



## COUNTY OF YELLOWSTONE ZONING COMMISSION AGENDA

**Monday, September 8, 2025**

**4:00 PM**

**5th Floor Beartooth Meeting Room  
316 N 26th St, Billings MT**

### NOTICE TO THE PUBLIC

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

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 the Board via email before 12:00 PM on the meeting date. All emails received prior to this time will be entered into the record for the public hearing. Comments may be submitted by:

- Mail: City/County Planning Division PO Box 1178, Billings MT 59103
- Email: [plnonline@billingsmt.gov](mailto:plnonline@billingsmt.gov)
- All meetings and official activities of the MPO are held in buildings and locations that comply with accessibility standards according to the Americans with Disabilities Act (ADA). A TTY number for the hearing impaired, 406-657-3079, is available upon request. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify the Planning Division Office, at 406-247-8610.

**Call the meeting to order.**

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

**Public Comment**

**Approval of Minutes:**

The minutes of the Board meeting of July 14, 2025

**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**

**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:**

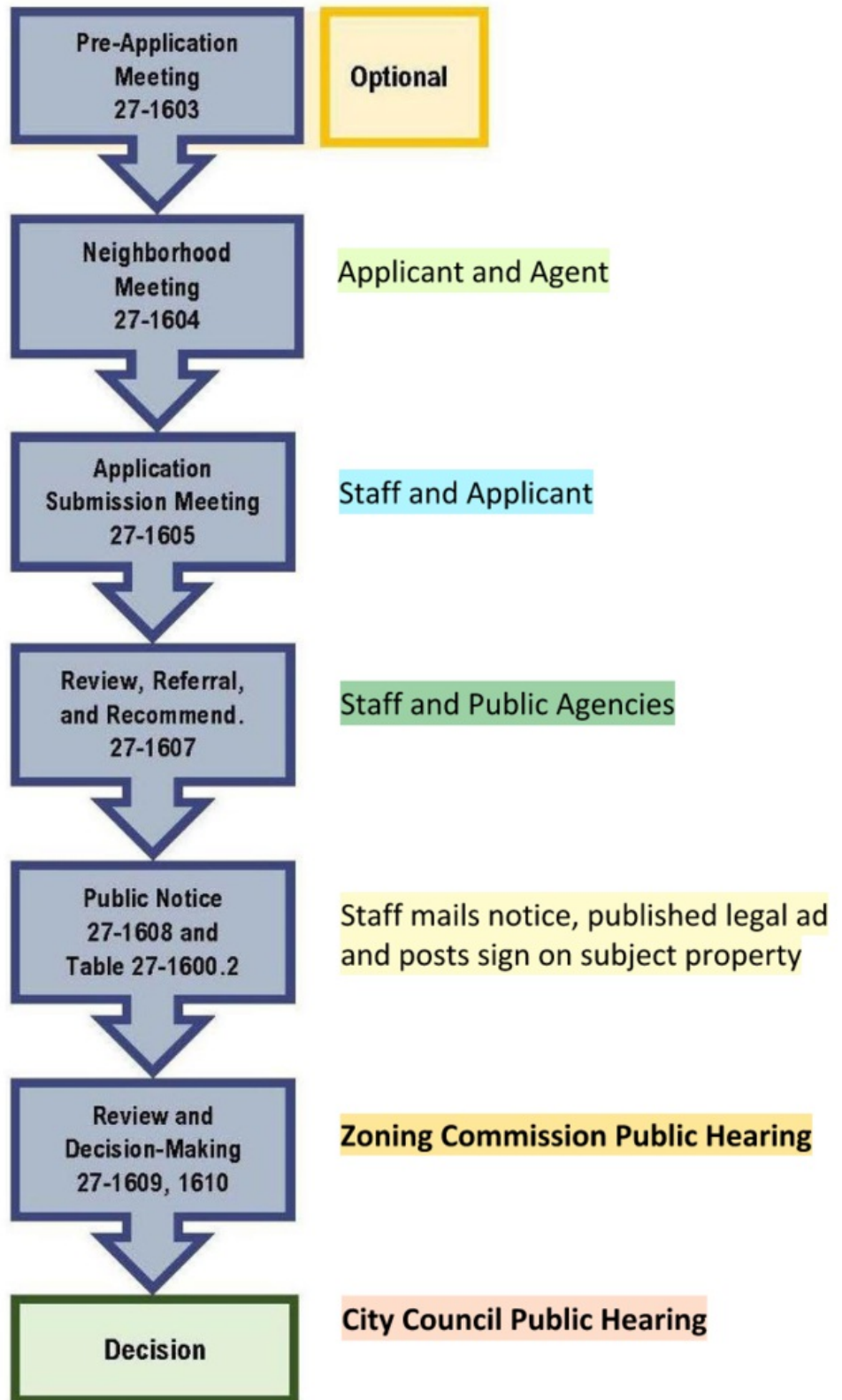
- a. **County Zone Change 730 -- 406 Johnson Lane** - A zone change request from Rural Residential 3 (RR3) to Residential Manufactured Home (RMH), on S30, T01 N, R27 E, S2S2SE4 a 10 acre parcel of land. A pre-application neighborhood meeting was held on July 2, 2025, 5:00 p.m. at the Lockwood Fire Station. Tax ID: D06595

- b. **County Zone Change 731 -- 2142 Bitterroot Dr.** - from RR3 to RR1 - A zone change request from Rural Residential 3, 3 to 9.99 Acres (RR3) to Rural Residential 1- 1 to 2.99 acres (RR1), on S30, T01 N, R27 E, S2S2SE4, a 5 acre parcel of land. A pre-application neighborhood meeting was held on July 24, 2025, at 6:00 p.m. at 900 Bitterroot Road. Tax ID: D05106

#### **Other Business/Announcements**

#### **Adjournment**

Following the public hearing, the County Zoning Commission will make a recommendation to the Yellowstone County Commissioners. The **Board of County Commissioners** public hearing for these applications will be held on **September 30, 2025, at 9:0 a.m. at 316 N 26<sup>th</sup> Street -- 3<sup>rd</sup> Floor, Commissioner's Board Room.** The Board of County Commissioners will hear all persons wishing to speak relative to the proposed **Zone Change**. Information on the preceding item may be obtained at the Yellowstone County Planning Department or by calling 406-247-8247. Anyone wishing to be heard on this matter may appear at this hearing. Public hearings are accessible to individuals with physical disabilities. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify the Planning Division Office at 406-247-8610 or [plnonline@billingsmt.gov](mailto:plnonline@billingsmt.gov)



County Zoning Commission  
Meeting Date: 09/08/2025  
PRESENTED BY: Brenda Berns

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**Information**

**REQUEST**

The minutes of the Board meeting of July 14, 2025

**RECOMMENDATION**

**APPLICATION DATA**

OWNER:  
AGENT:  
LEGAL DESCRIPTION:  
ADDRESS:  
CURRENT ZONING:  
EXISTING LAND USE:  
PROPOSED USE:  
SIZE OF PARCEL:

**CONCURRENT APPLICATIONS**

**APPLICABLE ZONING HISTORY**

**SURROUNDING LAND USE & ZONING**

NORTH:	Zoning: Land Use:
SOUTH:	Zoning: Land Use:
EAST:	Zoning: Land Use:
WEST:	Zoning: Land Use:

**BACKGROUND**

**RECOMMENDATION**

Staff recommends

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**Attachments**

Minutes of July 14, 2025

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## Yellowstone County Zoning Commission

Monday, July 14, 2025

Commission		01/13/2025	02/10/2025	03/10/2025	04/14/2025	05/12/2025	06/09/2025	07/14/2025	08/11/2025	09/08/2025	10/13/2025	11/10/2025	12/08/2025
<b>Tyler Bush</b>	Commissioner Chairman	-	1	1	-	-	1	V					
<b>Melissa Ray Gentry</b>	Commissioner	-	A	1	-	-	1	1					
<b>Blaine Poppler</b> Expired Term 6/30/25	Commissioner Co-Chair	-	1	1	-	-	1	-					
<b>Todd Hewitt</b>	Commissioner Acting Co-Chair	-	1	1	-	-	A	1					
<b>Morgan Tuss</b> Expired Term 6/30/25	Commissioner	-	A	A	-	-	A	-					

Please note: "A" stands for excused absence, "1" stands for present, "V" stands for Zoom participation, "C" stands for Canceled

Co-Chair Hewett opened the meeting at 4:00 PM and introduced the County Zoning Commission members and Planning Division staff.

**Staff Present:** Karen Husman, Zoning Coordinator; Tate Johnson, Neighborhood Planner; Brenda Berns, Planning Clerk

**Participants:** Taylor Kasperick, Performance Engineering; Greg Reid, WWC Engineering

Members of the Public: Carolene Emter, Jay Ericksen, Cathy Consani, Justin Logan, Brandie Logan, Heather Luhman, Russ Glendenning, Ken Hagell

**Public Comment**

Co-Chair Hewett asked if there was anyone wishing to speak during the public comment portion of the meeting. There was no public comment.



## Yellowstone County Zoning Commission

Monday, July 14, 2025

### **Approval of Minutes:** June 9, 2025

#### **Motion**

It was moved by Commission member Gentry, seconded by Commission member Hewett to approve the June 9, 2025 meeting minutes as submitted. The motion passed unanimously.

Disclosure of any Conflict of Interest-Members of the Commission and Staff. There was none.

Disclosure of Outside (Ex Parte Communication) Members of the commission and Staff. There was none.

#### **Regular Business:**

- a. **Return Item: Zone Change 728- 4449 and 4511 Central Ave – A to N4** – A zone change request from Agriculture (A) to Large Lot Suburban Neighborhood Residential (N4) on two proposed one (1) acre parcels of land to be known as Lots 1 and 2 of Barber Farms subdivision, in Tract 1A of C/S 2007 Amended, a 57.064-acre parcel of land.

Tate gave an overview of the current zoning and surrounding neighborhood's zoning.

Staff has reviewed this application and is forwarding a recommendation of approval based on the 11 criteria for zone changes as submitted in the staff report.

- Meets the goals of the County Growth Policy & the 11 review criteria
- Maintains consistency with surrounding zoning and neighborhood character
- Brings the property into compliance with zoning standards for residential use

The proposed N4 zoning is compatible with the residential uses nearby, the change will help preserve the established character of the neighborhood and help transition from Agricultural to Suburban Neighborhood Residential.

**Applicant's Agent: Taylor Kasperick, Performance Engineering** – there were no questions from the commission members.



## Yellowstone County Zoning Commission

Monday, July 14, 2025

Co-Chair Hewett opened the Public Hearing. There were no members of the public. The public hearing was closed.

### **Discussion**

Commission member Gentry stated she believes it should move forward, however needs to be rezoned., agreed by Commission member Hewett, and added as long as it does not tear up Central Ave.

### **Motion**

A motion was made by Commission member Gentry, seconded by Commission member Hewett to forward an approval of Zone Change 728 to the County Commissioners. The motion passed unanimously.

- b. **Zone Change 729 – 2602 Rockwood St.- RR-3 to N2** – A zone change request from Rural Residential 3 (RR-3) to Mid-Century Neighborhood Residential (N2) on Certificate of Survey 540, S30, TIN, R27E, 9.48 Acre parcel of land.

Tate gave an overview of the current zoning and surrounding neighborhood. Planning staff have reviewed the application and are forwarding a recommendation of approval based on the 11 criteria for zone changes, as submitted in the staff report.

- Meets the goals of the County Growth Policy & the 11 review criteria
- Maintains consistency with surrounding residential zoning and neighborhood character
- Promotes efficient land use through compatible infill development on small lots

### **Questions:**

A question was raised regarding the difference between RR3 and N2 zoning. It was explained that RR3 requires a minimum of three acres per lot, while N2 zoning is based on minimum lot width rather than lot size. The minimum lot width for a single-family dwelling was clarified as 50 feet. Under the current RR3 zoning, three homes could be constructed, whereas under N2 zoning, the number of homes would depend on how they are situated on the lot.



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**Applicant's Agent: Greg Reid, WWC Engineering;** Mr. Reid stated that the initial letter sent for the neighborhood meeting contained errors. An updated letter was subsequently sent to the same recipients.

Questions were raised regarding a potential development on Clayton Street. At this time, no site plan has been submitted. It was noted that sewer service would be provided through DEQ to Lockwood rather than by a septic system. The proposed development could include between 10 and 25 lots. Manufactured homes are not permitted under the current zoning; however, the project would involve prebuilt wall construction rather than homes on a chassis. It was further noted that modular housing currently exists adjacent to the proposed area.

Co-Chair Hewett opened the Public Hearing.

Ken Hagell 2537 Silverton; Concerns were raised regarding traffic flow, safety hazards related to the nearby ditch, and potential drainage issues. It was noted that with 20–30 proposed houses, increased traffic could significantly impact safety, and additional water runoff may lack adequate outlets.

Russ Glendenning 2532 Silverton; Questions were raised regarding whether Silverton would be opened and if the development would include low-income housing.

Heather Luhman 2520 Rockwood; Ms. Luhman expressed concern that the proposed development would turn their dead-end street into a through street. They noted that the lots in the area are large, and additional traffic would negatively affect their property value and quality of life. They also raised concerns about increased school impacts, emphasizing that they already pay significant school taxes in Lockwood.

Justin Logan 2541 Sterling; Mr. Logan noted that lots along Clayton are double lots and expressed concern that the proposal does not meet applicable criteria. They questioned whether multifamily housing is being planned and stated that the proposed development does not align with the character of the neighborhood. The residents opposed duplexes, citing potential negative impacts on property values, increased traffic, and expressed disappointment regarding misinformation provided at the neighborhood meeting.



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Cathy Consani 2545 Sterling St; Ms. Consani expressed opposition, noting that she lives on a dead-end road and wishes to maintain it as such. She also raised concerns about the potential traffic impact on Greenwood.

Jay Ericksen 2517 Sterling; Mr. Ericksen expressed concerns about the proposed N2 zoning, noting the potential for 30–40 duplexes that could add roughly 160 vehicles to neighborhood traffic. He also raised issues related to increased crime, law enforcement’s capacity to respond, potential impacts on property values if lower-income housing is included, and inadequate communication with residents about the project.

Mr. Reid was asked whether the development would include low-income housing. He responded that, to his knowledge, it would not. He explained that extending Rockwood straight through would be very costly, and therefore the developer would be unlikely to pursue that option. However, subdivision requirements do call for connectivity. Mr. Reid emphasized that if the project advances to the subdivision stage, it will be important for the public to voice their opinions. He further noted that while the current discussion involves zoning, many of these concerns are addressed during the subdivision process.

Public Hearing closed.

### **Discussion**

The board discussed issues related to curb and gutter requirements, neighborhood character, and housing types. It was noted that final decisions rest with the County Commissioners and that state law does not allow denial of two-family housing within subdivisions. Questions were raised about potential multifamily development, though specific plans are not yet available as the subdivision process has not begun. The discussion also addressed traffic impacts, utility connections, and the area’s role as a potential transitional zone. Board members acknowledged community concerns regarding mobile homes but clarified that the proposal involves stick-built housing.

### **Motion**

A motion was made by Commission member Hewett, seconded by Commission member Gentry to forward an approval of Zone Change 729 to the County Commissioners.

Vote: Motion for recommendation of approval. 2–1. Majority of voting members.



## Yellowstone County Zoning Commission

Monday, July 14, 2025

**Other Business/Announcements.** There was no other business.

**Adjourned: 4:58PM**

*Brenda J Berns, Planning Clerk*

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**County Zoning Commission**

**Meeting Date:** 09/08/2025

County Zone Change 730 - 406 Johnson Lane - RR3 to RMH

**THROUGH:** Karen Husman

**PRESENTED BY:** Makayla Paul, Planner

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**Information**

**REQUEST**

**County Zone Change 730 -- 406 Johnson Lane** - A zone change request from Rural Residential 3 (RR3) to Residential Manufactured Home (RMH), on S30, T01 N, R27 E, S2S2SEW4 a 10 acre parcel of land. A pre-application neighborhood meeting was held on July 2, 2025, 5:00 p.m. at the Lockwood Fire Station. Tax ID: D06595

**RECOMMENDATION**

The Planning Division staff is recommending approval of the requested zone change and adoption of the findings of the eleven criteria of Zone Change 730.

**APPLICATION DATA**

**OWNER:** Christos & Tammi Vlahos

**AGENT:** Jeff Wollschlager, A-Line Drafting

**LEGAL DESCRIPTION:** S1/2S1/2SEW1/4 (approximately 10 acres total) of S30, T01 N, R27 E

**ADDRESS:** 406 Johnson Lane

**CURRENT ZONING:** Rural Residential 3 (RR3) and General Commercial (C3) on the eastern 500 feet

**EXISTING LAND USE:** Residential and Commercial (Total property)

**PROPOSED USE:** Residential Manufactured Homes and Commercial (Total property)

**SIZE OF PARCEL:** Approximately 10 acres, rezoned are is the property's western 6 acres.

**CONCURRENT APPLICATIONS**

None

**APPLICABLE ZONING HISTORY**

See attachments.

**SURROUNDING LAND USE & ZONING**

**NORTH:** Zoning: RMH - Residential Manufactured Home & N4 - Large Lot Suburban Neighborhood Residential  
Land Use: Emerald View Mobile Home Park & single-family residential

**SOUTH:** Zoning: RR3 - Rural Residential 3  
Land Use: Single Family Residential

**EAST:** Zoning: C3 - General Commercial & Ag - Agriculture  
Land Use: 4 acres of the subject property includes a single-family dwelling & Commercial Distributor. Across Johnson Lane is agricultural use.

**WEST:** Zoning: RR3 (recently changed to N2 with zone change 729 on July 22nd, 2025)  
Land Use: Residential

**BACKGROUND**

The applicant has requested a zone change from Rural Residential 3 (RR3) to Residential Manufactured Home (RMH) for the western 6-acre portion of the subject property, legally described as S30, T01N, R27E, an unplatted parcel of land. The required pre-application neighborhood meeting was held on July 2, 2025, at 5:00 p.m. at the Lockwood Fire Station. Seven notified property owners attended. The applicant presented an aerial image and site plan identifying property boundaries and the proposed zone change area (approximately 800--850 feet of the western portion of the parcel). An overview of the RMH zoning district, including permitted uses, site and structure standards, and design criteria, was provided. Neighborhood concerns included:

- Potential decrease in surrounding property values.
- Increased traffic impacts.
- Possible disruption to existing wildlife habitat.

The proposed zone change would allow the western 850+ feet (approximately 6 acres) of the property to be developed with manufactured homes. The applicant has indicated the intent is to provide affordable housing consistent with the existing

RMH development located to the north. The current RR-3 zoning district is intended for single-family residences, with or without small-scale agricultural uses such as stables, livestock, or personal-use crop production. The district establishes basic height and setback requirements and requires lot sizes ranging from 3 to 10 acres. The RMH zoning district permits manufactured homes. Approval of this request would provide an opportunity for additional residential development that aligns with the adjacent RMH neighborhood, and aligns with the Lockwood Growth Policy for predictable land use decisions and preferred land use patterns.

The 2016 Lockwood Growth Policy indicates this area of Johnson Lane to have the proposed future land use of "Residential 7-10du/ac." The proposed zone change allows for residential manufactured homes adjacent to the existing residential manufactured homes of Emerald View. The proposed zoning allows for 50% lot coverage and 3,000 sqft per principal building with a 15 feet separation between principal buildings. The future development on the property could yield approximately 7 dwelling units per acre with the assumption of 20% of the acreage being designated for the design of internal streets and accommodation for setbacks.

Traffic on Johnson Lane and Old Hardin Road is monitored by the Planning Division's Transportation Planning staff. The latest data shows approximately 4,250 vehicle trips per day on Johnson Lane, south of Old Hardin Road, based on a three-year rolling average. Old Hardin Road experiences significantly higher daily traffic. The completion of the new bridge at the north end of Johnson Lane over the Yellowstone River and the future connection to Highway 312 and Main Street are expected to increase traffic around the Johnson Lane interchange. A complete reconstruction of the interchange, proposed as a \$45 million federal, state, and local project, is scheduled for 2028 as part of the Long Range Transportation Plan for the metropolitan planning area of Yellowstone County. This section of Lockwood is anticipated to see increased traffic and demand for urban-level services over the next 10 years.

Planning staff has reviewed the application, the zoning history of the surrounding area, the Lockwood Growth Policy and transportation improvements planned for this area and is recommending approval of the zone change.

## SUMMARY

The Yellowstone County Zoning Commission, prior to any recommendation, shall consider the following:

### **1. Is the new zoning designed in accordance with the Yellowstone County 2008 Growth Policy?**

The proposed zoning does comply with the following goals of the 2016 Lockwood Growth Policy and Lockwood Community Plan:

- *Predictable land use decisions that are consistent with neighborhood character and preferred land use patterns identified in the Growth Policy (Page 34 LGP).* The proposed zoning would allow more housing that is compatible with the surrounding land uses and neighborhoods.
- *Affordable housing for all income levels throughout the City and the County. - 2008 Yellowstone County Growth Policy and Community Goals of the Lockwood Growth Policy*

The diversity of land uses in Lockwood is part of what has built its identity as an independent community in the County. There is adjacent development to the north that includes RMH development. The goal of the developer and the use of manufactured housing allows for affordable housing options within Yellowstone County.

The proposed zoning supports this goal by aligning the zoning designation with the existing residential development on the property to the north. It ensures compatibility with surrounding zoning and reflects the established development pattern in the area.

### **2. Is the new zoning designed to secure from fire and other dangers?**

The subject property is currently served by the Lockwood Fire Department with mutual aid from the Billings Fire Department. The property has an existing residential approach from Johnson Lane, a principal arterial street. Any new commercial development will have access to Johnson Lane. Any new development will be required coordinate with Yellowstone County Public Works regarding any required improvements to the approach associated with any new development. Additionally, when four or more spaces are created for lease or rent of mobile homes, these undergo design review through the Yellowstone County Subdivision Regulations and starting October 1, 2025 will be processed using the Buildings for Lease or Rent Regulations. If new lots are created the property will undergo subdivision and be subject to subdivision regulations. The property is served by the Lockwood Water District. There is an existing fire hydrant across the street at 425 Johnson Lane. The fire department may require additional fire suppression with any new development of the property.

### **3. Will the new zoning facilitate the provision of transportation, water, sewerage, schools, parks and other public requirements?**

**Transportation:** Development under the new zoning may increase traffic on Johnson Lane, a principal arterial street. The level of traffic increase will be dependent on the type of new use or uses proposed. Should the property be subdivided,

the need for a traffic impact study would be triggered at 300 trips per day or 50 or more peak-hour trips. Johnson Lane carries approximately 4,250 vehicle trips per day south of Old Hardin Road.

**Water and Sewerage:** The property is within the Lockwood Water and Sewer District. Water and Sewer needs will be evaluated at the time of development.

**Schools and Parks:** The proposed zoning may have an impact on the local schools as new student population will be determined depending on the residential family types once the development is completed. The proposed zoning should not significantly impact parks.

**Fire and Police:** The subject property is serviced by the Lockwood Fire Department and the Yellowstone County Sheriff's Department. Both departments did not provide comments regarding the zone change impacts.

#### **4. Will the new zoning promote health and general welfare?**

The new zoning will allow new development in an area identified 9 years ago to have 7-10 dwelling units per acre and be adjacent to the future Lockwood Town Center area that will include commercial and mixed uses and a variety of housing choices for existing and new Lockwood residents. The potential for new development will require to submit a zoning compliance permit application. Site design and associated impacts are required to follow Building Code, Zoning Regulations, Lockwood Water and Sewer District requirements and DEQ Stormwater requirements. The proposed zoning is intended to provide residential housing, the intent is to promote health and general welfare. It supports development consistent with surrounding neighborhoods and does not introduce any new impacts that would affect public health or safety.

#### **5. Will the new zoning provide adequate light and air?**

The proposed zoning entails specific regulations concerning minimum setbacks, maximum building heights, separation between building requirements, and maximum lot coverage. These stipulations are designed to ensure sufficient light and air access to both the subject property and neighboring properties.

#### **6. Will the new zoning effect motorized and non-motorized transportation?**

The proposed zoning itself will not generate more traffic. Any new development on the property may generate additional traffic on Johnson Lane. The impact of the new traffic will be evaluated at the time of development. Johnson Lane is slated to have pedestrian facilities as part of the Long Range Transportation Plan for the planning area. Any new development may require contributions to the development of pedestrian facilities. Pedestrian traffic in the area is limited due to no pedestrian facilities. The Lockwood Pedestrian Safety District is working to get sidewalks in Lockwood, it would be beneficial for the development and the Lockwood community to include sidewalks along Johnson Lane. The requirement for sidewalk on this property adjacent to Johnson Lane would not be triggered unless this property undergoes a future subdivision.

#### **7. Will the new zoning be compatible with urban growth in the vicinity of cities or towns?**

The proposed zoning is compatible with any nearby urban development. The proposed zoning and development is consistent with residential lots in the area at this time. The proposed zoning supports this by aligning the zoning designation with the existing residential development on the property to the north. It ensures compatibility with surrounding zoning and reflects the established development pattern in the area.

#### **8. Does the new zoning consider the character of the district and the suitability of the property for particular uses?**

The surrounding area is primarily made up of agriculture and similar residential zones, and the RMH zoning aligns with existing development patterns at this time. The subject property is in an area that is a mix of commercial and residential uses. The property is suitable for residential uses and the site development will be in character with the adjacent uses specifically to the north. The subject property is in an area that is a mix of low-density residential and agricultural uses on the adjacent properties. The portion of the subject property requested for rezoning has been identified in the 2016 Lockwood Growth Policy with the designation of 7 -10 dwelling units per acre. The proposed zoning aligns with the density designation within the growth policy due to the proximity of public water and sewer.

#### **9. Will the new zoning conserve the value of buildings?**

The proposed zoning will help conserve the value of buildings by aligning the zoning with the adjacent residential development and ensuring compliance with applicable zoning standards. The new zoning will allow the development of new residential uses adjacent to RMH zoned property. The proposed development will conserve the value of existing structures and adjacent properties through compatible land uses.

#### **10. Will the new zoning encourage the most appropriate use of land in Yellowstone County?**

The proposed zoning encourages the most appropriate use of land by aligning the zoning with existing residential development. It ensures the property complies with zoning standards and supports the continued residential character of the area, consistent with current nearby land uses and planning goals. The property is suitable for uses allowed in the RMH zoning district.

#### **11. Will the new zoning, as nearly as possible, be compatible with the zoning of nearby cities and towns?**

The proposed zoning is not close to the City of Billings and is consistent with the existing pattern of development in the area and will fit the current residential uses.

## **RECOMMENDATION**

Staff recommends approval based on the proposed findings of the eleven criteria of Zone Change 730.

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### **Attachments**

Zoning Map & Site Photos  
Application & Applicant Letter  
Site Plan  
Zoning History  
Neighborhood Meeting Info.

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Attachments for County Zone Change 730



Attachments for County Zone Change 730



Attachments for County Zone Change 730





# Attachments for County Zone Change 730

6-24-25

## Written Statement for Zoning change request.

PROJECT#: 406 Johnson Lane Zone change

Property Address: 406 JOHNSON LN  
Township: 01 N Range: 27 E Section: 30  
Full Legal: S30, T01 N, R27 E, S2S2SENW4 (96)

To whom it may concern,

We are proposing a Zone change from RR3 to RMH-Zoning. The zoning change will allow the rear 850+-feet of this property to be used for Residential Manufactured Housing. This zone change will allow the development of affordable manufactured homes. This lot is currently located next to an existing RMH zoning. This zone change will match the local growth policy proposed by the Count. This zone change is consistent with the adopted Growth Policy, Neighborhood Plans, and other applicable city development policies.

Sincerely,



Jeff Wollschlager

Agent/ Representative

# 406 JOHNSON LANE

## 406 JOHNSON LANE

BILLINGS

MONTANA

### OWNER

Primary Owner: VLAHOS, CHRISTOS  
Additional Legal Owner: VLAHOS, TAMMI

### CONTRACTOR

Chris Vlahos  
Superior Construction Inc.  
832 Granite Estates Lane  
Billings, Montana 59101  
(406)672-3661  
superbuilds@gmail.com

### SCOPE OF WORK

ZONE CHANGE:  
REQUESTING ZONE CHANGE FROM RR3 TO RMH @ REAR OF PROPERTY

### SITE INFO

Property Address: 406 JOHNSON LN  
Township: 01 N Range: 27 E Section: 30  
Full Legal: S30, T01 N, R27 E, S2S2SENW4 (96)

EXISTING Zoning: RR3- RURAL- RESIDENTIAL 3 TO 9.9 ACRES  
LOT SIZE: 10 ACRES  
PROPOSED ZONE CHANGE: RMH

TaxCode: D06595

### INDEX OF DRAWINGS

T1.0 TITLE/SITE PLAN



**1** SITE PLAN  
T1.0 SCALE: 1/64"=1'-0"



406 JOHNSON LANE  
TITLE/ SITE

### DATES

REV 6-18-25  
REV  
REV

### SET:

PROJECT NO. 19623  
DRAWN BY: JWW  
CHECKED BY: JWW

TITLE/ SITE

SHEET

T1.0

**APPLICABLE ZONING HISTORY – Zone Change 730 - 406 Johnson Lane**

<b>SUBJECT PROPERTY</b>	<b>ZONE CHANGE</b>	<b>DATE</b>	<b>FOR</b>	<b>APPROVED (Y/N)</b>	<b>ADDITIONAL DATA</b>
406 Johnson Lane	725	8/12/2024	RR3 to C3 (east 500 feet)	Y	
<b>SURROUNDING PROPERTY</b>	<b>ZONE CHANGE</b>	<b>DATE</b>	<b>FOR</b>	<b>APPROVED (Y/N)</b>	<b>ADDITIONAL DATA</b>
C.O.S 540	729	07/22/25	RR3 to N2	Y	
S 44 <sup>th</sup> St W	713	10/4/2022	RR3 to RR1	Y	
2433 Highway 87 E	712	10/4/2022	RR3 to NX1	Y	
626 Johnson Ln	704	8/31/2021	CMU2 to NX3	Y	
Cherry Creek Lt 2	703	10/6/2020	R-96 to R-80	N	
133 Eagle Cliff Meadows	702	8/25/2020	A-S to R-150	Y	
2404 & 2422 Old Hardin Rd	701	5/26/2020	R-150 to RMFR	Y	
Grand and 50 <sup>th</sup> St W	690	8/31/2019	A-1 to NC and R-70	N	
C.O.S 540	60	9/30/1975	R-150 to RMO	Y	C.O.S 540
3404 Old Hardin Road	692	2/11/2019	R96 to RMH	Y	

Attachments for County Zone Change 730

**Pre-Application Statement of Owner(s) or Agent(s)**

The owner(s), contract purchasers (if any) and agents (if any) are required to submit this completed form and any attachments along with a completed zone change application packet, including any required fees, for a zone change to be processed by the Planning Division.

1. **Present Zoning:** RR3 \_\_\_\_\_

2. **Written description of the Zone Change Plan** including existing and proposed new zoning:

\_\_\_RR3 to RMH\_\_\_\_\_

3. **Subject Property Map:** please attach to this form

4. **Legal Description of Property:** \_\_\_\_\_  
406 JOHNSON LN Township: 01 N Range: 27 E Section: 30  
Full Legal: S30, T01 N, R27 E, S2S2SEW4 (96)

5. **Neighborhood Task Force Area:**

6. **Roster of persons who attended the pre-application neighborhood meeting:**

7. **A copy of the meeting notice.** please attach to this form

8. **A brief synopsis of the meeting results including any written minutes or audio recording.** please attach to this form

9. **The undersigned affirm the following:**

1) The pre-application neighborhood meeting was held on the 2nd, day of July 2025.

2) The zone change application is based on materials presented at the meeting.

**Owner (s):** Vlohos, Chistos \_\_\_\_\_ Telephone: \_\_\_406-672-366\_\_\_\_\_

Address: \_\_\_832 Granite Estates Lane\_\_\_\_\_ Email: superbuidls@gmail.com\_\_\_\_\_

\_\_\_\_\_Billings MT 59102\_\_\_\_\_

**Agent (s):** \_\_\_Jeff Wollschlager\_\_\_\_\_ Telephone: \_\_\_406-321-2280\_\_\_\_\_

Address: \_\_\_3711 Corbin Drive\_\_\_\_\_ Email:a linedrafting@gmail.com\_\_\_\_\_

\_\_\_\_\_Billings, Mt 59102\_\_\_\_\_

# Attachments for County Zone Change 730

6-24-25

## Zoning change request.

PROJECT#: 406 Johnson Lane Zone change

Property Address: 406 JOHNSON LN  
Township: 01 N Range: 27 E Section: 30  
Full Legal: S30, T01 N, R27 E, S2S2SENW4 (96)

To whom it may concern,

A neighborhood meeting is scheduled for the 2nd day of July at 5 PM. The location of the meeting will be held at the Lockwood Fire Station 501 Johnson Lane. We are proposing a Zone change from RR3 to RMH-Zoning. The zoning change will allow the rear 850+- feet of this property to be used for Residential Manufactured Housing. This zone change will allow the development of affordable manufactured homes. This lot is currently located next to an existing RMH zoning. This zone change will match the local growth policy proposed by the County.

The purposes of a neighborhood meeting are to: inform neighboring property owners of the details of the proposed use of the lot, identify how the owner intends to meet the standards contained in this zoning code, and to allow the applicant to receive preliminary public comment on the proposal.

Sincerely,



Jeff Wollschlager

Agent/ Representative

# Attachments for County Zone Change 730

7-2-25

## Neighbor Hood meeting minutes

PROJECT#: 406 Johnson Lane Zone change

Minutes:

A neighborhood meeting was held on the 2nd day of July, 2025 at 5 PM at Lockwood Fire Station located at 501 Johnson Lane.

### **-In attendance:**

Maria Cervantez 2640 Silverton St  
Cindy Bettis 2706 Silverton St  
Cathy Consani 2545 Sterling St  
Leonard Consani 2545 Sterling St  
Charles Kidwell 406 ½ Johnson Ln  
Ima Botsford 2624 Silverton St  
Melinda Oedekoven 425 Johnson Ln

See attached attendance list.

Attendees were briefed on the proposed RR3 to RMH zoning for the rear 800+- feet of the subject property. An aerial image and site plan with property lines and proposed zone change area were provided to portray the area of the subject matter. Portions of the Yellowstone County zoning regulations were presented. Portions listing allowed uses for RMH Zoning and the site and structure restrictions and design criteria. The Yellowstone County Growth Policy site plan was provided.

### **Questions/Comment from attendees:**

- Milinda Oedekoven was concerned about her property value with all the development around her property. Increased traffic was a concern. She was concerned about low-income housing and Section 8 housing.
- Ima Botsford was curious if the zone change will affect access to her home. Replied no, this property is South of where your home is located. No changes to your property.
- Not seeing the Deer and Pheasants in the open areas was a concern of multiple attendees.
- Charles Kidwell commented that he is for this zone change.

The meeting progressed with random conversations about the growth of the community and other projects in the area. There was no objection to the proposed Zone change. The meeting adjourned at 5:35.

Sincerely,



Jeff Wollschlager

Agent/ Representative

Attachments for County Zone Change 730

ATTENDANCE

NAME

ADDRESS

<i>m. J. de m. m.</i>	Maria Beronster	2640 Silverton
	Cindy Bettis	2706 Silverton
	Cathy Consani	2545 Sterling ST
	Leonard Consani	2545 Sterling ST
<i>W. de m. m.</i>	<del>CHARLES KIDWELL</del>	406 1/2 JOHNSON LANE
	Ima Botsford	2624 Silverton St
<i>own account sheet</i>	Melinda Oedehoven	425 Johnson Ln.

1-1-6 0

**County Zoning Commission**

**Meeting Date:** 09/08/2025

County Zone Change 731 - 2142 Bitterroot Drive - RR3 to RR1

**THROUGH:** Karen Husman

**PRESENTED BY:** Makayla Paul, Planner

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**Information**

**REQUEST**

**County Zone Change 731 -- 2142 Bitterroot Dr.** - from RR3 to RR1 - A zone change request from Rural Residential 3, 3 to 9.99 Acres (RR3) to Rural Residential 1- 1 to 2.99 acres (RR1), on S30, T01 N, R27 E, S2S2SENW4, a 5 acre parcel of land. A pre-application neighborhood meeting was held on July 24, 2025, at 6:00 p.m. at 900 Bitterroot Road. Tax ID: D05106

**RECOMMENDATION**

The Planning Division staff is recommending approval based on the proposed findings of the eleven criteria of Zone Change 731.

**APPLICATION DATA**

**OWNER:** David Harmon

**AGENT:** Kolten Knatterud & Mariah Lind, IMEG Consultants Corp.

**LEGAL DESCRIPTION:** S30, T01 N, R27 E, S2S2SENW4

**ADDRESS:** 2142 Bitterroot Drive

**CURRENT ZONING:** Rural Residential 3

**EXISTING LAND USE:** Residential Homes and Agriculture

**PROPOSED USE:** Residential Homes and Agriculture

**SIZE OF PARCEL:** 5 acres

**CONCURRENT APPLICATIONS**

None. If approved, the applicant will be submitting an exempt plat to divide the lot into two parcels for a family transfer.

**APPLICABLE ZONING HISTORY**

See attachments.

**SURROUNDING LAND USE & ZONING**

**NORTH:** Zoning: Rural Residential 3 (RR3)  
Land Use: Vacant/ Residential

**SOUTH:** Zoning: Suburban Neighborhood Residential (N3)  
Land Use: Residential

**EAST:** Zoning: Agriculture (A)  
Land Use: Vacant/Residential

**WEST:** Zoning: N3  
Land Use: Residential

**BACKGROUND**

The applicant is requesting a zone change from Rural Residential 3 (RR3), which allows parcels of 3 to 9.99 acres, to Rural Residential 1 (RR1), which allows parcels of 1 to 2.99 acres. The subject property is an approximate 5-acre parcel located on Tract 1 of COS 1073 located in Section 14, Township 1 North, Range 26 East. In 2020, as part of the countywide zoning code update, the property was rezoned from Residential 7000 to Rural Residential 3 (RR3). Based on the parcel's size of 5 acres, the RR3 designation was determined to be the most appropriate zoning at that time.

A pre-application neighborhood meeting was held on July 24, 2025, at 6:00 p.m. at 900 Bitterroot Road (meeting minutes attached). Eight members of the public attended. Concerns were raised regarding potential annexation by the City of Billings. The applicant's agent, Kolten Knatterud, clarified that annexation is not being considered at this time. Additional discussion focused on existing easements.

The purpose of the requested zone change is to allow parcel sizes of less than 3 acres, enabling the property owner to utilize the family transfer exemption to gift a parcel to a family member. All existing and future easements will be reviewed at the time of exempt plat review.

## SUMMARY

The Yellowstone County Zoning Commission, prior to any recommendation, shall consider the following:

### **1. Is the new zoning designed in accordance with the Yellowstone County Growth Policy?**

The proposed zoning does comply with the following goals of the County Growth Policy and area plans:

*Predictable land use decisions that are consistent with neighborhood character and preferred land use patterns identified in neighborhood plans. New developments that are sensitive to and compatible with the character of adjacent City neighborhoods and County town sites.* Preserve neighborhood character and quality of life by maintaining the residential character, which promotes orderly, predictable growth in accordance with neighborhood expectations and long-term planning goals.

The proposed zoning is consistent and compatible with the surrounding area. The property is bordered by a suburban neighborhood with average lot sizes of approximately 0.25 acres and a large-lot suburban neighborhood with average lot sizes of approximately 0.5 acres. Rezoning to Rural Residential 1 (RR1) would provide a compatible rural residential development pattern while accommodating parcels smaller than 3 acres.

The property owners intend to pursue a family transfer, and the RR1 zoning district would allow for the creation of lots between 1 and 2.99 acres to facilitate that purpose. This designation also supports neighborhood character by providing a transition between suburban development and rural residential land uses. While the existing RR3 zoning district is intended for small-scale agricultural uses with larger rural home sites, the RR1 district is specifically designed to accommodate smaller rural residential parcels while preserving neighborhood integrity.

### **2. Is the new zoning designed to secure from fire and other dangers?**

The subject property is currently served by the Billings Urban Fire Service Area (BUFSA). The RR1 zoning district includes development standards such as setbacks, access requirements, and maximum building coverage, which help ensure public safety and reduce potential fire or hazard risks. In addition, all future construction within the rezoned property will be subject to review through the zoning compliance permit process.

### **3. Will the new zoning facilitate the provision of transportation, water, sewerage, schools, parks and other public requirements?**

**Transportation:** The property is accessed by existing public roads, and no additional transportation infrastructure is required. The zoning change does not increase density or traffic demand and will not impact current transportation facilities.

**Water and Sewerage:** If the proposed rezoning is approved, the property owner intends to proceed with a family transfer exemption. As part of the family transfer process, water and sewer provisions will be reviewed by the Montana Department of Environmental Quality (DEQ). The owners have indicated that no additional improvements are planned for the proposed lots at this time.

**Schools and Parks:** The proposed zoning does slightly increase residential density. Though often not utilized, the RR3 zoning does allow for more than one principal structure. Existing park services are sufficient to accommodate the current and future use of the property.

**Fire and Police:** The property is within the Billings Urban Fire District. Police services will continue to be provided by the Yellowstone County Sheriff's Office. No additional public safety infrastructure is required.

### **4. Will the new zoning promote health and general welfare?**

The proposed zoning will promote health and general welfare by ensuring the property complies with zoning standards for residential use. It supports development consistent with surrounding neighborhoods and does not introduce any new impacts that would affect public health or safety. The proposed zoning of RR1 provides for a transitional zoning between the N3 to the south and RR3 to the north.

### **5. Will the new zoning provide adequate light and air?**

The RR1 zoning district is designed to ensure adequate light and air for residential development. Development standards such as setbacks, access requirements, minimum and maximum lot sizes, and limits on building coverage are incorporated to promote proper spacing between structures and maintain neighborhood livability.

### **6. Will the new zoning effect motorized and non-motorized transportation?**

The property owner does not intend to pursue additional development following the proposed family transfer. The intent is to create a separate lot containing the existing residence while leaving the remaining parcel unchanged. Should future development be considered, it could have some influence on transportation. However, the RR1 zoning district would allow for subdivision into 2 to 5 lots, which would be comparable in scale to surrounding development. The addition of 1 to 4 new residences would have a minimal impact on both motorized and non-motorized transportation in the area. Because the owner plans to utilize the family transfer exemption, the property will not undergo the subdivision review process. No changes to traffic, access, or infrastructure are anticipated.

**7. Will the new zoning be compatible with urban growth in the vicinity of cities or towns?**

The proposed zoning is compatible with any nearby urban development. The proposed zoning and development is consistent with residential lots in the area at this time. The subject property is suburban in character; therefore, a suburban zoning designation is appropriate. Rural Residential 1 (RR1) allows for lots ranging in size from 1 to 2.99 acres, which is consistent with the area's development pattern. By comparison, the Large Lot Suburban Neighborhood Residential (N4) district to the south and east (within the county) permits a maximum lot size of 43,559 square feet (less than one acre) per principal dwelling, while the Suburban Neighborhood Residential (N3) district to the immediate south (within the city) allows up to 40% lot coverage. Considering these standards, the RR1 zoning district provides the most suitable option for the property as a transition from RR3 zone to the north and the N3 zoning in the City limits of Billings to the south and aligns with the intent of the zoning code.

**8. Does the new zoning consider the character of the district and the suitability of the property for particular uses?**

The surrounding area is primarily made up of agriculture and similar residential zones, and the RR1 zoning district provides the most suitable option for the property as a transition from RR3 zone to the north and the N3 zoning in the City limits of Billings to the south and the zone change ensures consistency with the lot size requirements and intended residential use.

**9. Will the new zoning conserve the value of buildings?**

The proposed zoning itself will not affect building value. The proposed zoning will help conserve the value of buildings by aligning the zoning with the existing residential use and ensuring compliance with applicable zoning standards. The proposed zoning is compatible with adjacent land uses and is expected to help maintain and conserve the value of surrounding properties.

**10. Will the new zoning encourage the most appropriate use of land in Yellowstone County?**

The proposed zoning encourages the most appropriate use of land by aligning the zoning with existing residential development. It ensures the property complies with zoning standards and supports the continued residential character of the area, consistent with current nearby land uses and planning goals.

**11. Will the new zoning, as nearly as possible, be compatible with the zoning of nearby cities and towns?**

Similar to item 7 above, the proposed zoning is compatible with adjacent zoning in the City of Billings. The subject property is suburban in character; therefore, a suburban zoning designation is appropriate. Rural Residential 1 (RR1) allows for lots ranging in size from 1 to 2.99 acres, which is consistent with the area's development pattern. By comparison, the Large Lot Suburban Neighborhood Residential (N4) district permits a maximum lot size of 43,559 square feet (less than one acre) per principal dwelling, while the Suburban Neighborhood Residential (N3) district allows up to 40% lot coverage. Considering these standards, the RR1 zoning district provides the most suitable option for the property and aligns with the intent of the zoning code.

**RECOMMENDATION**

Staff recommends approval based on the proposed findings of the eleven criteria of Zone Change 731.

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**Attachments**

Zoning Map & Site Photos  
Application & Applicant Letter  
Neighborhood Meeting Info.  
History  
Site Plan

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Attachments for County Zone Change 731



North

Attachments for County Zone Change 731



South



East

Attachments for County Zone Change 731

COUNTY APPLICATION FORM

COUNTY ZONE CHANGE County Zone Change # \_\_\_\_\_ - Project # \_\_\_\_\_

The undersigned as owner(s) of the following described property hereby request a Zone Change as outlined in the Yellowstone County Unified Zoning Regulations.

Present Zoning: Rural Residential-3 (RR-3)

Proposed Zoning: Rural Residential-1 (RR-1)

Property Tax ID # D05106 COUNTY COMMISSIONER DISTRICT # 2

Legal Description of Property: S14, T01N, R26E, C.O.S. 1073, PARCEL 1

Address or General Location (If unknown, contact County Public Works): 2142 Bitterroot Dr. Billings, MT 59105

Size of Parcel (Area & Dimensions): 5-acres

Present Land-Use: Residential Property -RR3

Proposed Land-Use: Residential Property -RR1 ; Family Transfer

\*\*\* Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.

Owner(s) David Harmon (Record Owner) 304 Meadowlark Lane Billings, MT 595105 (Address) 406-860-4040 (Phone Number) phnhc@outlook.com (email)

Agent(s): IMEG Consultants Corp. (Name) 550 N 31st St. Suite 111 Billings, MT 59101 (Address) 406-248-9000 (Phone Number) mariah.l.lind@imegcorp.com (Email)

I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Zone Change. Also, I attest that all the information presented herein is factual and correct.

Signature: [Signature] (Record Owner - Digital Signature Allowed) Date: 6/30/25

# Attachments for County Zone Change 731

## County Zone Change Application Packet

### Summary:

The applicant is requesting a rezoning for the property legally described as Section 14, Township 01 North, Range 26 East, C.O.S. 1073, Parcel 1, PMM, Yellowstone County, MT. This property's tax ID is D05106. The property is located at 2142 Bitterroot Dr in Billings, Montana. The property is currently zoned as Rural Residential 3 (RR3) and encompasses approximately 5 acres. The applicants are proposing to rezone the property to Rural Residential 1 (RR1). Currently, the rezoning process is the first step in development of the property, and then the owners intend to perform a Family Transfer on the lot. There is no layout or survey that has been completed on the property yet. The applicant intends to follow Yellowstone County Family Transfer Exemption Regulations regarding future division of the lot.

### 11 Statutory Zone Change Criteria:

Below is a list of the 11 Statutory Zone Change requirements in **bold**. Responses to each criteria is provided below.

#### 1. Is the new zoning is designed in accordance with the growth policy?

Yes, we feel that the new zoning is chosen in accordance with the Yellowstone County Growth Policy. The growth policy indicates several different goals, we have included a few specifics for reference.

2008 Growth Policy " *Predictable land use decisions that are consistent with neighborhood character and preferred land use patterns identified in neighborhood plans.*"

By choosing RR1 we are following the Zoning Code, as the property is currently surrounded by a suburban neighborhood and a large lot suburban neighborhood, which consist of lots averaging 0.25-acre and 0.5-acre, respectively. RR1 allows for compatible rural selection of development. The owners would like to perform a family transfer on the property, and RR1 will allow the proposed lots to be less than 3-acres. This zoning also preserves the neighborhood integrity and empowers neighborhood groups.

2008 Growth Policy " *New developments that are sensitive to and compatible with the character of adjacent City neighborhoods and County townsites.*"

As seen in the above, the selection of RR1 will be similar to the development in the area and still conserve viewsheds for a rural neighborhood.

#### 2. Is the new zoning is designed to secure from fire and other damages?

Yes, the new zoning is designed to secure from fire and other damages. The zoning has been designed with setbacks, access requirements, build-to zones, maximum building coverage, etc. These regulations of building design ensure that the zoning is secure from fire and other damages. Additionally, all construction within the new zoning will be subject to a zoning compliance permit. During this time the Yellowstone County Planning staff will ensure that new construction follows zoning regulations.

#### 3. Will the new zoning promote public health, public safety and general welfare?

Yes, the selected new zoning does promote public health, public safety and general welfare. By rezoning the property to RR1, the property will be similar to other properties in the area, thus ensuring a long-term suburban/rural environment. The County's zoning code is written to promote public health, safety, and general welfare.

## Attachments for County Zone Change 731

**4. Will the new zoning facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.**

If the proposed rezoning is approved, the property will then undergo a family transfer exemption. During the family transfer process, the provision of water and sewage will be reviewed through DEQ. However, the owners do not intend to make any more improvements on the proposed lots.

**5. Will the new zoning provide enough adequate light and air?**

Yes, the new zoning is designed to provide adequate light and air. The zoning has been designed with setbacks, access requirements, minimum and maximum lot sizes, maximum building coverage, etc. These regulations of building design ensure that the zoning provides adequate light and air.

**6. How will the new zoning effect motorized and non-motorized transportation?**

The owner does not intend to build any new development after they undergo a family transfer on the property. Their intension is to split off the existing home on the property and leave the remaining lot as is. That being said, if they were to change their mind, any new development may influence transportation. The zoning selection of RR1 allows for a subdivision of 2-5 lots that are comparable to what exists in the area. 1-4 new residential houses will have a minimal effect on motorized and non-motorized transportation in the area. However, since a family transfer exemption will be pursued, there will not be any subdivision process due to the exemption.

**7. Will the new zoning be compatible with urban growth in the vicinity of cities or towns?**

The property is suburban in nature, therefore a suburban zoning was chosen for the rezoning. Rural Residential 1 (RR1) allows for smaller lots sized 1-2.99 acres. Large Lot Suburban Neighborhood Residential (N4) has a maximum lot size of 43,559 sqft per principal building, meaning less than an acre with a single home. Suburban Neighborhood Residential (N3) allows for up to 40% lot coverage. Due to some of these items listed above, we felt in order to follow the zoning code, residential RR1 was the best choice.

**8. Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?**

The area is suburban in character; therefore, a suburban zoning was chosen for the rezoning. Within RR1, this zone allows for 1-2.99 acre lots. Comparatively within the zoning code, Rural Residential 3 (RR3) would allow for smaller lots sized 3-9.99 acres. Large Lot Suburban Neighborhood Residential (N4) has a maximum lot size of 43,559sqft per principal building, meaning less than an acre with a single home. Suburban Neighborhood Residential (N3) allows for up to 40% lot coverage. Due to some of these items listed above, we felt in order to follow the zoning code and still allow for Rural Residential 1 (RR1) was the best selection. Additionally, the lot sizing allows for the family transfer exemption.

**9. Will the new zoning conserve the value of buildings?**

The new zonings alignment with adjacent uses should continue to conserve the value of buildings in proximity.

## Attachments for County Zone Change 731

10. Does the new zoning encourage the most appropriate use of land throughout Yellowstone County?

The new zoning does encourage the most appropriate use of the land due to the proximity to existing infrastructure. Providing rural lots within proximity to other rural development is appropriate to the area.

11. Will the new zoning, as nearly as possible, be compatible with the zoning of nearby cities and town?

Yes, the new zoning is compatible, as nearly as possible, with zonings of nearby cities and towns. The new zoning has many similarities to adjacent existing zoning in the area, as mentioned in prior.

Attachments for County Zone Change 731

**YELLOWSTONE COUNTY**

**Pre-Application Statement of Owner(s) or Agent(s)**

The owner(s), contract purchasers (if any) and agents (if any) are required to submit this completed form on-line and any attachments along with a completed zone change application form, including any required fees, for a zone change to be processed by the Planning Division.

1. **Present Zoning:** Rural Residential-3 (RR-3)
2. **Written description of the Zone Change Plan** including square footage or acres of proposed new zoning:  
We would like to rezone the property from RR-3 to RR-1. The parcel's size is approximately 5-acres in size.
3. **Subject Property Map:** please attach to this form
4. **Legal Description of Property:** S14, T01N, R26E, C.O.S. 1073, PARCEL 1
5. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to this form
6. **A copy of the meeting notice.** please attach to this form
7. **A brief synopsis of the meeting results.** please attach to this form
8. **The undersigned affirm the following:**
  - a) The pre-application neighborhood meeting was held on the 24, day of June, 2025.
  - b) The zone change application is based on materials presented at the meeting.

Owner (s): David Harmon Telephone: 406-860-4040  
 Address: 304 Meadowlark Lane Billings, MT 595105 Email: phanc@outlook.com  
Billings, MT 59105

Agent (s): IMEG Consultants Corp. Telephone: 406-248-9000  
 Address: 550 N 31st St. Suite 111 Email: mariah.l.lind@imegcorp.com  
Billings, MT 59101

Attachments for County Zone Change 731



ATTENDANCE RECORD

IMEG #: 25001889.00

Project: Harmon Bitterroot Drive Rezoning

Meeting Description: Re-Zone Neighborhood Meeting

Date: 06/24/2025

Time: 6:00pm

Place: Medicine Crow Middle School (900 Barrett Road, Billings, MT 59105)

IMEG Attendees: *Kolten Knatterud, Mariah Lind*

ATTENDEE NAME

PHONE #

E-MAIL

Ingrid Allen	406-670-6483	ingridallen1414@gmail.com
Joe Allen	406-855-3471	jallen9221@gmail.com
Carolyn Colles	406-698-1041	carolyn.colles@gmail.com
Josh Blotkamp	406-702-0752	JBL0TKAMP@GMAIL.COM
David Smeltz	254-285-1620	David Smeltz 0813@gmail.com
CHAD SCHULTER	509-869-5777	CHADSSCHULTER@GMAIL.COM
Lynn Moehrke	406-606-0896	
Mike Mank	406-677-5735	dedemjm@hotmail.com



## MEETING NOTES

<b>Date</b>	June 24, 2025
<b>Project</b>	Harmon Bitterroot Drive Zone Change
<b>Project Number</b>	25001889.00
<b>IMEG Attendees</b>	Kolten Knatterud & Mariah Lind
<b>Public Attendees</b>	Harmon Family, Ingrid Allen, Joe Allen, Carolyn Collis, Josh Blotkamp, David Smeltz, Chad Schluter, Lynn Moehrke,

### IMEG Started Presentation

**Kolten:** Introduction of IMEG and who we are as consultants that are representing the Harmons. Then he summarized what zone change we are requesting, as well as explained the planning process of a zone change. This included the explanation that the public will receive two more letters from the Zoning Board and County Commissioners on the two other public hearings. Kolten explained how we want to change from RR-3 to RR-1 so that our clients, the Harmons, can perform a family transfer on their property. Then he introduced the Harmons to the public.

**Pat Harmon:** Introduction of his family and explained how they will be splitting up the lot for a family transfer. His sister (unknown name) wants to buy the house, but Pat's father, Dave, would like to keep a portion of the lot that encompasses the existing garage. It is to be determined whether the lot will be split into 2 or 3 lots, but the Harmons have no intension on selling these lots or developing any kind of improvements.

**Mariah:** Mariah was approached by a couple before the meeting who did not receive a letter, even though they are the next-door neighbors to the north. Mariah chimed in at the meeting and wanted to assure them that if anyone did not receive a letter that she would be checking the certified list of owners from the Department of Revenue.

Public Question: Concerned for his easement on the south boundary of his property, north boundary of the subject property.

**IMEG:** Explained that the vicinity maps provided at the meeting did not outline any easements, only property lot lines. However, any easement coordination would be handled during the subdivision processes, which comes after the zone change request/determination.

**Harmons:** They have heard about this easement and have no intention of trying to get rid of it. The proposed lots due to the family transfer will also utilize such easement. Numbers of the owners (Harmons) and neighbors (Allens) we exchange if anything needs to be sorted out in the future.

Public Question: Why are some of the properties in the RR-3 zone (shown on exhibit) less than 3 acres?

## Attachments for County Zone Change 731

Page 2 of 2

**IMEG:** *To IMEG's understanding, the zones were updated in 2020, and it is assumed that these lots were grandfathered into their old zone. There was talk with the public that this area used to be RR-1, and now it is RR-3.*

*Public Question:* Is the city wanting to annex this surrounding area in the City?

**IMEG:** *Kolten explained that the city is not pushing to annex this area in the City. Surrounding development have previously obtained a waiver from the City stating that even though they are 500-feet from public sewer and water, it is not cost effective or feasible for the new development to pay to extend water and sewer to their property. The Harmons have to intention of annexing their property into the City.*

**Kolten:** Asked for any other questions or concerns about the re-zone request.

**(Unknown Named) Neighbor:** Explained how they came to this meeting because they did not want to lose their view of the subject property's field. They were happy to hear that it would not be a problem.

**Kolten:** Gave kind regards and thanks everyone for coming!



## Attachments for County Zone Change 731



June 11, 2025

RE: Pre-application Neighborhood Meeting - Yellowstone County Zone Change request on 2142 Bitterroot Dr., Billings, MT 59105, Yellowstone County, MT

To Whom it May Concern,

The purpose of this notification is to inform you of a Pre-Application Neighborhood Meeting to discuss a proposed rezoning. The meeting will take place on Tuesday, June 24<sup>th</sup>, 2025, at 6:00 p.m. The meeting will be held at Medicine Crow Middle School, located at 900 Barrett Road, Billings, MT 59105.

The intent of this meeting is to discuss any concerns, hear comments, and answer questions regarding the proposed rezoning for the parcel located at 2142 Bitterroot Drive. The subject property is legally described as Section 14, Township 01 north, Range 26 east, C.O.S. 1073, Parcel 1, P.M.M., Yellowstone County, Montana. The property totals 5 acres in size. The current Yellowstone County Zoning for the property is RR3 - Rural Residential (3 to 9.99 acres). The proposed Yellowstone County Zoning for the property is RR1 - Rural Residential (1 to 2.99 acres).

We look forward to hearing from you at the meeting. If you are unable to attend, please feel free to send your questions and/or comments to [mariah.l.lind@imegcorp.com](mailto:mariah.l.lind@imegcorp.com).

Sincerely,

IMEG Consultants Corp.

A handwritten signature in blue ink that reads "Mariah Lind".

Mariah Lind  
Civil Engineering Graduate - Designer II  
[mariah.l.lind@imegcorp.com](mailto:mariah.l.lind@imegcorp.com)

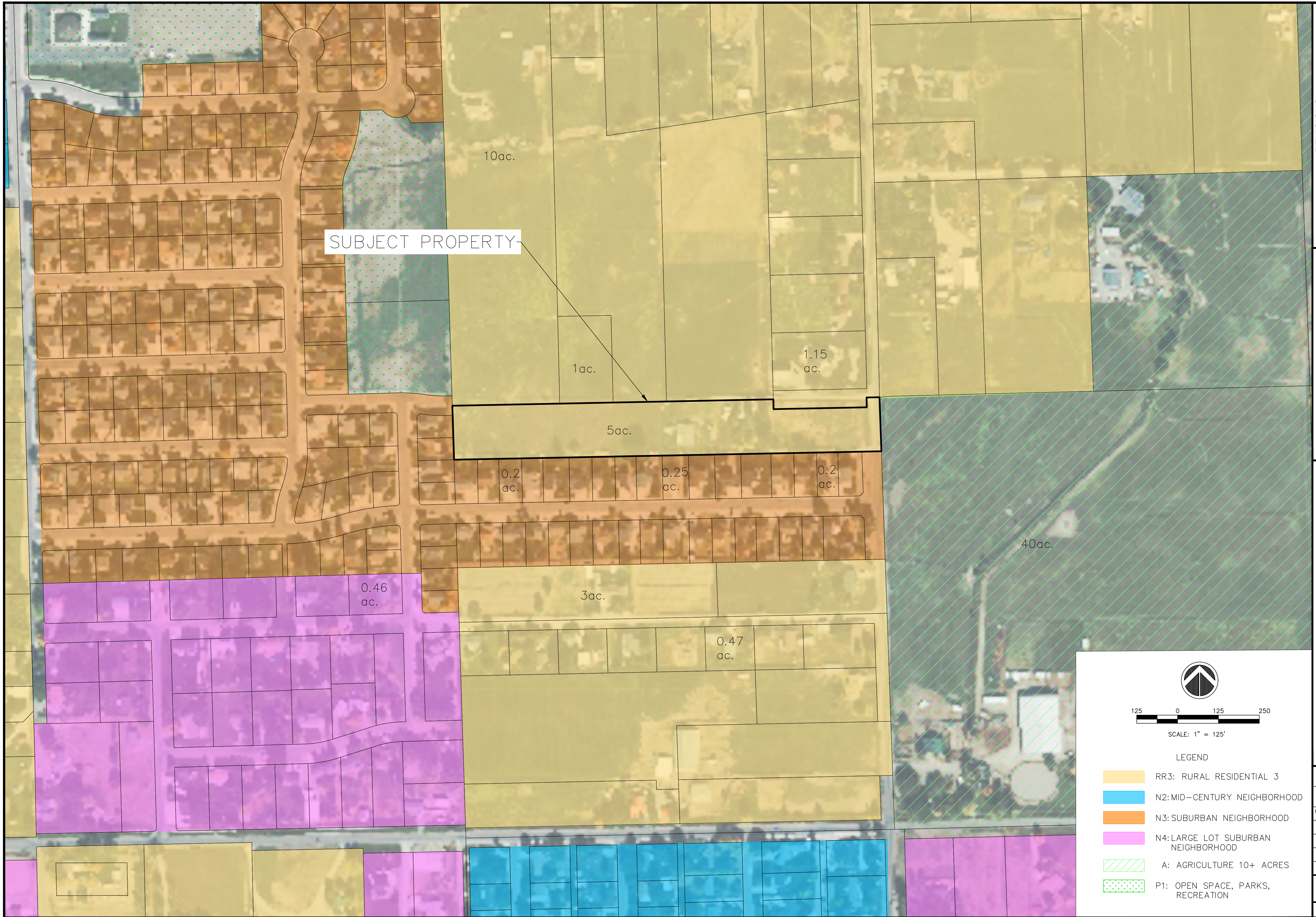
MLL/hsc  
\\files\active\projects\2025\25001889.00\Design\Civil\PLANNING\Rezoning\20250604 Harmon Letter for Neighborhood Meeting Notice.docx



APPLICABLE ZONING HISTORY  
**Zone Change 731**

<b>SUBJECT PROPERTY</b>	<b>Zone Change</b>	<b>DATE</b>	<b>FOR</b>	<b>APPROVED (Y/N)</b>	<b>ADDITIONAL DATA</b>
None					
<b>COUNTY DISTRICTS</b>	<b>Zone Change</b>	<b>DATE</b>	<b>FOR</b>	<b>APPROVED (Y/N)</b>	<b>ADDITIONAL DATA</b>
1745 Mary St.	553	1/14/2003	A1 to AS	Y	Ag Open to Ag Suburban
2847 Bitterroot Dr.	711	6/2022	A to PD	Y	Planned Dev.
C.O.S 540	60	9/30/1975	R-150 to RMO	Y	
C.O.S 540	N/A	2021	Updated to RR3		Updated during Recode
S 44th St W	713	10/4/2022	RR3 to RR1	Y	
2433 Highway 87 E	712	10/4/2022	RR3 to NX1	Y	
626 Johnson Ln	704	8/31/2021	CMU2 to NX3	Y	

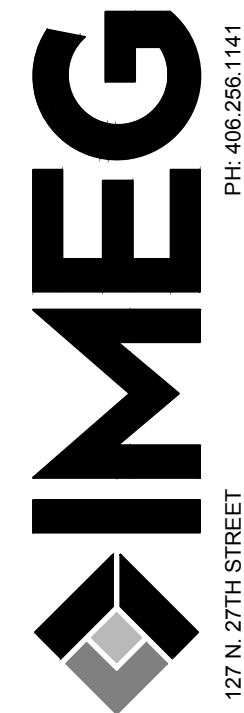


Tuesday, June 24, 2025 12:08:34 PM  
 \\FILES\ACTIVE\PROJECTS\25001889\00\DESIGN\CIVIL\3D\EXHIBIT\CONCEPT\25001889-REZONING EXHIBITS.DWG



  
  
 SCALE: 1" = 125'  
 LEGEND  
 RR3: RURAL RESIDENTIAL 3  
 N2: MID-CENTURY NEIGHBORHOOD  
 N3: SUBURBAN NEIGHBORHOOD  
 N4: LARGE LOT SUBURBAN NEIGHBORHOOD  
 A: AGRICULTURE 10+ ACRES  
 P1: OPEN SPACE, PARKS, RECREATION

REVISIONS	
No.	DATE

  
 127 N. 27TH STREET  
 BILLINGS, MT 59101  
 PH: 406.256.1141  
 www.imegcorp.com

**HARMON REZONING**  
 2142 BITTERROOT DR., YELLOWSTONE COUNTY, MT  
**EXISTING ZONING MAP**

IMEG Project No:  
 25001889  
 File Name:  
 25001889-Resoning Exhibits.dwg  
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 Field Book No:  
 Drawn By: ML  
 Checked By: KK  
 Date: 6/11/25  
**EXH-2**  
 Sheet 2 of 2