

Consolidated Yellowstone County Zoning Commission
Thursday, May 14, 2026



The Commission met at 4:00 PM in the 5th Floor Council Chambers
316 N 26th St. Billings MT

	Position	12/11/2025	01/08/2026	02/12/2026	03/12/2026	04/09/2026	05/14/2026	06/11/2026	07/09/2026	08/13/2026	09/10/2026	10/08/2026	11/12/2026
Tyler Bush	Chairman	1	1	1	1	1	1						
Pam Ellis	Vice Chair	1	1	1	1	1	1						
Carlotta Hecker	Commissioner	V	1	1	1	A	1						
Vacant	Commissioner	-	-	-	-	-	-						
Vacant	Commissioner	-	-	-	-	-	-						

Staff Present

Karen Husman, Zoning Coordinator; Ben Jackson, Planner 1; Brenda Berns, Planning Clerk

Approval Meeting Minutes – April 9, 2026

Motion

Motion made by Commissioner Hecker to approve the meeting minutes as submitted. Second made by Commissioner Ellis. The motion carried unanimously.

Karen Husman read the rules and procedures by which the public hearing will be conducted.

County Zone Change 735 – 1232 Johnson Ln – From A to I2 - A zone change request from Agriculture (A) to Heavy Industrial (I2), on Tracts 1 and 2, of Corrected COS 1069, S18 and S19, T01 N, R27 E, , a Fraction of Government Lots 3 and 4, North of the ROW in S19, T01 N, R27 E, on four parcels of land totaling approximately 229 acres. A pre-application neighborhood meeting was held on February 23, 2026, and 5:00 pm, at 607 Par Montana Rd. Tax ID: D06431, D06428, D06427.

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Ben Jackson gave an overview of the zone change request and stated the Planning staff has reviewed the application and is forwarding a recommendation of approval based on the 11 criteria for zone changes.

- Meets the goals of the County Growth Policy & the 11 review criteria
- Consistent with neighborhood character
- Compatible with the character of adjacent development
- Enables further economic development in the Lockwood Industrial area.

Review Criteria

- (1) Whether the new zoning is designed in accordance with the growth policy;
- (2) Whether the new zoning is designed to secure from fire and other dangers;
- (3) Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;
- (4) Whether the new zoning will promote public health, public safety and general welfare;
- (5) Whether the new zoning will provide adequate light and air;
- (6) Whether the new zoning will effect motorized and non-motorized transportation;
- (7) Whether the new zoning will promote compatible urban growth;
- (8) Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses;
- (9) Whether the new zoning will conserve the value of buildings;
- (10) Whether the new zoning will encourage the most appropriate use of land in Yellowstone County; and
- (11) Will the new zoning be as compatible as possible with the adjacent zoning in the City of Billings

Questions

The Board questioned whether the property is located within the TED District. Staff clarified that it is not and stated that the current consideration is whether the proposal is appropriate, with additional information to be provided through the Traffic Impact Study (TIS).

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Applicant

Jeff Dusch, PAR Pacific

Mr. Dusch stated that the applicant is requesting approximately 230 acres be rezoned to Heavy Industrial to accommodate future railroad development. He stated that the proposed zoning would create greater consistency with existing industrial zoning and development in the surrounding area.

Mr. Dusch acknowledged concerns raised by neighboring property owners and stated that PAR Montana would continue coordinating with the appropriate governing agencies. He explained that the proposed rail infrastructure would be designed and operated in coordination with BNSF and in accordance with applicable safety standards. He stated that the proposed rail yard is anticipated to provide storage for approximately 600 railcars, with infrequent rail movements across Johnson Lane.

Mr. Dusch stated that the current consideration is whether Heavy Industrial zoning is appropriate for the property and expressed the applicant's position that it is appropriate given the established industrial development in the area.

Commission Questions

The Commission questioned how much of the approximately 220-acre property would be utilized, noting that portions of the site include wetlands and forested areas. The applicant stated that approximately 60 acres are expected to be developed.

The Commission also discussed the anticipated two- to three-year construction period and noted that information regarding the Johnson Lane crossing was not fully available at the neighborhood meeting. The applicant stated that additional coordination has since occurred with Yellowstone County and MDT to identify applicable hazards and requirements for the crossing, with further agency review to occur as the project moves forward.

Chairman Bush invited anyone wishing to speak in favor of or opposition to Zone Change 735 to come forward.

In favor; none

In opposition:

Peter Taylor, representing PC Land Holdings

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Mr. Taylor stated that Johnson Lane is a dead-end street, which creates safety and access concerns identified through staff analysis, including potential traffic blockage and limited ingress and egress.

He emphasized the importance of maintaining adequate access for emergency medical services and fire response. He stated that a primary concern identified in the analysis is the lack of two points of access and noted that the proposed zoning could affect access to adjoining properties.

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Dan Gold; representing Weave Industries

Mr. Gold stated that Johnson Lane currently serves a mix of heavy trucking, construction activity, and residential properties. He noted that surrounding landowners continue to have concerns and expressed frustration that the discussion has focused primarily on the zoning request rather than the broader issues they believe should also be evaluated and addressed. He stated that the hearing provides an opportunity for affected property owners to voice their concerns and expressed uncertainty about when they would have another opportunity to do so before a final decision is made on the zone change.

Applicant's Rebuttal

Jeff Dusch, PAR Pacific

The applicant stated that the proposed Heavy Industrial zoning is consistent with existing uses along Johnson Lane and that the development would provide two access points. The proposed rail crossing would be in addition to the existing BNSF crossing, with coordination occurring among Yellowstone County Public Works, MDT, BNSF, and other applicable agencies.

The Commission discussed potential traffic impacts, including how long Johnson Lane could be blocked during rail movements. The applicant stated that BNSF would control the crossings and estimated typical blockage at approximately 10 minutes. The applicant also clarified that the approximately 600 railcars stored within the facility would not all cross Johnson Lane and that emergency access would be addressed through the project design.

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Chairman Bush closed the public hearing.

Staff clarified that the applicant and agent have been transparent throughout the process but are not required to provide information beyond the applicable review criteria. Staff stated that the zone change review was conducted in accordance with those criteria.

Staff also clarified that Heavy Industrial zoning is intended to accommodate uses such as the proposed development. Concerns regarding access along Johnson Lane and rail operations were noted as separate transportation issues that may affect vehicular traffic but are subject to review by the appropriate agencies. Staff further stated that emergency service providers are aware of the limited access and clarified that approval of the zone change itself would not result in the taking of private property.

The Commission discussed emergency access along Johnson Lane during rail blockages. Staff stated that alternate emergency access is available and that responders are aware of existing BNSF-related blockages. The Commission generally found the proposed Heavy Industrial zoning consistent with surrounding uses and applicable review criteria. One Commissioner remained concerned that emergency response times were not adequately addressed, while others noted that response-time and insurance considerations may fall outside the zoning review criteria.

Motion

Motion by Commissioner Bush to recommend approval of Zone Change 735 and adopt the findings of the 11 review criteria as presented within the staff report.

Vote 2:1 in favor

Motion recommending approval is Approved.

County Zone Change 736 – 5415 Rustic Ave – RR3 to RR1 – A zone change request from Rural Residential 3 (RR3) to Rural Residential 1 (RR1), on an unplatted parcel of land in S21, T01 S, R25 generally located east of S 56th St W and north of Rustic Ave., a parcel of land approximately 10.05 acres. A pre-application neighborhood meeting was held on February 23, 2026 at 5:00PM at the subject property. The purpose of the request is to allow creation of a 1-acre parcel for a family transfer. Tax ID: D00774.

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Karen Husman gave an overview of the requested zone change and current zoning. Staff have reviewed this application and is forwarding a recommendation of approval based on the 11 criteria for zone changes.

- Meets the goals of the County Growth Policy & 11 review criteria
 - Predictable land use decisions
 - Preserve neighborhood character

Review Criteria

- (1) Whether the new zoning is designed in accordance with the growth policy;
- (2) Whether the new zoning is designed to secure from fire and other dangers;
- (3) Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;
- (4) Whether the new zoning will promote public health, public safety and general welfare;
- (5) Whether the new zoning will provide adequate light and air;
- (6) Whether the new zoning will effect motorized and non-motorized transportation;
- (7) Whether the new zoning will promote compatible urban growth;
- (8) Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses;
- (9) Whether the new zoning will conserve the value of buildings;
- (10) Whether the new zoning will encourage the most appropriate use of land in Yellowstone County; and
- (11) Will the new zoning be as compatible as possible with the adjacent zoning in the City of Billings

Applicant Agent

The applicant's agent stated that the property is currently occupied as a rental and that the request would allow the residence to be separated from the larger parcel while preserving the remaining property for agricultural use. The Commission confirmed that the residence is already located on the approximately one-acre parcel.

Chairman Bush invited anyone wishing to speak in favor of or in opposition to Zone Change 736 to come forward. No members of the public came forward to speak.

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Chairman Bush closed the public hearing.

Motion

Motion by Commissioner Bush to recommend approval of Zone Change 736 and adopt the findings of the 11 review criteria as presented within the staff report.

Vote 3:0

Motion recommending approval is Approved.

The Board of County Commissioners' public hearing for these applications will be held June 2, 2026 at 9:30am at the Ostlund Building 2825 3rd Avenue North, Room 309.

Other Business/Announcements

Ms. Husman advised the Commission that there are no zone changes for June.

Adjourned 5:00 pm

Brenda Berns, Planning Clerk