in 2020 and Kendall Cotton is the President and CEO. The Board of Directors includes: Dr. Kathleen Brown, Joe Coco (Chairman), Rick Hill, Scot Miller, Lawrence Reed, and Daniel Zolnikov.

Adjournment: The meeting adjourned at 5:44 PM.

ATTEST: To be Approved by a motion September 6, 2022.

--Robbin Bartley, Administrative Assistant