



**Yellowstone County Zoning Commission  
Approved Minutes for the Meeting of  
Monday, September 12, 2022**

**The County Zoning Commission met on Monday, September 12, 2022 at 4:00 p.m. in the Miller Building 1<sup>st</sup> Floor Conference Room, 2825 3<sup>rd</sup> Ave. North.**

		01/10/2022	04/11/2022	06/13/2022	07/11/2022	08/08/2022	09/12/2022							
Blaine Poppler	Commissioner	1	1	1	1	1	1							
Melissa Ray Gentry	Commissioner	1	1	1	1	1	1							
Tyler Bush	Commissioner Chairman	1	1	1	1	1	E							
Todd Hewitt	Commissioner	1	1	1	1	E	1							
Open	Commissioner													

Commissioner Poppler opened the meeting and introduced the County Zoning Commission members and Planning Division staff. Commissioner Hewitt is participating virtually.

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

**Other Participants:** Shawn Thorson, IMEG; Amber Long, Monica Sayler, Pam Swanke Holly Swanke, Alice Swanke, Nicole West, Dave West, Brent Weitman, Kevin McKenney

**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: August 8, 2022**

**Motion**

**It was moved by Commissioner Hewitt and seconded by Commissioner Gentry to approve the August 8, 2022 meeting minutes as submitted. The motion carried with a unanimous voice vote.**

No exparte communications or conflicts of interest were announced by the Commissioners. No one wished to comment regarding items not on the agenda.



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Zoning Coordinator Nicole Cromwell read aloud the procedures for a public hearing. This item is continued from the August 8, 2022 Yellowstone County Zoning Commission meeting.

**Item #1. Return Item - County Zone Change 712 – 2433 Highway 87 E – From RR3 to N1 and NX1** - A zone change request from Rural Residential 3 (RR3) to First Neighborhood (N1), and Mixed Residential (NX1), on C.O.S. 929, PARCEL 4, AMD and S31, T01 N, R27 E, SENWNW4, an 14.45 acre parcel of land. A pre-application neighborhood meeting was held on June 15, 2022, at Lockwood School. Tax ID: D06622 & D06613.

**Public Hearing**

Commissioner Poppler continued the public hearing and asked if there is anyone wishing to speak regarding County Zone Change #712.

**Shawn Thorson, IMEG, 175 N 27<sup>th</sup> Street, STE 1312, Billings, Montana**

Commissioner Poppler commented on a discussion during the preapplication meeting regarding self-storage units. Mr. Thorson explained that the original application included storage units but the request has changed and will include single and multiple residential units. Commissioner Hewitt asked about the water services. Mr. Thorson said Lockwood Water Services will be extended to this property and the sewer will be extend about a half-mile to the east and then to the development. The services will be provided concurrently with the development. Commissioner Gentry asked if there are green zones. Mr. Thorson said there is parkland provided for filings two and three for park areas.

**Alice Swanke, 2820 Highway 87E, Billings, MT**

Ms. Swanke stated she objects to the zone change due to the potential for increased traffic and crime.

**Nicole West, 2415 US Highway 87 East, Billings MT**

Ms. West spoke in opposition to the increase in density and the potential for extra traffic on Highway 87 East. She said the zoning sign was posted in an unsafe location. She wants to maintain the rural nature of the subdivision. She said the residents are tired of paying for housing developments that they have nothing to do with.

**Jim Logan, (no address given)**

Mr. Logan stated he is a longtime resident in this area. He feels that a 140-unit subdivision is “way out of line” for this area. He spoke to the difficulty of access due to increased vehicle traffic. He voiced concern with children’s safety. Mr. Logan said there is a public safety problem and this development will increase the crime rate. He stressed that this is not the intent of the property owners to experience this type of growth.



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**Monica Saylor, 2963 US Highway 87 E, Billings, MT**

Ms. Saylor is a long-time resident. She is adamantly opposed to this proposal as they are “open range” residents. She voiced concerns this plan will affect the neighborhood character and traffic density, overcrowding the enrollment at Lockwood School. She stated there will be a negative impact on the rural community with increased crime. Residents are opposed to the “land grab”. Ms. Saylor gave statistics of the vehicle trips per day should this population influx take place. She does not approve any increase in property taxes. She feels this plan is an insult to the neighborhood as the majority of the parcels are large.

**Holly Swanke, 2752 Highway 87 East, Billings, MT**

Ms. Swanke stated over the years Johnson Lane has become very busy- especially with the new high school. She spoke to the poor road conditions in the winter. Ms. Swanke said there is nothing for children to do other than wander and this is “opening up a kettle”. Her daughter’s new house view shed will look down on this subdivision. She said there is no guarantee as to who will live there and the neighborhood should not suffer. She stressed that the highway cannot handle the increased traffic from the school to the parcel, and closed with the comment, “This is crazy”.

**Todd Cantrell, 2030 Prairie Drive, Billings, MT**

Mr. Cantrell is against the proposed zone change. He voiced concern with school children’s and the increased traffic and problems. Mr. Cantrell said they bought their property to maintain a rural setting. He said it is peculiar the developer would purchase the property prior to approval of the proposed zone change. He feels that adding and compounding to the existing issues will not help.

**David West, 2415 US Highway 87 East, Billings, MT**

Mr. West said property owner Mr. Vinton is selling his home and leaving this as a legacy to those that live there. He said more emergency medical services are needed along with law enforcement to deal with the crime. He voiced concern with the loss of Community Policing.

**Pam Swanke, 2926 Henderson Road, Billings, MT**

Ms. Swanke is opposed to this zone change. She said they are agricultural and appreciate the life style, and there should be no encroachment on the agricultural land in this area.

**Rebuttal**

**Shawn Thorson, IMEG, 175 N 27<sup>th</sup> Street, STE 1312, Billings, Montana**

Mr. Thorson said a traffic study will be performed for the subdivision review and determination will be made for the need for a turn lane. Commissioner Hewitt asked if there are mass transit services and Mr. Thorson responded that mass transit services are not available to this area at this time. He said the capital improvement costs for the development will be borne by the developer. He said he will find out if there are any additional costs. He no light pollution going through houses is intended.



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Commissioner Poppler asked if there is anyone else wishing to speak in favor of County Zone Change #712. There were none. Commissioner Poppler closed the public hearing at 4:36 pm and called for discussion.

**Discussion**

Commissioner Hewitt commented he is not “a fan” of developments in the area without mass transit services where residents have to rely on their own vehicles. In response to question by Zoning Coordinator Nicole Cromwell, Planner Karen Husman reported the density calculations in the staff report were provided by the YC PW/Engineering Department. Commissioner Gentry pointed out the narrow road width near Johnson Lane.

Commissioner Poppler spoke to the need for affordable housing options in the Lockwood area, and the Lockwood Growth Policy encourages more affordable developments. This tract is within range of Lockwood water and sewer services. He said he is aware of the tight traffic conditions on Highway 87. He noted the new Lockwood school and said that children’s safety is important. Commissioner Poppler acknowledge the need and the potential impact on the neighborhood. Commissioner Gentry spoke to the desire of residents to live in Lockwood due to the school system but there is a lack of affordable housing. A petition to deny County Zone Change #712 dated August 21, 2022 was submitted for the Commissioners review. Commissioner Poppler read the petition aloud.

Zoning Coordinator explained the staff recommendation and asked the Commissioners to consider the staff recommendations and findings. Should the Commissioners have a different recommendation, different findings will have to be provided.

**Motion**

**Commissioner Hewitt made a motion to recommendation of denial Zone Change #712 on the basis of public safety due to traffic and the impact on the community. (Criterion 3, 4, and 6).**

**Discussion**

Commissioner Gentry said she likes to see a development that will bring forward water and sewer services. The current zoning allows for 3-acres as a minimum allowable lot area. She is against the proposal due to school children riding bikes and walking on the highway.

**The motion is seconded by Commissioner Gentry.**

**The motion carried 3-0, with a unanimous voice vote. . Zone Change #712 is denied.**



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The **Board of County Commissioners** public hearing for these applications will be held on **Tuesday, October 4, 2022, at 9:30 a.m. at 316 N 26<sup>th</sup> Street – 3<sup>rd</sup> Floor, Commissioner’s Hearing Room.** The Board of County Commissioners will hear all persons wishing to speak relative to the proposed **Zone Changes**.

**OTHER BUSINESS**

**a. Announcements:**

- There is one vacancy on the County Zoning Commission.
- The October 10, 2022 Yellowstone County Zoning Commission meeting is canceled due to a lack of agenda items.

**Adjournment 4:46 PM**

**Approved by a motion at the next scheduled meeting.**

*--Tamara L. Deines, Planning Clerk*



## COUNTY OF YELLOWSTONE ZONING COMMISSION AGENDA

**Monday, September 12, 2022**

4:00 PM

Miller Building, 1<sup>st</sup> Floor Conference Room  
2825 3<sup>rd</sup> Avenue North, Billings, Montana

### NOTICE TO THE PUBLIC

**•\*ATTENTION\*\***

Citizens are invited to:

- Review the Agenda Packet on the City's website at: <https://ci.billings.mt.us/117/Agendas-Minutes>
- View the meeting live online at Facebook: <https://tinyurl.com/yckr478k>

Public comment will be taken only during the Public Comment periods as indicated on the agenda and during the Public Hearings, if any are scheduled, under the Regular agenda. Comments may be sent to Board via email before 10:00 AM on the meeting date. All emails received prior to this time will be read into the record for the public hearing. Comments may be submitted by:

- Mail: City/County Planning Division, 2825 3rd Ave N 4th Floor, Billings, MT 59101
  - Email: [deinest@billingsmt.gov](mailto:deinest@billingsmt.gov)
- Call in during the Public Comment periods as indicated on the agenda:
  - Citizens may call in during specific Public Comment periods at 406.237.6165.
  - All callers will be placed 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 limited to 3 minutes of testimony as is customary.
  - Future delivery methods may be explored as best practice is learned.

Please direct questions to Planning Clerk Tammy Deines at [deinest@billingsmt.gov](mailto:deinest@billingsmt.gov) or 406-247-8610. Thank you!

**Call the meeting to order.**

**Introduction of the Yellowstone County Zoning Commission Members and Planning Department Staff.**

**Public Comment**

**Motion. Approval of Minutes: August 8, 2022**

**Disclosure of any Conflict of Interest-Members of the Commission and Staff**

**Disclosure of an Outside (Ex Parte Communication)-Members of the Commission and Staff**

**a. The Exparte Communication Binder is available at the Sign-In and Agenda Station.**

**Regular Business:**

- A. Opening of public hearings.
- B. Reading of rules for the procedure by which the public hearings will be conducted.
- C. Reading of notices of the public hearings on the following items:

**Public Hearings:**

- a. County Zone Change 712 -- 2433 Highway 87 E -- From RR3 to N1 and NX1 - A zone change request from Rural Residential 3 (RR3) to First Neighborhood (N1), and Mixed Residential (NX1), on C.O.S. 929, PARCEL 4, AMD and S31, T01 N, R27 E, SENWNW4, an 14.45 acre parcel of land. A pre-application neighborhood meeting was held on June 15, 2022, at Lockwood School. Tax ID: D06622 & D06613.

**Other Business/Announcements**

**Adjournment**

Written comments may also be sent to Board via email before 1:00 PM on Monday, September 12, 2022. All written correspondence and emails ([husmank@billingsmt.gov](mailto:husmank@billingsmt.gov), [cromwelln@billingsmt.gov](mailto:cromwelln@billingsmt.gov) or [deinest@billingsmt.gov](mailto:deinest@billingsmt.gov) ) received prior to this time will become part of



9-12-2022

Monica Sayler  
2863 US Hwy 87 East  
Billings, MT 59101  
406-850-2087  
[smsayler@live.com](mailto:smsayler@live.com)



My name is Monica Sayler-S A Y L E R. My husband Steve and I have lived at 2863 US HWY 87 E for over 40 years. We have been supportive of many community causes over the years. We have been very active with Lockwood Schools, both of us have worked there with our son and grandchildren in attendance. We are adamantly against this proposed zone change.

We disagree this plan is consistent with our neighborhood character. We are open range, larger land parcels, with longtime residents including generations of family members living on different tracts. This proposed plan will have a negative impact on our neighborhood character and quality of life.

How can we believe we will not become responsible to absorb the continuing costs of public water and sewer installs and upgrades?

Without question, the increase in traffic will be huge. Hwy 87 + Johnson Ln. have not yet adjusted to the hourly, daily and nightly increases with the addition of our new High School. With a proposal of 100-140 dwellings, what could the increase to student enrollment be? Enrollment is already exceeding approximately 300 students beyond estimates. What are the projected future enrollments? Lockwood Schools are facing overcrowding today!

We will most differently see a negative impact on the general welfare of our rural community. Each and everyone of us has witnessed the increase in crime in Lockwood. We have animal poisoning and stealing, regular car chases, drugs, robberies, school treats, even threats of child abductions. As a community, why would we condone opening the door to increased opportunities for crime.

Environmentally, I am concerned with the light pollution, diminished air quality and noise. We have chosen to make our lives in the peaceful rural environment and oppose this land grab, claiming to be justified because the Lockwood plan is for more lower priced multi family residents.

How can the proposed zone change claim, "this will not generate more traffic". Your notes state an increased average of 10-13 trips per day. Multiply that by 140 units-this would add 1820 vehicles a day to the already overstressed intersection.

This plan simply is not compatible with the surrounding uses. This 14.5 acre plot is much too small for such a huge enflexis of increased population.

Without a doubt, our property taxes will increase. As they have over the last several years. I do not approve of having to absorb any cost to pay for your idea.

Site photos clearly show the open range, blue sky- residents in this neighborhood call home. We do not want our neighborhood to be distorted with cramped units for growth we DO NOT want. This plan is an insult to our neighborhood.

Zone jumping from RR3 to NX1-N1 is too extreme for our neighbors and their families. Many landowners parcels by far exceed the 3.-9.9 acres as claimed. This is not the best choice of land use. Those of us protesting, certainly feel this way.

I urge the denial of this zone change application.

Thank you for your evaluation and consideration.

Monica Saylor



August 31, 2022



The following Lockwood property owners are petitioning the planning board and the Yellowstone County commissioners to deny zoning request #712 changing the zoning on that property from RR3 to AA3. We feel Allowing developers to build multi-housing units will result in an unsafe traffic situation on hi way 87 substantially increasing the number of cars going by the Lockwood schools, endangering the students and adding to congestion that is already a problem on school days. In addition, folks who purchased property in this area did so because of the RR3 zoning and the lifestyle it affords. If we don't want the congestion AA3 zoning will create, neither will future buyers if we are forced to sell to get away from it. We strongly urge you to deny the #712 request.

Owner Name	Address	
BRET MCKENNEY	155 JOHNSON LN	
MONICA SAYLER	2863 US Hwy 87E	Monica Sayler
STEVE SAYLER	2863 US Hwy 87E	Steve Sayler
Lynn Marchant	2924 US Hwy 87E	Lynn Marchant
GREG MARCHANT	2924 US HWY 87E	
DENNIS MCCOLLUGH	2121 HILLNER	
Juanita McCollough	2121 Hillner Lane	Juanita McCollough
JEFF MARTIN	2905 Hwy 87 EAST	
Kevin McKenney	2935 Prairie Dr.	Kevin McKenney
THOMAS PEDRZO	881 Jamstone Dr.	Thomas Pedrzo
Dave West	2415 US Hwy 87 E	Dave West
Brent A. Weitman	" "	Brent A. Weitman

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Owner Name

Address

Jemlv Logan

2940 PRAIRIE DR.

Steve Meranda Kleinsasse

3022 Prairie Dr.

Dick LaFramboise

3119 PRAIRIE DR



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Owner Name

Address

Bob Jeffer  
Nicole West

2840 Hwy 87 east  
Billings 59101  
2415 US HWY 87E Billings, MT 59101

Pam Swanke  
Holly Swanke

2926 Henderson Rd 59101  
2752 Hwy 87E 59101  
2930 Anira Dr 59101

Don & MARY Cantrell  
Warren & Alice Swanke

2820 Hwy 87E 59101

