



**Yellowstone County Zoning Commission
APPROVED Minutes for the Meeting of
Monday, April 11, 2022**

The County Zoning Commission met on Monday, April 11, 2022 at 4:00 p.m. in the Miller Building 1st Floor Conference Room, 2825 3rd Ave. North.

		01/10/2022	04/11/2022												
Blaine Poppler	Commissioner	1	1												
Melissa Ray Gentry	Commissioner	1	1												
Tyler Bush	Commissioner Chairman	1	1												
Todd Hewett	Commissioner	1	1												
Open	Commissioner														

Commissioner Poppler opened the meeting and introduced the County Zoning Commission members and Planning Division staff.

Commissioner Bush is participating virtually.

Zoning Coordinator Nicole Cromwell, Karen Husman, Tammy Deines, Planning Clerk

Other Participants: John Turcotte, Charles Swarm, Myles M. Egan, Laura Boyer

Public Comment

Commissioner Poppler 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) 237-6165. 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 three minutes of testimony as is customary. There were no public comments.

Motion. Approval of Minutes: January 10, 2022 (Due to a lack of agenda items, this Commission had no meetings in February or March 2022).

Motion

It was moved by Commissioner Hewett and seconded by Commissioner Gentry to approve the January 10, 2022 meeting minutes as submitted. The motion carried with a unanimous voice vote.

No ex parte communications or conflicts of interest were announced by the Commissioners.



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Zoning Coordinator Nicole Cromwell read aloud the procedures for a public hearing.

Item #1: County Zone Change #707-1321 Alkali Creek Road

Zoning Coordinator Nicole Cromwell read the legal notice for the record. Planner Karen Husman opened this agenda item with presentation of the staff report beginning with the surrounding zoning on this property.

REQUEST

County Zone Change 707 – 1321 Alkali Creek Road - A zone change request from Large Lot Suburban Neighborhood (N4) and Parks and Open Space (P1) to Agriculture (A), Rural Residential 1 (RR1), Rural Residential 3 (RR3) and Parks and Open Space, on Terrace Estates Sub, 3rd Filing, Lots 1-27 Block 1; Lots 1-16 Block 2, Lots 4A-53, 60, 72-76 Block 3, a 47.527 acre parcel of land. A pre-application neighborhood meeting was held on February 17, 2022, via Zoom, and February 25, 2022, in a virtual Zoom meeting. Presented by: Karen Husman, Planner I.

RECOMMENDATION

Planning Division recommends approval of Zone Change 707 and adoption of the 11 criteria.

BACKGROUND

The subject property is located north of Alkali Creek Road and west of the intersection of Sandstone Trail. The 47 + acre parcel is currently undeveloped and was de-annexed from the city in 2017. The de-annexation was intended to help with a re-platting of the property into larger more rural residential lots and an agricultural parcel. The property owners believe changing the zoning and re-platting the lots in the subdivision would minimize the impact on Alkali Creek and surrounding area by reducing the development potential of the land. Alkali Creek and its associated floodplain is a significant challenge to development on this entire parcel. After Project Re-Code was approved, the P became P-1 and the R-96 became N4 allowing large lot residential. The proposed RR1 and RR3 zones will allow larger residential lots and reduce the number of lots in the subdivision. The applicants have received preliminary plat approval from the Yellowstone County Board of County Commissioners for the reduction in lots and re-platting. In order to be able to file a final plat, the zone change is required. Subdivisions cannot be platted if they are not in conformance with zoning. The new plat will reduce the number of lots from 78 to 5 lots with 3 rural residential lots, one agricultural parcel and the parkland. The rural residential and agricultural zones are based on lots size minimums and maximums. The proposed development will reduce the impact on the land by reducing the density of development.

Discussion

Commissioner Poppler asked the Commissioners for questions and comments.



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Public Hearing

Commissioner Poppler opened the public hearing and asked if there is anyone wishing to speak in favor or against County Zone Change #707.

Favor

Myles M. Egan, 1550 Poly Drive, Billings, Montana

Mr. Egan is the broker representative for applicants James, JoAnn, and Lora Boyer. The property has been on the market since 2016. It is currently listed at \$780,000 due to the cost of development of improvements. The decision was made not to use the City services that will be available. Due to the area topography this ground will be developed into four parcels. DNRC has recommended installation of cisterns and septic systems with drain fields. The new zoning will allow livestock on the parcels. A neighborhood meeting was held and positive input was received on the reduction of lots in the development.

Commissioner Poppler asked if there is anyone wishing to speak in favor or against Yellowstone County Zone Change #707. No phone calls were received from the public.

John Turcotte, 1503 Sage Drive, Billings, Montana

Mr. Turcotte is speaking in favor of this development as it will be similar to the existing surrounding developments with larger lots. Mr. Egan answered a question by Mr. Turcotte stating wells will be allowed for livestock purposes and watering yards; and no well water is approved for domestic use.

Dawn Kern, 1132 Alkali Creek Road, Billings, MT

Ms. Kern stated she is emphatically in favor of this zone change request.

Commissioner Poppler said he has tracked the property over the years and he recounted the parcel's development history. There were no further comments from the Commissioners.

Commissioner Poppler closed the public hearing and called for a motion.

Motion

Commissioner Bush made a motion and it was seconded by Commissioner Hewett to forward a recommendation to the Board of County Commissioners of approval of approval of Zone Change #707 and adoption of the 11 criteria.

Discussion

There was no discussion on the motion.

The motion carried with a unanimous voice vote, 4-0.



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***The Board of County Commissioners will hold a hearing on this application on Tuesday, April 26, 2022 at 9:30 am.**

OTHER BUSINESS

a. Announcements:

- There is one vacancy on the County Zoning Commission.

Adjournment 4:20 PM

Approved by a motion June 13, 2022

--Tamara L. Deines, Planning Clerk