

**City of Billings Zoning Commission Meeting  
December 2, 2008**

The City of Billings Zoning Commission met on December 2, 2008 in the City Council Chambers at 210 N. 27<sup>th</sup> Street, 2<sup>nd</sup> Floor.

Leonard Dailey, Jr., Chairman called the meeting to order at 4:30 p.m. Chairman Dailey said the recommendations of the Zoning Commission on the items heard tonight will be forwarded to the City Council to be heard at their meeting during a public hearing scheduled for Monday, January 12, 2008 at 6:30 p.m.

<b>Commission and Staff</b>		<b>01/02/2008</b>	<b>02/05/2008</b>	<b>03/04/2008</b>	<b>04/01/2008</b>	<b>05/06/2008</b>	<b>06/03/2008</b>	<b>07/01/2008</b>	<b>08/05/2008</b>	<b>09/02/2008</b>	<b>10/07/2008</b>	<b>11/05/2008</b>	<b>12/02/2008</b>
Barbara Hawkins	Commissioner	1	1	1	1	1	1	1	1	1	1	1	1
Thomas Grimm	Commissioner	1	1	A	1	1	1	1	1	A	1	A	1
Michael Larson	Vice-Chair	1	1	1	1	A	1	1	1	1	1	1	A
Edward Workman	Commissioner	1	1	1	1	1	A	1	1	1	1	A	1
Leonard Dailey, Jr.	Chairman	1	1	1	1	1	1	1	1	1	1	1	1
Candi Beaudry	Director	-	-	-	-	-	-	-	-	-	-	-	-
Nicole Cromwell	Planner II, Zoning Coordinator	1	1	1	1	1	1	1	1	1	1	1	1
Elizabeth Allen	Clerk	1	1	1	1	1	1	1	1	1	1	1	1
Wyeth Friday	Planning Division Manager	-	-	-	-	-	-	-	-	-	1	-	-
Juliet Spalding	Planner II	-	-	-	-	-	-	-	-	-	-	-	-
Aura Lindstrand	Planner II	-	1	-	-	-	-	-	-	-	-	1	-
Lora Mattox	Planner II	-	-	-	-	1	-	-	-	-	-	-	-
Dave Green	Planner I	1	-	1	1	1	1	-	-	1	1	-	-

Total Number of 2008 Applications	01/02/2008	02/05/2008	03/04/2008	04/01/2008	05/06/2008	06/03/2008	07/01/2008	08/05/2008	09/02/2008	10/07/2008	11/05/2008	12/02/2008	Total
Zone Change	3	5	1	1	2	2	2	1	2	2	1	1	23
Special Review	0	3	0	2	3	3	2	0	3	2	1	0	19

**Chairperson Dailey** introduced the Planning Department Staff and Commission:  
 Nicole Cromwell, Planner II/Zoning Coordinator  
 Elizabeth Allen, Planning Clerk

**Public Comments:**

There were none.

**Approval of Minutes:**

*On a motion by Commissioner Workman, seconded by Commissioner Hawkins and approved with a 4-0 voice vote the minutes of November 5, 2008 were approved with the following changes: Correct the motion on page 5 and 6 to reflect that the motion was for conditional approval and it failed with a 1-2 voice vote*

**Public Hearings:**

**Chairman Dailey** reviewed the rules and the procedures by which the City Zoning Commission public hearings are conducted.

**Item #1: City Zone Change #852 – @5019 Midland Road - Motor Power Equipment –** A zone change from Entryway General Commercial (EGC) to Highway Commercial (HC) on a 5.03 acre parcel of land directly east of 5021 Midland Road, on Lots 1-3, Block 1 Cereus Subdivision, Tax ID’s C12071,C12072 and C12073. Brumar Corporation, owner and Engineering, Inc., is the agent.

**Ms. Cromwell** read the legal description and gave a brief power point presentation to the commission. Staff recommendation is approval.

**Discussion:**

**Commissioner Grimm** asked if the reason behind the zone change is to unify the zoning of this business. **Ms. Cromwell** answered that is correct. This will help simplify the process if the applicant wishes to expand their business.

**Commissioner Dailey** asked about the staff report and he asked if this zone change will create more vehicle trips per day on Midland Road. **Ms. Cromwell** stated that the traffic reports in the staff report incorporate this business. As this area develops further, it may require a traffic control signal at the intersection of Midland Rd. **Commissioner Dailey** is just concerned that with the increased

development in this area traffic will get out of hand. **Commissioner Dailey** asked why the zoning of the police impound is not Public like the Operations Center. **Ms. Cromwell** answered that the City is trying to adopt the EGC standards for the impound lot but most city used properties are zoned Public.

**Applicant:**

**Tim Pertz**, Engineering, Inc. 1300 North Transtech Way, agent for applicant. There is a signal for this intersection on the drawing table. He believes that it has not yet been built because of lack of funding. **Ms. Cromwell** presented this very well.

**Commissioner Workman** asked if there is a plan to expand. **Tim Pertz** stated that there are plans to expand this spring. They will meet all of the setbacks and lot coverage. They may need a variance for approaches on the property. They currently have 4 approaches and they would like to keep all 4.

**Proponents:**

There were none.

**Opponents:**

There were none.

*Public hearing closed at 4:54 p.m.*

**Motion:**

*On a motion by Commissioner Workman, seconded by Commissioner Hawkins and approved with a 4-0 voice vote a recommendation of approval of Zone Change #852 will be forwarded to the City Council on its meeting of January 12, 2008.*

**Commissioner Workman** will be voting to approve this zone change because he feels that this is a logical change.

**Other Business:**

**Item #2: Request to Initiate a Text Amendment to Clear Vision Regulations at 27-615 and 27-618 BMCC** – A request from the City Engineering Division to initiate a zoning text amendment to the current clear vision regulations to better address specific traffic types and street classifications.

(\*\*If the Zoning Commission agrees to initiate the amendment, the zone change will be presented for public hearing at a future Zoning Commission and City Council public hearing)

**Ms. Cromwell** gave a brief description of the proposed amendment. **Commissioner Grimm** asked if this would include language from something like ASHTO to determine the clear vision zones. **Ms. Cromwell** stated that it would be modeled on something like that. This will increase some clear vision zones on roads with higher speeds or higher traffic counts and this will decrease clear vision zones in some residential areas. **Commissioner Workman** asked what exactly they are supposed to decided with the small amount of information they have been given. **Ms. Cromwell** stated that they are asking for the zoning commission to initiate a zone change so they can begin working on the zone change. The board will hear the text amendment at a later time and it will go before the council for approval and disapproval. The board discussed the text amendment further including the repercussions for this type of change.

*On a motion by Commissioner Hawkins, seconded by Commissioner Grimm to initiate a Text Amendment to the Clear Vision Regulations, and approved by a 4-0 voice vote the motion was approved.*

**Adjournment:**

*The meeting was adjourned at 5:18 p.m.*

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**Leonard Dailey, Chairman**

**ATTEST:**

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**Elizabeth Allen, Planning Clerk**