



YELLOWSTONE COUNTY CONSOLIDATED ZONING COMMISSION
AGENDA-Thursday, December 11, 2025, 4:00 p.m.
City Council Chambers, 5th Floor
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>
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: bernsb@billingsmt.gov
- . NOTICE: 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 Yellowstone County Consolidated Zoning Commission and Planning Department Staff.

Public Comment

New Business

- A. Yellowstone County Consolidated Zoning Commission Approval of Bylaws and Election of Officers

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 732 -- COS 3420 Tr1-13-(Lone Eagle Sub)--** from Ag to RR3 - A zone change request from Agricultural (A) to Rural Residential 3 (RR3), on C.O.S. 3420, Parcel 1-13, S09, T01 N, R25E, an 236.82 acre parcel of land. A pre-application neighborhood meeting was held on October 8, 2025 at the subject property. Tax ID: D04500, 4501, 4502, 4503, 4504, 4506, 4507, 4493, 4494, 4495, 4496, 4498 & 4499

Other Business/Announcements

Adjournment

Additional information on this application is available on-line at <https://www.billingsmt.gov/2361/Current-Zoning-Applications>

Date: 12/11/2025
Title:
Presented by:
Department: Planning & Community Services
Presentation:

RECOMMENDATION

Yellowstone County Consolidated Zoning Commission Approval of Bylaws and Election of Officers

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve

FISCAL EFFECTS

Attachments

Bylaws
Consolidation Resolution

BY-LAWS
CONSOLIDATED YELLOWSTONE COUNTY ZONING COMMISSION

ADOPTED: _____

ARTICLE I – NAME AND LOCATION

1. The name of the Commission shall be the Yellowstone County Consolidate Zoning Commission (Commission).
2. The Commission offices are located on the fifth floor of Billings City Hall, 316 N 26th St. Billings, Montana.

ARTICLE II - AUTHORITY, POWERS, AND DUTIES

1. Pursuant to Section 76-2-220 of the Montana Code Annotated, a board of county commissioners has the authority to create a county zoning commission. Pursuant to Section 76-2-221 of the Montana Code Annotated, a board of county commissioners has the authority to create a county board of adjustment. Pursuant to Section 76-1-114 of the Montana Code Annotated, a board of county commissioners has the authority to consolidate any combination of planning board, zoning commission and board of adjustment.
2. On September 16, 2025 the Yellowstone County Board of Commissioners passed Resolution 25-112 to create the Consolidated Yellowstone County Zoning Commission.
3. The Commission shall exercise both the responsibilities of a Zoning Commission and a Board of Adjustment.
 - Conduct hearings and make recommendations to the Yellowstone County Commissioners on all zoning issues. This includes zone changes, special review requests, zoning regulations, and zoning text amendments.
 - Hear and decide appeals alleging error in any order, requirement, decision, or determination made by an administrative official in the enforcement or interpretation of zoning regulations.
 - Authorize, upon appeal, variances from the terms of the zoning regulations where special conditions exist and strict enforcement would cause unnecessary hardship, provided such variances are not contrary to the public interest and uphold the spirit of the regulations.

ARTICLE III – MEMBERSHIP

1. The Commission shall consist of five (5) members appointed by the Yellowstone County Board of County Commissioners.
2. Members shall reside within the Yellowstone County zoning jurisdictional area but outside the City of Billings.
3. Members shall serve two-year terms and may be reappointed. The terms shall be staggered.
 - Upon creation of the Commission, members appointed from the former Board of Adjustment shall serve an initial term expiring June 30, 2027. Members appointed from the former Zoning Commission shall serve an initial term expiring June 30, 2026.

4. The County Commissioners may remove a member for cause, including absenteeism, repeated conflicts of interest, or misconduct.
5. Vacancies shall be filled by the County Commissioners for the remainder of the unexpired term.
6. Members are expected to notify the Executive Secretary at least one day in advance of the meeting if unable to attend a meeting. Failure to attend more than three (3) consecutive meetings may be grounds for removal.

ARTICLE III – OFFICERS AND STAFF

1. At the first regular meeting of each calendar year, the Commission shall elect a Chair and a Vice-Chair from among its members.
2. The Chair shall:
 - Preside over meetings.
 - Supervise the general affairs of the Commission.
 - Represent the Commission at meetings, hearings, and conferences.
3. The Vice-Chair shall perform the duties of the Chair in the Chair's absence or disability.
4. If both the Chair and Vice-Chair are absent from a meeting, the Executive Secretary shall call the meeting to order and members shall elect a Temporary Chair.
5. All offices shall serve a term of one year. Any officers may serve successive terms.
6. The Director of Planning shall serve as Executive Secretary, responsible for:
 - Keeping records of all proceedings.
 - Attending and staffing meetings and hearings.
 - Preparing agendas, notices, reports, correspondence, and decisions.
 - Collecting and transmitting applicable fees.
 - Providing professional planning analysis and recommendations.

ARTICLE IV – MEETINGS AND PROCEDURE

1. Regular meetings shall be held on the second Thursday of each month at 4:00 p.m., or at such other time and place as may be properly advertised.
2. A quorum shall consist of three members.
 - On any determination regarding an appeal of administrative decision or determination or variance request at least three members of the Commission shall vote in favor. (MCA 76-2-224)
3. The Commission shall only act on matters properly advertised for hearing.
4. Hearings shall follow this order of procedure:
 - Reading of the legal notice.
 - Presentation of staff report and recommendation.
 - Applicant presentation.
 - Proponent testimony.
 - Opponent testimony.
 - Neutral comment.
 - Applicant rebuttal.
 - Staff or legal comments.
 - Commission deliberation and decision.
5. The Chair may close public testimony and proceed to deliberation once all interested parties have had an opportunity to be heard.

6. All persons speaking shall state their name and address for the record.
7. The Commission may continue a hearing to another date if necessary, provided the new date and time are announced at the meeting. If the continuation occurs within six (6) months, no new advertisement is required.
8. The Commission may seek legal assistance from the Yellowstone County Attorney's Office.
9. Robert's Rules of Order shall control the conduct of the meeting unless otherwise provided.
10. The Commission shall follow all applicable federal, state, and local regulations.

ARTICLE V – RULES OF CONDUCT

1. Every member present shall vote unless recused for conflict of interest.
2. Members are allowed to attend meetings virtually no more than six times in twelve meetings.
3. A conflict exists if a member:
 - o Lives within the required notification area;
 - o Has ownership, wholly or partly, of the subject property;
 - o Has a financial or personal interest in the matter.
4. Members shall disclose conflicts at the outset and refrain from participation. The disclosure and recusal shall be recorded in the minutes.
5. Members shall not privately discuss pending matters with applicants, opponents, or other members outside of the public meeting. If such contact occurs inadvertently, the member shall disclose the nature of the discussion.
6. Members shall comply with the Montana Code of Ethics.
7. Members shall conduct themselves impartially, with integrity, and in the interest of the health, safety, and welfare of Yellowstone County residents.

ARTICLE VI – DECISIONS AND RECORDS

1. Written notice of each decision shall be transmitted to the applicant within five (5) days of the decision.
2. All records of the Commission shall be maintained by the Executive Secretary and shall be available for public inspection during business hours.

ARTICLE VII – AMENDMENTS

1. Amendments to these bylaws may be initiated by any member of the Commission.
2. Proposed amendments must be provided in writing at least twenty-four (24) hours before the meeting at which they will be considered.
3. Amendments require a majority vote of the Commission and final approval by the Yellowstone County Board of County Commissioners.

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 25- 112

Resolution to Consolidate Yellowstone County Zoning Commission and Yellowstone County Board of Adjustment

WHEREAS, pursuant to Section 76-2-220 of the Montana Code Annotated, a board of county commissioners has the authority to create a county zoning commission. Pursuant to Section 76-2-221 of the Montana Code Annotated, a board of county commissioners has the authority to create a county board of adjustment. Pursuant to Section 76-1-114 of the Montana Code Annotated, a board of county commissioners has the authority to consolidate any combination of planning board, zoning commission and board of adjustment.

WHEREAS, Section 76-1-114 of the Montana Code Annotated, does not provide how a board of county commissioners is supposed to consolidate any combination of planning board, zoning commission and board of adjustment. A board needs to provide the public with the ability to participate in the decision. For the public to participate in the decision, it will need notice of the potential consolidation and an opportunity to comment on the potential consolidation. To allow for public participation, a board should hold a discussion on the consolidation, pass a resolution of intent for the consolidation, set a public hearing, provide notice of the public hearing, accept written comments before the hearing, hold a public hearing, accept written and oral comments at the hearing, discuss the consolidation at the hearing and pass a resolution to either consolidate or not consolidate. The process would allow for public participation in the decision.

WHEREAS, the Yellowstone County Board of County Commissioners created a Yellowstone County Zoning Commission and a Yellowstone County Board of Adjustment. The Board has not been able to obtain enough members for the Zoning Commission to maintain a quorum for the Zoning Commission. The lack of a quorum is adversely affecting Yellowstone County's ability to process zone change requests. To solve the lack of a quorum for the Zoning Commission, the Board has decided to consolidate the Zoning Commission with the Board of Adjustment. If consolidated, the Board would appoint the current members of the Zoning Commission and the Board of Adjustment to the Consolidated Zoning Commission. The Consolidated Zoning Commission would have five members. The Consolidated Zoning Commission would perform the function of both the Zoning Commission and Board of Adjustment.

WHEREAS, on September 2, 2025, the Yellowstone County Board of County Commissioners passed a resolution of intent to consolidate the Yellowstone County Zoning Commission and Yellowstone County Board of Adjustment and set a public hearing on the consolidation for September 16, 2025. On September 5, 2025 and September 12, 2025, the Yellowstone County Clerk and Recorder published notice of the public hearing in the *Yellowstone County News*. On September 16, 2025, the Board held a public hearing on the consolidation. The Board heard comments on the consolidation and considered the consolidation and comments. The Board determined that it would be in the best interest of the public to consolidate.


NOW THEREFORE, BE IT RESOLVED,

The Yellowstone County Board of County Commissioners consolidates the Yellowstone County Zoning Commission and the Yellowstone County Board of Adjustment into a Consolidated Yellowstone County Zoning Commission. The Consolidated Yellowstone County Zoning Commission shall perform the function of both the Zoning Commission and Board of Adjustment. The consolidation is effective immediately. The consolidation shall continue until superseded by another resolution. The Board appoints the current members of the Zoning Commission and Board of Adjustment to the Consolidated Zoning Commission – Tyler Bush, Carlotta Hecker, Todd Hewett, and Pam Ellis. The Consolidated Yellowstone County Zoning Commission shall adopt new bylaws for itself.

Passed and Adopted on the 16th day of September 2025.

BOARD OF COUNTY COMMISSIONERS

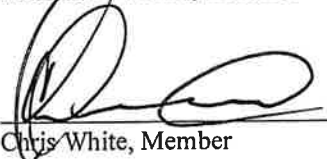
YELLOWSTONE COUNTY, MONTANA



Mark Morse, Chair



Michael J. Waters, Member



Chris White, Member

ATTEST:



Jeff Martin, Clerk and Recorder

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

**Affidavit of Notice of Public Hearing for the Consolidation of
Yellowstone County Zoning Commission and Yellowstone County Board of Adjustment**

STATE OF MONTANA)
 : ss.
County of Yellowstone)

Jeff Martin, being first duly sworn, deposes and says:

I am the Yellowstone County Clerk and Recorder. I am the Secretary for the Yellowstone County Board of County Commissioners. On September 2, 2025, the Board passed a resolution of intent to consolidate the Yellowstone County Zoning Commission and the Yellowstone County Board of Adjustment and set a public hearing for September 16, 2025. It ordered me to publish notice of the public hearing, receive written comments and provide the comments to the Board before the hearing.

In compliance with the order, on September 5, 2025 and September 9, 2025, I published notice of the public hearing in the *Yellowstone County News*. Attached is a copy of the notice I published. From September 2, 2025 through September 16, 2025, I received comments. I received _____ comments. I provided the comments to the Board prior to the hearing.

Jeff Martin
Yellowstone County Clerk and Recorder

SUBSCRIBED AND SWORN to before me this 16th day of September 2025.

Notary Public for the State of Montana
Residing at Billings, Montana.
My commission expires _____

(Notarial Seal)

**DRAFT
BY-LAWS
CONSOLIDATED YELLOWSTONE COUNTY ZONING COMMISSION**

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3. Amendments require a majority vote of the Commission.

Zoning Commission

Date: 12/11/2025
Title: County Zone Change 732- COS 3420 Tr1-13-(Lone Eagle Sub)â€“ from Ag to RR3
Presented by: Karen Husman
Department: Planning & Community Services
Presentation: Yes

RECOMMENDATION

Planning staff is recommending approval of the requested zone change and adoption of the findings of the 11 criteria for Zone Change 732.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

County Zone Change 732 is a request to amend the zoning designation from Agricultural (A), which requires parcels of ten acres or more, to Rural Residential 3 (RR3), which allows parcel sizes ranging from three acres up to 9.99 acres. The request applies to Tracts 1-13, Certificate of Survey (COS) 3420 located in Section 09, Township 1 North, Range 25 East, comprising approximately 236.82 acres.

The property has undergone several survey actions. The original COS 1627 was recorded on January 13, 1977 (Doc. No. 1039386), with an amendment recorded on May 27, 1999 (Doc. No. 3052530). The current COS 3420 was completed and recorded on January 7, 2010 (Doc. No. 3536855). To the south, the Lone Eagle Subdivision was recorded in multiple phases: the 1st filing on April 12, 1996 (Doc. No. 1824255); the 2nd filing on September 12, 1997 (Doc. No. 1889893); the 3rd filing on July 6, 2000 (Doc. No. 3095822); the 4th filing on August 29, 2000 (Doc. No. 3101145); and the 5th filing on June 18, 2001 (Doc. No. 3133904). All lots within the Lone Eagle Subdivision are developed with lots from 10 to 20+ acres with single-family dwellings that include some small-scale agricultural uses.

The subject property is located at the border of the county's zoning jurisdictional boundary. The broader area north of Billings consists of a mix of rural residential properties and larger agricultural tracts used primarily for dry-land farming and grazing. Adjacent zoning includes Agricultural (A) to the northeast and unzoned land within the Hiaring Subdivision to the northwest, where parcels of up to 15 acres are developed predominantly for large-lot residential use with some associated agricultural activity.

The proposed zone change is intended to support the development of a new rural residential subdivision. Under the current Agricultural zoning, residential development is limited to parcels of at least ten acres, with residential use intended as an accessory to primary agricultural activities. The subject property, located along the northwest edge of the county's zoning jurisdiction, currently consists of 13 parcels ranging from approximately 13.7 acres to over 30 acres.

The applicant proposes to reconfigure these parcels into the proposed Lone Eagle North Subdivision, to be reviewed concurrently with this zone change. The subdivision would create approximately 28 (number of lots still pending preliminary plat approval of subdivision) rural residential lots proposed with lot sizes ranging from approximately 5.61 to 9.98 acres. The proposed subdivision additionally contains two private parks--one totaling 10.18 acres and the other 20.57 acres.

APPLICATION DATA

OWNER: Robert Arensberg
AGENT: Greg Reid, WWC Engineering
LEGAL DESCRIPTION: Tracts 1-13, C.O.S. 3420, S09, T01 N, R25E
ADDRESS: Not applicable. No address has been assigned.
CURRENT ZONING: A - Agriculture
EXISTING LAND USE: Vacant
PROPOSED USE: Rural Residential 3-9.99 acres.
SIZE OF PARCEL: 236.82 acre total

CONCURRENT APPLICATIONS

Lone Eagle North Subdivision

SURROUNDING LAND USE AND ZONING

NORTH: Zoning: A and unzoned
Land Use: Low Density Residential and Agriculture

SOUTH: Zoning: A
Land Use: Low Density Residential and Agriculture
EAST: Zoning: A
Land Use: Low Density Residential and Agriculture
WEST: Zoning: A
Land Use: Agriculture

STAKEHOLDERS

Planning staff provided public notice of the application in accordance with zoning regulations, including notification to surrounding property owners, publication of a legal advertisement, and posting of the subject property. As of the date of this report, no written correspondence has been received from surrounding property owners regarding the proposed zone change.

The applicant held a pre-application neighborhood meeting on October 8, 2025, at the subject property. Two members of the public attended. Topics discussed included the location of the existing oil pipeline, potential road connection to the Lone Eagle Subdivision to the south, and whether the proposed subdivision would establish a Homeowners Association with restrictions similar to those in the Lone Eagle Subdivision. Meeting notes and a detailed summary of the discussion are provided in the attachments.

ALTERNATIVES

The Yellowstone County Consolidated Zoning Commission may:

- Recommend approval and adoption of the findings of the eleven review criteria for the Zone Change; or,
- Recommend denial and adopt different findings of the eleven review criteria for the Zone Change; or,
- Delay action on the zone change request for up to 30 days; or,
- Allow the applicant to withdraw the zone change request. The applicant has not requested the Commission consider withdrawal of the application.

FISCAL EFFECTS

Approval or denial of the proposed zone change will have no fiscal effects on the Planning Division budget.

SUMMARY

The Yellowstone County Consolidated 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?

Goal: Predictable land use decisions that are consistent with neighborhood character and preferred land use patterns identified in neighborhood plans.

This portion of the county contains a mix of agricultural operations and low-density residential neighborhoods. Adjacent parcels to the northwest are unzoned and developed with large-acreage tracts containing single-family homes. The broader area to the northeast includes a combination of rural residential properties and larger agricultural parcels primarily used for dry-land farming and grazing. The Lone Eagle Subdivision to the south is developed with 10- to 20-acre lots that support single-family dwellings and small-scale agricultural activities.

The proposed zone change would allow a similar development pattern but at a smaller scale, with lots proposed to range from approximately 5 acres to just under 10 acres. This configuration aligns with the Growth Policy's goal of supporting predictable land-use decisions that are consistent with existing neighborhood character and with the preferred land-use patterns identified in adopted neighborhood plans.

Goal: New developments that are sensitive to and compatible with the character of adjacent development.

The subject property is surrounded by a mix of agricultural operations and large-lot, low-density rural residential uses. The intended RR3 district is compatible with both the existing development pattern and the surrounding agricultural and residential zoning. The proposed zone change would allow a similar development pattern at a smaller scale, with lots ranging from approximately 3 acres to just under 10 acres, consistent with the established character of adjacent properties.

2. Is the new zoning designed to secure from fire and other danger?

The concurrent Lone Eagle North Subdivision plan requires construction of two new 30,000 gallon dry hydrants. The Lone Eagle North Subdivision has also been reviewed by the local fire protection district to ensure adequate emergency access and roadway design. The dry hydrants are planned within the subdivision to provide a dependable water source for firefighting and to enhance overall fire protection for future residents. The location and design of the hydrant will be reviewed and approved by the appropriate fire authority to ensure compliance with applicable fire safety requirements. The existing and proposed zoning requires building separations, setbacks, and height limits that should provide security from fire or other public safety emergencies. These siting requirements are found in Table 27-300-4.

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

Transportation: Development under the new zoning will increase traffic on Alkali Creek Rd. The subdivision review required a Traffic Impact Study (TIS) and resulted with no additional turn lanes, intersection improvements, or other improvements. The level of traffic increase will be dependent on the development of the proposed zoned parcel. Generally, each additional dwelling will create approximately 10 new vehicle trips per day. The subdivision design will also accommodate nonmotorized transportation by including roadway shoulders, consistent with Yellowstone County standards.

Water and Sewerage: The property will be served by septic systems and on-site water (cisterns or wells). The city of Billings' public utilities are not available and are not intended to be extended to this area in the near future. Stormwater management plans are required during subdivision review, ensuring compliance with Yellowstone County and Montana Department of Environmental Quality (MDEQ) standards and maintaining environmental quality and public health safeguards for future residents.

Fire and Police: The subject-property is serviced by the Yellowstone County Sheriff's Department. Fire protection will be serviced by the Fuego Volunteer Fire station, which is approximately 4 miles northwest of the subject property off of Hwy 3. The dry hydrants are planned within the subdivision to provide a dependable water source for firefighting and to enhance overall fire protection for future residents. The Sheriff's office and Fire Department were notified by staff, and at the time this report was submitted, no comments were received.

Schools and Parks: The site is located within an established school district (School District 2), and nearby schools already serve the surrounding residential area. The additional homes are not anticipated to have a significant effect on school capacity. Any potential impact will largely depend on the composition of households and the number of school-aged children among the new residents. The school district was notified by staff, and had not responded at the time this staff report was submitted. The application does not propose removing any dedicated park space and new private parks are included in the overall subdivision plan.

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

Similar to Criteria 2 and 3 above, the zoning itself is not expected to have a negative effect on the health and general welfare of the area. County zoning regulations require minimum setbacks from property lines, separation of buildings, and restrict uses so compatibility is maintained with adjacent property. This is not unique to the rural residential zones, but is promoted by all districts.

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

The proposed zoning will require minimum setbacks, maximum building heights and maximum lot coverage. These requirements, found in Table 27-300-4, allow adequate light and air to reach the subject property and adjacent properties.

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

Consistent with Criteria 3, the proposed zoning change itself will not directly increase traffic on adjacent county roads. Future acreage-tract residential development will generate additional traffic on Alkali Creek Road; however, the proposed subdivision associated with the zone change will facilitate improved transportation access by extending new subdivision roads to connect with the existing county roadway network near Alkali Creek Road. These connections will enhance safe and efficient travel for residents and emergency responders. The subdivision is designed to support non-motorized transportation through the inclusion of roadway shoulders consistent with Yellowstone County standards. A Traffic Impact Study (TIS) was completed as part of the subdivision review and determined that no additional turn lanes, intersection improvements, or roadway improvements are required at this time. Traffic volumes will ultimately depend on the level of development within the proposed zoning district. As a general estimate, each new dwelling unit is expected to generate approximately 10 daily vehicle trips.

7. *Will the new zoning be compatible with urban growth in the vicinity?*

This area of the county is not influenced by urban growth, and the existing development pattern consists primarily of rural residential and agricultural uses. The proposed RR3 zoning and associated development are consistent with the established residential growth in the area. The RR3 designation supports low-density housing that complements existing rural subdivisions in the Alkali Creek area while preserving open space and maintaining the area's rural character. This zoning promotes an orderly and appropriate development pattern aligned with Yellowstone County's long-range growth objectives.

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

The subject property is located within an area characterized by acreage-tract residential subdivisions and agricultural uses. The RR3 zone district is compatible with these surrounding land uses. The proposed development will also incorporate Covenants Conditions and Restrictions (CCRs) that restrict housing to single-family residences, further supporting and preserving the character of the neighborhood. The property is well-suited for the intended use due to its proximity to established rural residential development and its compatibility with existing land-use patterns.

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

The new zoning itself is not expected to alter the value of any buildings in the area. Valuations are typically based on improvements to the individual properties themselves. The new zoning will allow the development of new residential uses adjacent to agricultural and residential uses. The new residential uses should have no impact on surrounding properties. Any development of the property will need to meet the site development requirements in the zoning code, including landscaping, building heights and setbacks.

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

The proposed RR3 zoning supports appropriate land uses, including residential development with limited accessory agricultural activities. The property is well-suited for RR3 residential development, and the designation represents an appropriate use of land within this portion of the county. The zone change will help facilitate compatible growth patterns and will align with the surrounding mix of residential parcels and agricultural lands.

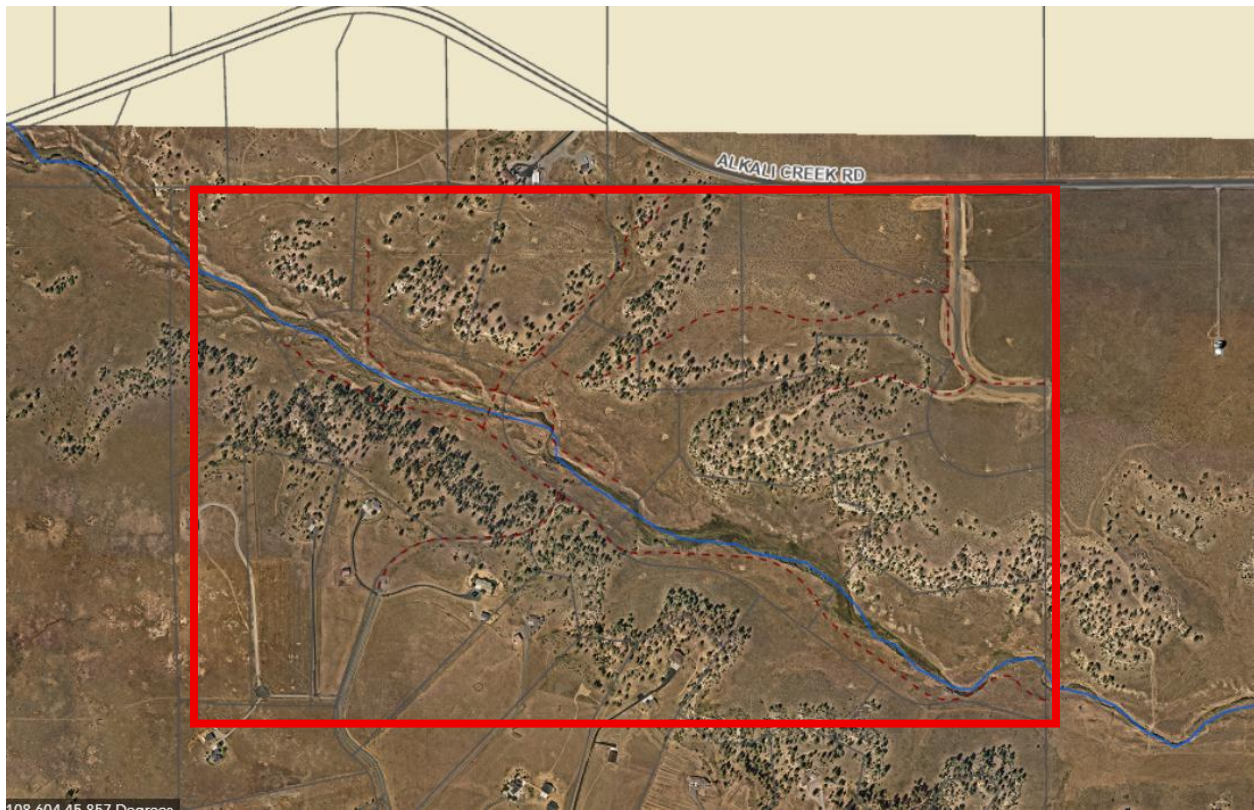
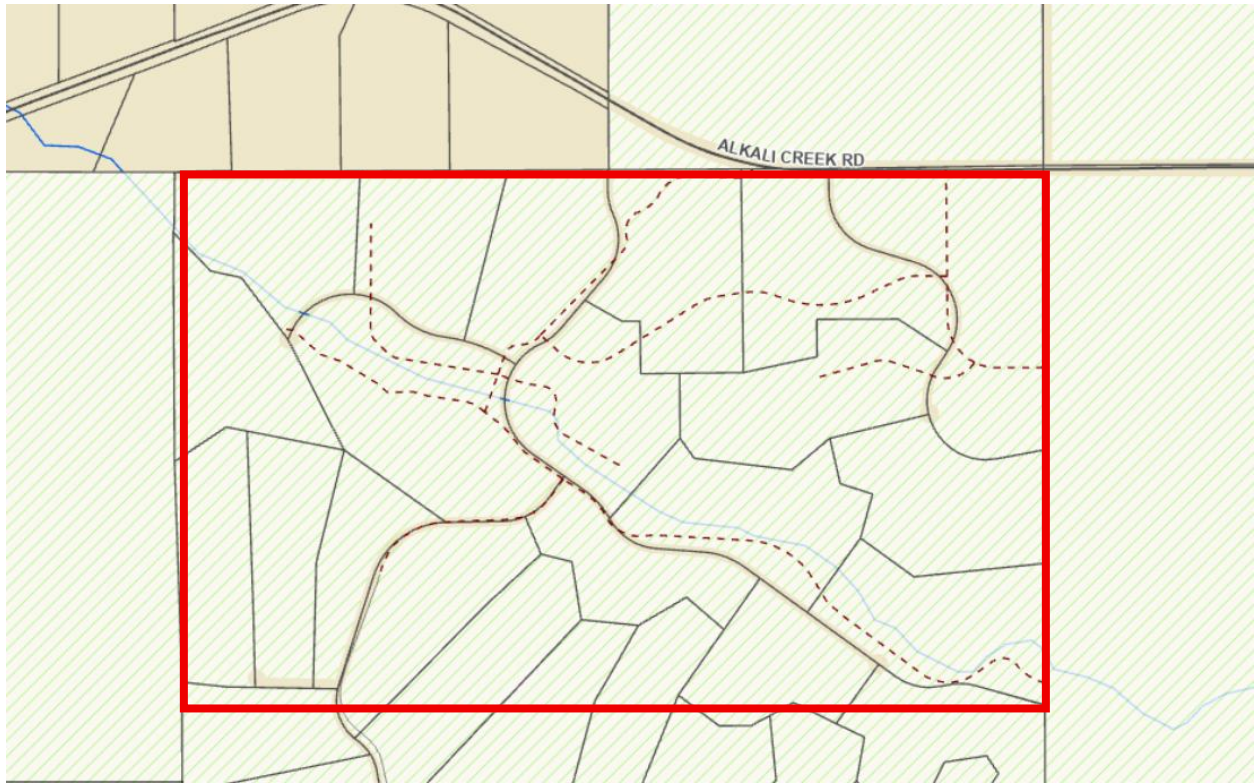
11. Will the new zoning be as compatible as possible with adjacent zoning in the City of Billings?

The proposed zoning is not close to the City limits of Billings.

Attachments

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

Zoning Map & Site Photos





Looking South



Looking west



Looking East



Looking North

COUNTY APPLICATION FORM

COUNTY ZONE CHANGE County Zone Change # 732 - Project # 25-00205

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: _____

Proposed Zoning: _____

Property Tax ID # _____ COUNTY COMMISSIONER DISTRICT # _____

Legal Description of Property: _____

Address or General Location (If unknown, contact County Public Works): _____

Size of Parcel (Area & Dimensions): _____

Present Land-Use: _____

Proposed Land-Use: _____

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

Owner(s) _____
(Record Owner)

(Address)

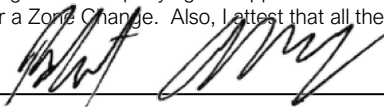
(Phone Number) (email)

Agent(s): _____
(Name)

(Address)

(Phone Number) (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:  _____ Date: _____
(Record Owner – Digital Signature Allowed)

11 Criteria for Zone Change – Lone Eagle Subdivision

(1) Whether the new zoning is designed in accordance with the growth policy:

The Yellowstone County and City of Billings 2008 Growth Policy envision development patterns that balance residential growth with the preservation of agricultural land and open space. The proposed zoning change from Agricultural (A) to Rural Residential 3 (RR-3) aligns with this vision by allowing large-lot residential development that provides a transition between agricultural and urban areas while maintaining the rural character of the Alkali Creek area.

(2) Whether the new zoning is designed to secure from fire and other dangers:

The proposed zoning change will not increase fire or other safety risks in the area. A dry hydrant does not exist in the immediate area of the development and platted lots exist within the boundary that could be developed as is, where this zone change and associated subdivision would instead involve the construction of two new 30,000 gallon dry hydrants. The Lone Eagle Subdivision will be reviewed by the local fire protection district to ensure adequate emergency access and roadway design. The dry hydrants are planned within the subdivision to provide a dependable water source for firefighting and to enhance overall fire protection for future residents. The location and design of the hydrant will be reviewed and approved by the appropriate fire authority to ensure compliance with applicable fire safety requirements.

(3) Whether the new zoning will promote public health, public safety, and general welfare:

The proposed zoning from Agricultural (A) to Rural Residential 3 (RR-3) will promote the public health, safety, and general welfare by supporting rural residential development in an area suitable for low-density housing. Individual water wells and septic systems are proposed for each lot and will be reviewed by the Montana Department of Environmental Quality (MDEQ) to ensure safe and effective operation. Stormwater management plans will be required at the time of subdivision, ensuring compliance with Yellowstone County and MDEQ standards and maintaining environmental quality and public health safeguards for future residents.

(4) Whether the new zoning will facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements:

The proposed zoning change has the potential to improve transportation and infrastructure within the area by providing new internal roadways that connect to existing county roads near Alkali Creek Road. Individual wells and septic systems are proposed for each lot, with stormwater management incorporated into the subdivision design to ensure proper

drainage and protection of water quality. While an increase in residential population may place additional demand on local schools and services, these impacts will depend on the demographics of future residents and will be evaluated during the subdivision review process.

(5) Whether the new zoning will provide adequate light and air:

The RR-3 zoning designation, which allows lots ranging from three to ten acres in size, will provide ample open space between residences and maintain access to natural light and air. The large-lot layout and building setbacks will preserve the rural character of the area while minimizing visual or environmental impacts on neighboring properties. The zoning will ensure that future development maintains an open, low-density setting consistent with surrounding land uses.

(6) Whether the new zoning will affect motorized and nonmotorized transportation:

The proposed zoning change will improve transportation access in the area by extending new subdivision roads to connect with existing county roadways near Alkali Creek Road. These improvements will support safe and efficient travel for residents and emergency services. The subdivision design will also accommodate nonmotorized transportation by including roadway shoulders, consistent with Yellowstone County standards.

(7) Whether the new zoning will promote compatible urban growth in the vicinity of cities and towns:

The proposed zoning change will promote compatible growth near Billings by allowing rural residential development that transitions between agricultural lands and more urbanized areas. The RR-3 zoning designation supports low-density housing that complements existing rural subdivisions in the Alkali Creek area while preserving open space and maintaining the area's rural character. This zoning provides an orderly, appropriate pattern of development consistent with the long-range growth objectives for Yellowstone County.

(8) Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses:

The proposed zoning change takes into account the existing character of the surrounding area, which consists primarily of rural residential and agricultural properties. The location near Alkali Creek Road and the terrain of the site make it well suited for large-lot residential development. The RR-3 zoning designation provides an appropriate transition between active agricultural operations and existing rural subdivisions, maintaining compatibility with neighboring land uses.

(9) Whether the new zoning will conserve the value of buildings:

Rezoning to RR-3 is expected to maintain or enhance property values by creating an

attractive, well-planned rural neighborhood. The subdivision will be designed with quality infrastructure, covenants, and open space, all of which contribute to stable and desirable property values for both new and existing landowners.

(10) Whether the new zoning will encourage the most appropriate use of land throughout Yellowstone County:

The RR-3 zoning represents an efficient and appropriate use of land in this location. It supports residential demand in proximity to existing infrastructure and transportation routes while maintaining rural character. The proposed zoning balances growth with resource conservation, aligning with county-wide land use objectives.

(11) Whether the new zoning, as nearly as possible, will be compatible with the zoning of nearby cities and towns:

The proposed RR-3 zoning is compatible with nearby zoning districts and development patterns in the Alkali Creek. It provides a logical transition between agricultural and residential zones and aligns regional planning objectives for controlled rural residential growth.

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:** _____
- 2. **Written description of the Zone Change Plan** including square footage or acres of proposed new zoning:

- 3. **Subject Property Map:** please attach to this form
- 4. **Legal Description of Property:** _____

- 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 _____, day of _____, 20__.
 - b) The zone change application is based on materials presented at the meeting.

Owner (s): _____ **Telephone:** _____

Address: _____ **Email:** _____

Agent (s): _____ **Telephone:** _____

Address: _____ **Email:** _____



550 S. 24th STREET W., SUITE 201, BILLINGS, MT 59102 | 406.894.2210

September 26, 2025

Re: Neighborhood Meeting for Zone Change

Dear Landowner:

The purpose of this letter is to inform you of a neighborhood meeting pertaining to a potential zone change for Certificate of Survey No. 3420; see included Exhibit A. As part of the zone change process, this meeting is required to provide information to the surrounding property owners of the potential zone change for their review and comment prior to submitting the zone change application.

The current zoning of property is A, Agricultural, and the proposed zone change will be to a RR-3, Rural Residential. The owner intends to perform this zone change to allow for future subdividing of the property. Below is an excerpt from the Yellowstone County Zoning Regulations defining the two different types of zoning, along with a web address where additional information on regulations can be found.

A: Agricultural

The Agricultural (A) district is intended to protect and preserve agricultural lands for the performance of a wide range of agricultural functions. The intent is to limit the scattered intrusion of uses not compatible with an agricultural environment, encourage agricultural pursuits, and protect environmental concerns.

RR: RURAL RESIDENTIAL

The RR districts are intended for single-family homes, with or without agricultural uses. In addition to residential homes, small-scale agricultural uses may be allowed including stables, livestock and agricultural crops raised for personal use. Basic setback and height parameters apply with a range of allowed lot areas defined by "-1" and "-3", meaning RR-1 has a minimum lot size of 1 up to 3 acres, and RR-3 has a minimum lot size of 3 up to 10 acres. Accessory barns are allowed.

[Yellowstone-County-Zoning-Regulations-APR-2025-UPDATE](#)

The meeting will be held on the subject's property located in the cul-de-sac at the end of Lone Eagle Dr on October 8, 2025 at 6:30 pm. If you are unable to attend the scheduled meeting and have comments on the zone change, please provide them to me in writing to the email address linked below.

Sincerely,

A handwritten signature in blue ink, appearing to read "Greg Reid".

Greg Reid, P.E.
Billings Branch Manager greid@wwcengineering.com

Lone Eagle North - Proposed Zone Change to RR-3

Meeting Minutes

Date: 10.8.25

1. Is there proposed building near the oil pipeline that is crossing the property?

- The proposed plat locates the oil pipeline along the edge of the lots, to allow the maximum distance for residences to be constructed away from the pipeline.

2. Will there be a connection to the original Lone Eagle Subdivision? Also, if the plat doesn't happen, does it have to connect to Lone Eagle?

- The current plat does not include a connection to the original Lone Eagle and a variance from this connection is planned to be constructed. If the original plat is constructed, then yes there is a connection platted on it.

3. It was noted from neighbors living north of the property that the proposed plat is too tight.

4. HOA Discussion

- Is it planned to be the same HOA as the original Lone Eagle?
 - Not planned to be within the same HOA. A new one is planned to be constructed, but by the same developers as original Lone Eagle so it is anticipated it will be generally the same with different landowners in each. If the property is not subdivided then it would remain in the original HOA.
- Do the developers and the County understand the existing Lone Eagle HOA doesn't want road through?
 - Yes, that has been conveyed.

6. What type of CCR's are planned?

- The owners are anticipating they will be the same as those within the original Lone Eagle.

7. Who is developer?

- Same as previous Lone Eagle.

APPLICABLE ZONING HISTORY – Zone Change 732

SUBJECT PROPERTY	ZONE CHANGE	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
C.O.S. 3420	Recode	2021	AS to A		Updated new code
SURROUNDING PROPERTY	ZONE CHANGE	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
C.O.S 540 2602 Rockwood	729	7/22/2025	RR3 to N2	Y	
S 44 th 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 th 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 RM	Y	
C.O.S 540	N/A	2021	Updated to RR3		Updated during Recode