

City of Billings Zoning Commission
 Tuesday, December 2, 2025 at 4:30pm

| Commission | | 01/07/2025 | 02/04/2025 | 03/04/2025 | 04/01/2025 | 05/06/2025 | 06/03/2025 | 07/01/2025 | 08/05/2025 | 09/02/2025 | 10/07/2025 | 11/04/2025 | 12/02/2025 |
|-----------------|---------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Daniel J Brooks | Chairman | 1 | 1 | 1 | 1 | 1 | A | - | 1 | 1 | 1 | 1 | 1 |
| Greg McCall | Vice Chairman | 1 | 1 | A | 1 | A | 1 | - | 1 | 1 | 1 | 1 | A |
| David Goss | Commissioner | 1 | 1 | 1 | 1 | 1 | 1 | - | 1 | 1 | 1 | 1 | 1 |
| Beau Mulvaney | Commissioner | 1 | 1 | 1 | A | 1 | A | - | 1 | 1 | 1 | A | 1 |
| Andy Megorden | Commissioner | 1 | 1 | A | 1 | 1 | 1 | - | 1 | 1 | 1 | 1 | 1 |

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

| Total Number of 2025 Applications | 01/07/2025 | 02/04/2025 | 03/04/2025 | 04/01/2025 | 05/06/2025 | 06/03/2025 | 07/01/2025 | 08/05/2025 | 09/02/2025 | 10/07/2025 | 11/04/2025 | 12/02/2025 | TOTAL |
|-----------------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------|
| Zone Change | 1 | 1 | 2 | 1 | 1 | 1 | - | 1 | 2 | 2 | | 1 | 13 |
| Special Review | - | 1 | | | 1 | 1 | - | - | - | 1 | 2 | | 6 |

Call the Meeting to Order: Chairman Brooks called the meeting to order at 4:30 PM

Attending Staff: Karen Husman, Zoning Coordinator and Brenda Berns, Planning Clerk

Public Comment

Chairman Brooks called for public comments on items not on the agenda. No members of the public provided comments on non-agenda items.

Approval of Minutes: November 4, 2025

Motion by Commissioner Megorden to approve the meeting minutes of November 4, 2025, second by Commissioner Goss. Motion passed unanimously.

Disclosure of Ex-Parte Communication

| COMMISSIONER | DISCLOSED | NONE | ABSTAINED | ABSENT |
|---------------------|------------------|-------------|------------------|---------------|
| Daniel J Brooks | | X | | |
| Greg McCall | | | | X |
| David Goss | | X | | |
| Beau Mulvaney | | X | | |
| Andy Megorden | | X | | |

Disclosure of Conflict of Interest

| COMMISSIONER | DISCLOSED | NONE | ABSTAINED | ABSENT |
|---------------------|------------------|-------------|------------------|---------------|
| Daniel J Brooks | | X | | |
| Greg McCall | | | | X |
| David Goss | | X | | |
| Beau Mulvaney | | X | | |
| Andy Megorden | | X | | |

There were no site visits for ZC 1075.

Karen Husman read the meeting rules and procedures.

- a. City Zone Change 1075 – Grand Ave & Daybreak – P1 to CMU1** – The zone change initiated by City Council to amend PND – MU zone change 1070. A zone request from Parks and open space (P1) to Corridor Mixed Use 1 (CMU1) on Lot 67A1, Amended Plat of Lots 66A and 67A Sunny Cover Fruit Farms, S31, T01 N, R25 E, .38 acres of 27.152 acre parcel of land. Included in this request is a variance from Section 27-802.B.1(b) the PND required separation from the CMU1 adjacent to Agriculture (A) zones by a public street or alley to allow the CMU1 zone adjacent to a zone without a street or alley allowing the landscape buffering requirement CMU zones as sufficient buffer between the two zones. Tax ID D04670

Karen Husman, Zoning Coordinator, explained that questions arose regarding the original zoning request. To address the separation requirement, Engineering indicated that it did not support construction of a road. Staff advised that the applicant could apply for a variance and potentially allocate a portion of the required parkland dedication toward addressing the separation issue. During the review process, some confusion occurred as two site layouts were submitted, both of which contemplated the potential variance. When the matter was presented to City Council, extensive discussion followed. It was noted that the zoning application could not be modified after it had been formally presented for decision.

To avoid requiring the applicant to restart the process, City Council initiated an amendment to change the zoning designation to PND–MU as part of the original Zone Change 1070 request.

Recommendation

Planning Staff is recommending approval and adoption of the findings of the 10 review criteria for Zone Change 1075, and approval of the variance from Section 27-802.B. the PND required separation from the CMU1 adjacent to Ag by a public street or alley.

Zone Change Alternative

- Recommend approval and adoption of the findings of the ten review criteria for Zone Change 1075 and approval of the variance from the, Section 27-802.B. the PND required separation from the CMU1 adjacent to Ag by a public street or alley; or
- Recommend denial and adopt different findings of the ten review criteria for Zone Change 1075 and denial Section 27-802.B. the PND required separation from the CMU1 adjacent to Ag by a public street or alley or,
- Delay action on the zone change and variance request for up to 30 days

Questions

The Commission discussed the applicable review criteria for the variance request. It was clarified that the criteria for a variance are more limited in scope than those required for a zone change. The Commission also discussed the parkland dedication requirement and confirmed that sufficient P1 zoning is available to satisfy the requirement.

Applicant's Agent

John Halverson, Sanbell

Questions/Discussion

The Commission confirmed that the developer has no objection to the proposed change, and it was noted that the amendment is consistent with the applicant's original intent.

Chairman Brooks opened the Public Hearing for comments. There were no members of the public present to speak. The Public Hearing was closed.

Motion

Motion by Commissioner Megorden to recommend approval and adoption of the findings of the ten (10) review criteria for Zone Change 1075. Second by Commissioner Mulvaney.

Vote: 4:0 Motion passed unanimously.

| COMMISSIONER | Yes | No | ABSTAINED | ABSENT |
|-----------------|-----|----|-----------|--------|
| Daniel J Brooks | X | | | |
| Greg McCall | | | | X |
| David Goss | X | | | |
| Beau Mulvaney | X | | | |
| Andy Megorden | X | | | |

Motion

Motion by Commissioner Megorden to recommend approval of the Variance from Section 27-802.B. the PND required separation from the CMU1 adjacent to Ag by a public street or alley. Second by Commissioner Mulvaney.

Vote: 4:0 Motion passed unanimously

| COMMISSIONER | Yes | No | ABSTAINED | ABSENT |
|-----------------|-----|----|-----------|--------|
| Daniel J Brooks | X | | | |
| Greg McCall | | | | X |
| David Goss | X | | | |
| Beau Mulvaney | X | | | |
| Andy Megorden | X | | | |

Zone Change 1075 will be heard at City Council on December 15, 2025.

Other Business – There was no Other Business

Future Business

Karen Husman advised the Commission there will be one item on the agenda in January 2026.

Adjournment: The meeting adjourned at 4:45 PM