



**AGENDA
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, FEBRUARY 17, 2021
5:35 PM
CITY COUNCIL CHAMBERS**

Public Input: *Citizens may address the committee regarding any item of business that is not on the agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.*

1. Roll Call

General Items

- 2.** Approve Meeting Minutes: January 20, 2021
- 3.** Public Hearing: Variance Request for 503 Fir Ave
- 4.** Public Hearing: Zone Change Request for Lots within the Iron Horse Station Subdivision

New Business

- 5.** Sign Review: Sunlight Properties

Old Business

Other Items

- 6.** Ongoing Projects

Announcements

- 7.** Adjourn Meeting
- 8.** Next Meeting: March 17, 2021

The City makes reasonable accommodations for any known disability that may interfere with a person's ability to participate in this meeting. Persons needing accommodation must notify the City Clerk's Office to make needed arrangements. To make your request known, please call 406-628-7431, Ext. 2, or write to City Clerk, PO Box 10, Laurel, MT 59044, or present your request at City Hall, 115 West First Street, Laurel, Montana.

DATES TO REMEMBER

File Attachments for Item:

1. Roll Call



**MINUTES
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, JANUARY 20, 2021
5:35 PM
CITY COUNCIL CHAMBERS**

Public Input: *Citizens may address the committee regarding any item of business that is not on the agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.*

1. Roll Call

The Chair called the meeting to order at 5:36pm

Jon Klasna
Evan Bruce
Roger Giese
Dan Koch
Judy Goldsby
Ron Benner (Arrived at 5:37pm)
Nick Altonaga (City of Laurel)

General Items

2. Approve Meeting Minutes: December 16, 2020

Dan Motioned to Approve the meeting minutes from the December 16 2020 meeting as presented
Evan seconded.
Motion Carried.

New Business

Old Business

3. Conditional Land Use: Soda Station Kiosk

Nick provided a summary of the previous planning board meeting and public hearing. The Applicant Annie Larson and associates were present (Cassie, Ed (owner of the property), and Randy (business owner, landlord for current location)).

Ron had concerns about the driveway and traffic direction. Suggested moving the stand to the interior of the lot

- The future plan is to build another full structure on the back of the lot, with a drive through off of 2nd Avenue. The Soda Station operation will then be located within the building.

Ron remembered a previous discussion at City Council about ingress/egress and the issues it poses.

- The plan with the second building is to have a parking lot to the west of the building, which will have the cars stacked for the drive-thru within the parking lot.

Roger: There is a lot of traffic at various times through that area. Is the kiosk moveable?

- The building will be tied to city services but is a temporary structure. Plan to have a water and sewer line to the future building.

Where is the current location?

- Off of Shiloh, with another location planned in the Heights.
- It will be a new building.

Plan to trench over to the kiosk, as if building 2 was already there.

Will the building have bathrooms?

- No, we have agreements with nearby businesses to utilize restrooms for employees at this time.

Judy: Status of garbage collection?

- The dumpster for the lot is behind the Chiropractor office/Dominos.

Discussion of timeline of getting the second building constructed.

- 6-12 months
- Will place an extra bin behind Town Pump to utilize.

Discussion of utilities

- There is one utility meter for the whole small complex. The tenants and owner pay the bill through that.

Ron discussed his worry about temporary businesses and kiosks that don't have to pay full taxes like other major brick and mortar operations.

- Cassie: The flip side of not paying full taxes/fees for full brick and mortar is a limited scope of operations.
- Plan to create up to 12 jobs within the community.
- Have gotten good feedback from Laurel high school students who like working at the existing Billings kiosk and are excited to work locally.

Judy: would the 2nd building be a full drive through and walk-in service?

- The structure would be mostly geared towards drive-thru but would have limited walk-in service.

Members discussed the different issues at hand and certain added conditions of approval.

Nick restated the conditions of approval:

- Moving the structure to the interior of the lot
- Must begin construction of future permanent structure within 12 months of Conditional Land Use approval.
- Establish a bathroom agreement with nearby business.
- Hook-up to city services (Water and Sewer)

Ron Motioned to approve the conditional land use application for the Soda Station beverage kiosk with the conditions included in the staff report as well as those additional conditions established by Planning Board.

Dan Seconded.

Motion Carried.

Other Items

4. Uniquities Sign Review

Planning Board members reviewed the sign design and Laurel zoning code.

Ron Motioned to approve the Uniquities Sign as designed.

Jon Seconded.

Motion Carried.

5. Upcoming Projects

Discussion of Cherry Hills 3rd Filing.

Discussion of the status of Goldberg Sporting Estates.

Follow up with Dan Wells for Regal Community Park?

- Nick will be following up on the multiple issues that Planning Board and City Council have noted.

SE 4th Variance upcoming at February or March meetings.

Iron Horse Station 2nd Phase discussion. Should be finalized soon.

Nick will also be following up on the affordable housing project off 8th Ave.

Announcements

6. Adjourn

The Chair adjourned the meeting at 6:35pm.

7. Next Meeting: February 17, 2021

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DATES TO REMEMBER

File Attachments for Item:

3. Public Hearing: Variance Request for 503 Fir Ave



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board
FROM: Nicholas Altonaga, Planning Director
RE: Johnson Variance Request for 503 Fir Ave
DATE: February 12, 2021

DESCRIPTION OF REQUEST

A variance to the Laurel Municipal Code was requested by Zene Johnson on behalf of Brian Johnson for 503 Fir Avenue/ 1313 E. Main Street. The variance application form and justification letter were submitted on January 22, 2021. The variance requested pertains to the minimum lot size requirement for a single dwelling unit on an individual lot. 503 Fir Avenue/ 1313 E. Main Street contains two detached single-family dwellings. The Applicant would like to split the lot and sell one of the parcels, due to a lack of time and ability to maintain the second unit as a rental.

The property is located within the Community Commercial (CC) zoning district. Single and two-family residences in the Community Commercial district follow the requirements of the Residential Limited Multi-Family district. A variance is required because the lots would not conform to the requirements of RLMF zoning. The district requires a minimum of 6,000sqft for a single dwelling unit. The lot is currently 10,593sqft, which is not enough area to accommodate two legal lots.

Owner: Brian R. Johnson
Legal Description: NUTTING SUBD, S10, T02 S, R24 E, BLOCK 14, Lot 10 - 12, LESS 198' FOR TURN LANE (07)
Address: 503 Fir Ave/1313 E. Main Street
Parcel Size: 10,593 sqft
Existing Land Use: Two Single Family Dwellings
Proposed Land Use: Two Single Family Dwellings (separation of parcels)
Existing Zoning: Community Commercial

BACKGROUND AND PROCEDURAL HISTORY

- The Planning Director met with the Applicant in the Summer and Autumn of 2020 to discuss the situation and available options.
- Variance Application submitted on January 22, 2021.
- A Public Hearing is scheduled at the February 17, 2021 Planning Board meeting to receive public comment and vote on recommendations to be provided to City Council.
- A Public Hearing is scheduled at the City Council meeting on March 9, 2021 to receive public comment and approve, approve with conditions, or deny the variance requests.

STAFF FINDINGS

The Applicant is requesting a variance to Table LMC 17.16.020 which presents the zoning requirements for Residential districts. The RLMF zoning jurisdiction (which the CC district uses as the requirements for one and two-family dwellings) requires a minimum of 6,000sqft for a single dwelling unit. The Applicant seeks to split the property, creating two lots each with a single-family home.

- ❖ The Applicant has provided a justification letter regarding the Variance request.
- ❖ Parcel contains two single-family dwellings on a 10,593sqft lot.
- ❖ The current owner would like to split the lots and sell 503 Fir Avenue to someone who can provide proper attention and care to the property.
- ❖ The current owner of the parcel does not have the time and ability to maintain both dwelling units due to family obligations.
- ❖ Dividing the lot would create two lots that are approximately 5,296sqft in size.
- ❖ This lot size is roughly equivalent to many lots in the neighboring area.
- ❖ The property deeded approximately 200sqft of the lot to the Montana Department of Transportation in 2006 for additional right-of-way.
- ❖ The public noticing requirements have been met.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

The City-County Planning Board shall act as a zoning commission in order to recommend the boundaries of the various districts and appropriate regulations to be enforced.

- A. It shall be the duty of the zoning commission to authorize, upon appeal in specific cases, such land use variances from the terms of the zoning ordinances as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinances or regulations will result in unnecessary hardship, and so that the spirit of the ordinances shall be observed and substantial justice done. The zoning commission shall, after a public hearing, make a recommendation to the mayor and council concerning the land use variance application.
- B. The zoning commission shall not recommend that land use variances be granted:

1. Unless the denial would constitute an unnecessary and unjust invasion of the right of property;
2. Unless the grant relates to a condition or situation special and peculiar to the applicant;
3. Unless the basis is something more than a mere financial loss to the owner;
4. Unless the hardship was created by someone other than the owner;
5. Unless the variance would be within the spirit, intent, purpose and general plan of this title;
6. Unless the variance would not affect adversely or injure or result in injustice to others; and
7. Ordinarily unless the applicant owned the property prior to the enactment of this title or amendment.

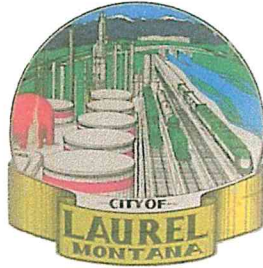
RECOMMENDATIONS

The Planning Director recommends that the Planning Board approve the variance request. The Planning Director has prepared drafted conditions of approval which are presented below.

1. Division of the lots of 503 Fir Ave and 1313 E. Main Street will be filed within six (6) months of variance approval.
2. Lots shall be maintained in good condition.
3. All applicable permits and approvals for construction, driveway accesses, and other ingress and egress points shall be applied for.
4. No residential or commercial uses shall take place on the subject properties that are in violation of Chapter 17 of the Laurel Municipal Code.

ATTACHMENTS

1. Variance Application
2. Justification Letter
3. Concept Plan for lot division
4. Overhead map with 300ft buffer
5. List of adjacent property owners
6. Public hearing notice
7. Bargain and Sale Deed (MDT)
8. LMC 17.16 – Residential Districts
9. LMC 17.20 – Commercial – Industrial Use Regulations



Laurel Variance Request Application

This application covers appeals from decisions of the Planning Department (and sometimes other officials) and for requests for variances concerning setbacks, structures, heights, lot coverage, etc.

The undersigned owner or agent of the owner of the following described property requests a variance to the Zoning Ordinances of the City of Laurel as outlined by the laws of the State of Montana.

1. Name of property owner: BRIAN JOHNSON
2. Name of Applicant if different from above: ZENE JOHNSON
3. Phone number of Applicant: 406-591-4774
4. Street address and general location: 503 FIR & 1317 E MAIN
5. Legal description of the property: NUTTING SUBD BLOCK 14 LOT 10
6. Current Zoning: COMMUNITY COMMERCIAL
7. Provide a copy of covenants or deed restrictions on property.

I understand that the filing fee accompanying this application is not refundable, that it pays part of the cost of process, and that the fee does not constitute a payment for a variance. I also understand I or my agent must appear at the hearing of this request before the Planning Board and all of the information presented by me is true and correct to the best of my knowledge.

Signature of Applicant: Zene Johnson

Date of Submittal: 1-15-21

January 15, 2021

TO: City-County Planning

RE: Laurel Municipal Code Chapter 17.60.020

503 Fir – 1313 E. Main- Block 14, Lot 10, Nutting Subd.

I am asking that a variance be granted for this property. My mother Patty Johnson, who was well known in Laurel having lived there for more than 30 years, died May 12, 2020. I subsequently inherited the property, which consists of two houses and a couple of storage sheds. My family now lives in the house at 1313 E. Main. It had been extensively remodeled after a fire 6 or 7 years ago and a car crashing into it 3 or 4 years ago. Therefore, it is a better fit for me, my wife and 3 small children.

The house at 503 Fir has been used as a rental for many years and having a rental is something neither my wife nor I want or have time for. We have two special needs children and would like to split the property and sell the 503 Fir house to people who can devote time, attention and love to it.

Because the lot is 10,953 sq ft, it would make the lots slightly under the regular 6,000 sq. ft. lots consistent with the area. However, there are several lots in the area smaller so this should be hopefully an acceptable variance. It would certainly make our lives a lot easier.

That being the case, we respectfully request that you recommend this variance to the Laurel City Council.

Thank you.

Brian Johnson



Fr

ALLEY

77
MAY 1962

117

MONTANA RAIL LINK
D13144C
PO BOX 16624
MISSOULA, MT 59808-6624

THIEL, LARRY V TRUSTEE
B00855
1328 RIDGE DR
LAUREL, MT 59044-1816

HINES, MICHAEL J
B00854
504 FIR AVE
LAUREL, MT 59044

ROMEE, MICHAEL P & JUDY
ANN
B00853
619 E 5TH ST
LAUREL, MT 59044-2710

ATKINSON, RITA R
B00852
510 FIR AVE
LAUREL, MT 59044

BUREAU, RONALD W &
DARLA J
B00851
518 FIR AVE
LAUREL, MT 59044

FRANK, TANCY
B00850
8522 DANFORD RD
LAUREL, MT 59044-8317

SMITH, BRAD M
B00849
524 FIR AVE
LAUREL, MT 59044

MEISNER, GLEN ALAN
B00862
523 ELM AVE
LAUREL, MT 59044

GIERKE, GUY W

B00861
519 ELM AVE
LAUREL, MT 59044

YODER, JOHN ARLEN
B00860
513 ELM AVE
LAUREL, MT 59044

FOSTER, JEREMY
B00859
509 ELM AVE
LAUREL, MT 59044

STEINMASEL, TERRY A &
TRACY
B00858
519 W 11TH ST
LAUREL, MT 59044

STEINMASEL, TERRY A &
TRACY
B00857
519 W 11TH ST
LAUREL, MT 59044

FIECHTNER, BRIAN K
B00856
4215 HILLCREST RD
BILLINGS, MT 59101

SUMMERS, DIANE MARIE &
DELORES SCHIED
B00866
2202 WILLOWBROOK WAY
BILLINGS, MT 59102-2880

SUMMERS, DIANE MARIE &
DELORES SCHIED
B00865

2202 WILLOWBROOK WAY
BILLINGS, MT 59102-2880

TINNES FAMILY TRUST
B00864
7974 ROBIN RD
PARKER, CO 80138

PAUL, JAMES J & RIKKI
B00863
7263 FOLSOM RD
BILLINGS, MT 59106-2536

GEORGE, MIKE R &
STEPHANIE A
B00871
1304 E 6TH ST
LAUREL, MT 59044

HOLYCROSS, DAVID A &
FLORENCE
B00870
801 E 4TH ST
LAUREL, MT 59044-2801

THURMAN, MITCHELL R
B00869
515 FIR AVE
LAUREL, MT 59044

GORDON, VIRGINIA F
B00868
509 FIR AVE
LAUREL, MT 59044

JOHNSON, BRIAN RICHARD
B00867
503 FIR AVE
LAUREL, MT 59044

ARROYO SECO GROUP INC &
B00873
7308 EL NIDO
LA VERNE, CA 91750-1127

FRANCO, CAROL
B00874
1404 E 6TH ST
LAUREL, MT 59044

PROPIEDAD LLC
B00774
PO BOX 20853
BILLINGS, MT 59104-0853

RATCLIFF, RANDALL C &
RANA
B00773
2807 LYNDAL LN
BILLINGS, MT 59102-1439

RATCLIFF, RANDALL CARLISLE
& RANA ANN
1003415
2807 LYNDAL LN
BILLINGS, MT 59102-1439

STOEBE, ROBIN RODNEY
1003055
4206 WATERFORD DR
BILLINGS, MT 59106-1723

PUBLIC HEARING NOTICE

The Laurel City-County Planning Board and Zoning Commission will conduct a public hearing on a variance application submitted by Zene Johnson regarding the property at 503 Fir Ave for lot coverage requirements. The Zoning Commission hearing is scheduled for **5:35 P.M., in the City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Wednesday, February 17th, 2021.**

Additionally, the City Council has scheduled a public hearing for the consideration of the variance request. The City Council hearing is scheduled for **6:30 P.M., in the City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Tuesday, March 9th, 2021.**

The applicant seeks to split the parcel at 503 Fir Avenue into two parcels. The lot is 10,953 square feet in size. This property is zoned Community Commercial (CC). The Community Commercial zoning district requires a minimum lot size of 6,000 square feet. The splitting of the lot into two parcels would create a nonconforming lot and is not allowable. The applicant requires a variance approval by the Laurel City Council to have a lot which conforms to Laurel City Code.

It is the duty of the zoning commission to authorize, upon appeal in specific cases, such land use variances from the terms of the zoning ordinances as will not be contrary to the public interest where a literal enforcement of the provisions of the ordinances or regulations will result in unnecessary hardship.

Public comment is encouraged and can be provided in person at the public hearings on February 17th and March 9th. Public comment can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1st Street Laurel, MT 59044. A copy of the variance application and supporting documentation is available for review upon request at the Planning Department office. Questions regarding this public hearing may be directed to the Planning Director at 628.4796 ext. 5302, or via email at cityplanner@laurel.mt.gov.



B-80865

ROW\Forms\Pln\521

Revised 9/29/06

**State of Montana
Department of Transportation**

Right-of-Way Bureau
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001

Project ID: HSIP 4-2(32)55 Parcel No.: 13 County: Yellowstone
Designation: 2002 - TURN LANE - LAUREL
Project No.: 5304-032

Bargain and Sale Deed

This Deed, made this 7th day of JUNE, 2007, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration now paid, the receipt of which is acknowledged, **witnesses that**,

Patricia A. Johnson
~~503 Fir Ave.~~ 1313 EAST MAIN ST.
Laurel, MT 59044-2828

does hereby **grant, bargain, sell** and **convey** to the **City of Laurel, Montana**, the following-described real property:

Parcel No. 13 on Montana Department of Transportation Project HSIP 4-2(32)55, as shown on the Right-of-Way plan for said project recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana. Said parcel is also described as a tract of land in Lot 10, in Block 14, of Nutting Subdivision, in the City of Laurel, Yellowstone County, Montana, according to the official plat thereof, on file and of record in the office of the Clerk and Recorder of Yellowstone County, Montana, as shown by the shaded area on the plat, consisting of 1 sheet, attached hereto and made a part hereof, containing an area of 198 sq. ft., more or less.

RW:D2:5304:p13:JC



Bargain And Sale Deed
Project ID: HSIP 4-2(32)55
Designation: 2002 - TURN LANE - LAUREL

Parcel No.: 13

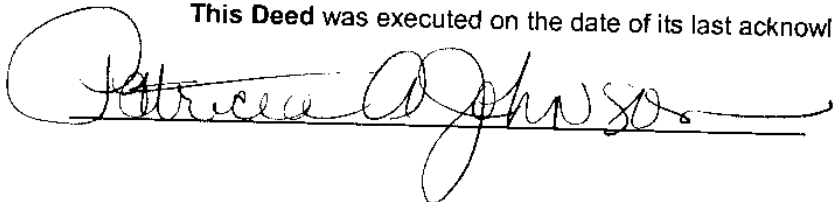
Excepting and reserving to Grantor(s), however, all gas, oil and minerals beneath the surface of the above-described and conveyed premises, together with the right to extract the same, provided that in the exercise of such right, the surface thereof shall not be disturbed, interfered with or damaged. This exception and reservation does not include sand, gravel and other road building materials, which are conveyed by this Deed.

Further excepting and reserving unto the Grantor(s), her heirs, successors and assigns, all water, water rights, ditches, canals, irrigation systems, existing or as relocated, if any, including but not limited to, water stock or shares, bonds, certificates, contracts and any and all other indicia of water, water right and ditch ownership, or any interest therein appurtenant to the land described therein, save and except groundwater for the use, benefit and purposes of the Grantee(s).

The Grantor(s) further expressly waives and relinquishes all rights, as owner or successor in interest provided under law, for any preference to repurchase all or a portion of this property should it be determined no longer to be necessary for highway purposes.

To have and to hold the above-described and conveyed premises, with all the reversions, remainders, tenements, hereditaments and appurtenances thereto, unto the City of Laurel, Montana, and to its successors and assigns forever.

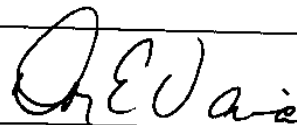
This Deed was executed on the date of its last acknowledgment.



State of MONTANA)
County of YELLOWSTONE)

This instrument was acknowledged before me on JUNE 7, 2007
(date)

by PATRICIA A. JOHNSON
(Grantor(s))



Notary Signature Line

DON E. VANICA

Notary Printed Name

Notary Public for State of MONTANA

Residing at: BILLINGS, MONTANA

My Commission Expires: 5 MAY 4, 2008

(Seal)

State of _____)
County of _____)

This instrument was acknowledged before me on _____
(date)

by _____
(Grantor(s))

Notary Signature Line

Notary Printed Name

Notary Public for State of _____

Residing at: _____

My Commission Expires: _____

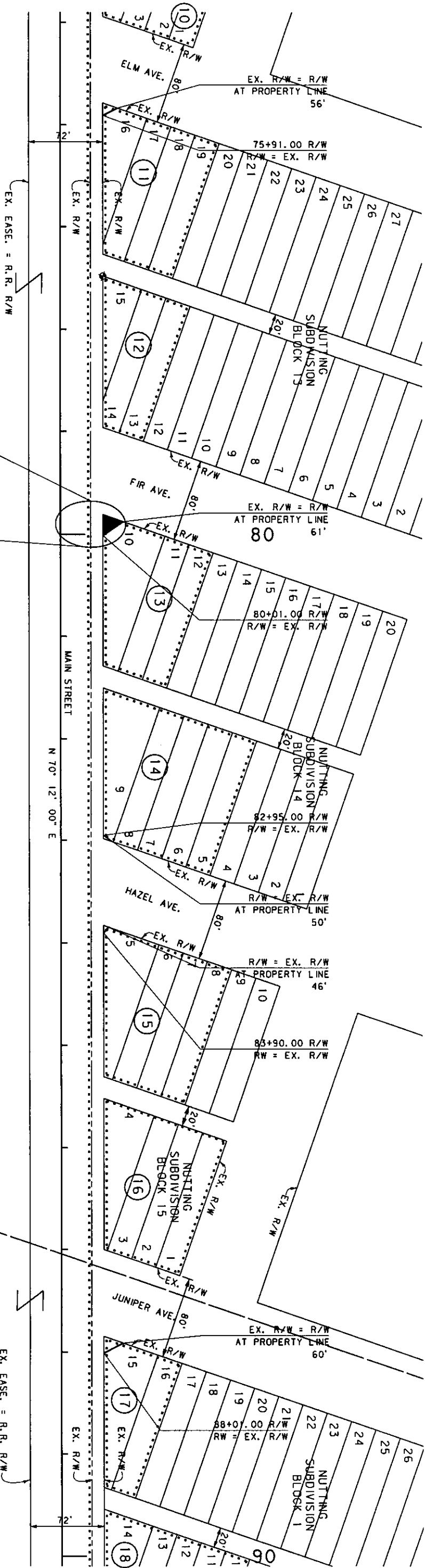
(Seal)

Recording Information

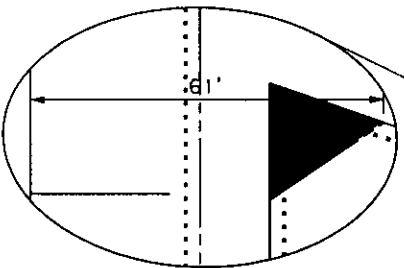
LAUREL

2002 - TURN LANE - LAUREL

STATE	RIGHT OF WAY	SHEET TOTAL
MONTANA		NO. SHEETS
R/W ID.	HSP 4-213215	18
UNIFORM PROJECT NO.	5304-032	



P.O.T. 80+00.00 IS N 45° 41' 21" E
2724.15' FROM THE SW CORNER
OF SECTION 10. (FND. 2" ALUM. CAP)



PARCEL 13 DETAIL
NOT TO SCALE

FOR EXISTING R/W RETRACEMENT, SEE
COS. NO. 3291

MONTANA DEPARTMENT
OF TRANSPORTATION
07/02/2007
10:48:34 AM
V0034

- NOTES:
1. THE PROPOSED R/W LINE WHERE A SPIRAL CURVE TRANSITION IS USED IS A CHORD RATHER THAN A CONCENTRIC CURVE.
 2. ALL STATIONS AND OFFSETS FOR R/W BREAKS ARE IN REFERENCE TO THE R/W BASELINE.

GRID STATE PLANE COORDINATES
THIS IS A STATE PLANE COORDINATE PROJECT. ALL DIMENSIONS, DISTANCES AND AREAS ON THIS PROJECT ARE GRID, EXCEPT FOR THE EXISTING R/W WIDTH DIMENSION, WHICH IS RECORD.
THE COMBINATION SCALE FACTOR IS 0.99950767

LEGEND	
OWNERSHIP BOUNDARY	TRACT CONVEYED
RIGHT OF WAY LINE	
R.R. R/W LINE	
FULL ACCESS CONTROL	DATE PREPARED 5-4-07
LIMITED ACCESS CONTROL	DATE REVISED

PARCEL 13 ; SHEET 1 OF 1

MONTANA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY EXHIBIT
YELLOWSTONE COUNTY
SCALE 1"=50'
0 50 100 150'

17.20.020 - Zoning classified in districts.

Zoning for commercial — industrial use is classified in and subject to the requirements of Table 17.20.020.
(Prior code § 17.32.020)



Zoning Requirements	A	RP*	NC*	CBD*	CC*	HC	LI	HI	P
Lot area requirements in square feet, except as noted, 20 acres	20 acres	NA	NA	NA	NA	NA	NA	NA	NA
Minimum yard requirements:									
Front ^(a)	NA	20	20	NA	20	20	20	20	20
Side ^(b)		0	0		0	0	0	0	0
Side adjacent to street		10	10		10	10	10	10	10
Rear ^(b)		0	0		0	0	0	0	0
Maximum height for all buildings ^(c)	NA	25	25	NA	25	45	70	NA	NA
Maximum lot coverage in percent	NA	50	50	NA	50	75	75	75	50
Minimum district size (expressed in acres)	20 acres	2.07	2.07	2.07	2.07	2.07	2.07	2.07	NA
(NA means not applicable)									
*The lot area, yard and lot coverage requirements for 1 and 2 single family dwellings in commercial zoning districts shall be the same as those in the RLMF residential zoning district.									
(a) Arterial setbacks									
(b) Side and rear yards									
(c) Except as provided in the airport zone									

(Ord. No. O-14-03,8-5-2014)

17.16.020 - Zoning classified in districts.

Zoning for residential districts is classified in and subject to the requirements of Table 17.16.020.

Table 17.16.020

Zoning Requirements	R 7,500	R 6,000	RLMF	RMF	RMH	PUD	SR	RT
Minimum lot area per dwelling unit in square feet								
One unit	7,500	6,000	6,000 ¹	6,000 ¹	6,000 ³	See	5 acres	1 acre
Two units		7,500	7,500	7,750		Chapter		
Three units		8,500	8,500	9,500		17.32		
Four units			10,000	11,250				
Five units				13,000				
Six units or more				Add 2,500 each additional unit				
Minimum yard – setback requirements (expressed in feet) and measured from public right-of-way								
Front	20	20	20	20	10		25 ⁵	25
Side	5	5 ⁴	5 ⁴	5 ⁴	5		5 ⁵	5
Side adjacent to street	20	20	20	20	20		10 ⁵	10
Rear	5	5	5	5	5		25 ⁵	25
Maximum height for all buildings	30	35	35	40	30		30	30
Maximum lot coverage (percentage)	30	30	40	45	40		15	30
Minimum district size (expressed in acres)	2.07	2.07	2.07	2.07	2.07		20	5

¹ Row housing may be permitted to be constructed on 3,000 square foot lots if approved through the special review process.

² NA means not applicable

³ The requirements for the mobile homes contained herein relate only to a mobile home subdivision; see Chapter 17.44 of this code for the requirements for a mobile home park.

⁴ Zero side setbacks may be permitted if approved through the special review process.

⁵ All pens, coops, barns, stables, or permanent corrals shall be set back not less than 50 feet from any residence, public road, or water course, and any property line.

File Attachments for Item:

4. Public Hearing: Zone Change Request for Lots within the Iron Horse Station Subdivision



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board and Zoning Commission
FROM: Nicholas Altonaga, Planning Director
RE: Iron Horse Station Subdivision Zone Change
DATE: February 12, 2021

DESCRIPTION OF REQUEST

The owner/develop of Iron Horse Station Subdivision has requested a zone change for a portion of the subdivision known as "Phase Two." The area requested for a zone change includes Lots 3-11, Block 7, of Phase Two of the Iron Horse Station Subdivision.

This zone change was included in a settlement agreement made between the owner/developer of Iron Horse Station Subdivision and the City of Laurel. The owner/developer requests that Lots 3-11, Block 7 of the Iron Horse Station Subdivision be rezoned from Residential-6000 to Residential Multi-Family (RMF). This Zone Change is required as per the settlement agreement made between the Owner/Developer of Iron Horse Station Subdivision and the City of Laurel.

Owner: Iron Horse Station LLC
Legal Description: IRON HORSE STATION SUB, S09, T02 S, R24 E, BLOCK 7, Lot 3-10, (06)
Address: 1110 Great Northern Road
Parcel Size: 4 Acres
Existing Land Use: Vacant
Proposed Land Use: Multi-Family Residential use
Existing Zoning: Residential 6000
Proposed Zoning: Residential Multi-Family

BACKGROUND AND PROCEDURAL HISTORY

- The Planning Director met with the Public Works Director and City Attorney to discuss the capacity and specifics of the zone change request in December, 2020.
- The Zone Change is included in a settlement agreement between the owner/developer of the Iron Horse Station Subdivision and the City of Laurel.
- The settlement agreement was approved by the City of Laurel on February 9, 2021.

- The Zone Change application was prepared and submitted to the Laurel Planning Board for its February 17, 2021 meeting as part of the conditions of the settlement agreement.

STAFF FINDINGS

The Applicant is requesting a variance to Table LMC 17.16.020 which presents the zoning requirements for Residential districts. The RLMF zoning jurisdiction (which the CC district uses as the requirements for one and two-family dwellings) requires a minimum of 6,000sqft for a single dwelling unit. The Applicant seeks to split the property, creating two lots each with a single-family home.

- ❖ The Applicant is requesting a zone change from Residential-6000 (R-6000) to Residential Multi-Family (RMF).
- ❖ The Zone Change shall be completed by March 15, 2021 as described in the settlement agreement between the owner/developer of Iron Horse Station Subdivision and the City of Laurel.
- ❖ The City of Laurel has the capacity to meet the flow/demand needs of the new zoning designation.
- ❖ The City of Laurel has a water line that runs through Lots 3-11, Block 7 of the subdivision.
- ❖ The public noticing requirements have been met.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

The zoning commission shall review and take action upon each application in accordance with the provisions of this chapter, and after a public hearing at which the application shall be presented to the zoning commission by the planning director together with his findings and conclusions on the matter. A report of the commission's recommendation and the planning director's findings and conclusions shall be submitted to the city council.

- A. The zoning commission shall make a recommendation to the city council to:
 1. Deny the application for amendment to the official map;
 2. Grant action on the application for a period not to exceed thirty days;
 3. Delay action on the application for a period not to exceed thirty days;
 4. Give reasons for the recommendation.
- B. The zoning commission shall adopt such rules and regulations for the conduct of public hearings and meetings, which shall be published and available to the public, as well as conflict of interest rules, to ensure that no member is entitled to vote on a matter in which he has an interest directly or indirectly.

RECOMMENDATIONS

The Planning Director recommends that the Planning Board approve the zone change. The Planning Director has prepared drafted conditions of approval which are presented below.

1. The Owner/Developer shall comply with all the requirements of LMC Chapter 17.72
2. The Owner/Developer shall submit any and all applicable and necessary permits and fees for development of the parcels subject to this zone change approval.
3. The Owner/Developer shall not install and/or operate any uses on parcels subject to this zone change which are not allowable under LMC Chapter 17.16.

ATTACHMENTS

1. Exhibit A.
2. Overhead Map with 300ft buffer
3. Iron Horse Station Subdivision plat (2005)
4. List of Adjacent Property Owners
5. Public Hearing Notice
6. LMC 17.72 – Amendments
7. LMC 17.16 – Residential Districts

IRON HORSE STATION SUBDIVISION

AN ADDITION TO THE CITY OF LAUREL,
SITUATED IN THE NE 1/4 OF SECTION 9, T. 2 S., R. 24 E., P.M.M.
CITY OF LAUREL, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR: MARVIN BROWN
PREPARED BY: ENGINEERING, INC.
SCALE: 1" = 100'

BASIS OF BEARING: CERTIFICATE OF SURVEY NO. 1943.

FEBRUARY, 2005
BILLINGS, MONTANA

○ = FOUND SURVEY MONUMENT, REBAR W/YELLOW CAP MARKED AS NOTED
○ = SET 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERGOWN LAND SURVEYOR AND "ENGINEERING INC BILLINGS M.T.".

○ = SET INTERSECTION MONUMENT, 5/8"x18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERGOWN LAND SURVEYOR AND "ENGINEERING INC BILLINGS M.T." WILL BE REPLACED WITH BRASS CAP MONUMENT BOX UPON COMPLETION OF STREET IMPROVEMENTS.

100 50 0 100 200
UNPLATTED

UNPLATTED

POINT OF BEGINNING #1
NE CORNER OF SECTION 9, T. 2 S., R. 24 E., YELLOWSTONE COUNTY, MONTANA.

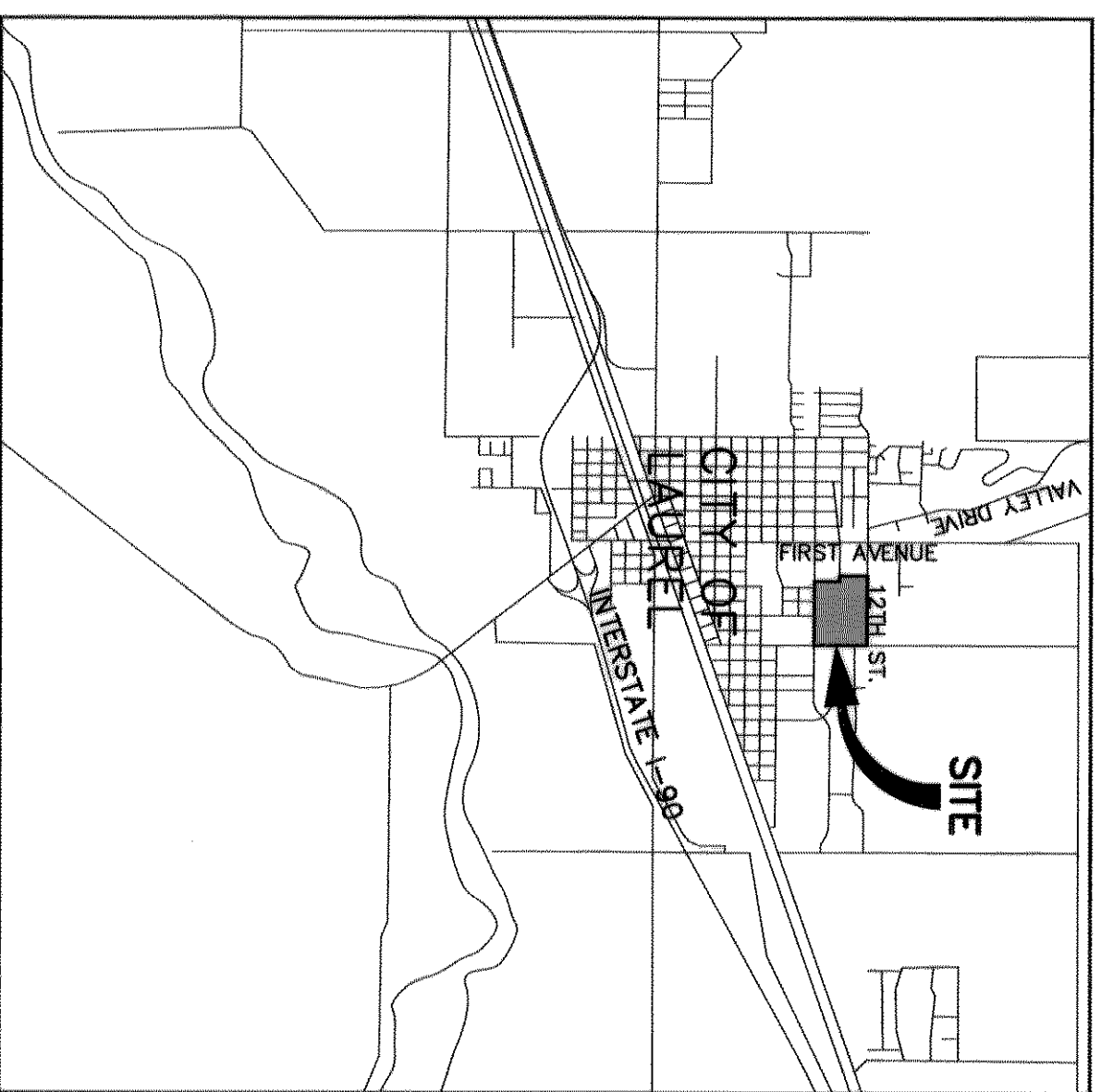
CERTIFICATE OF SURVEY NO. 927

NE CORNER OF SECTION 9, T. 2 S., R. 24 E., YELLOWSTONE COUNTY, MONTANA.

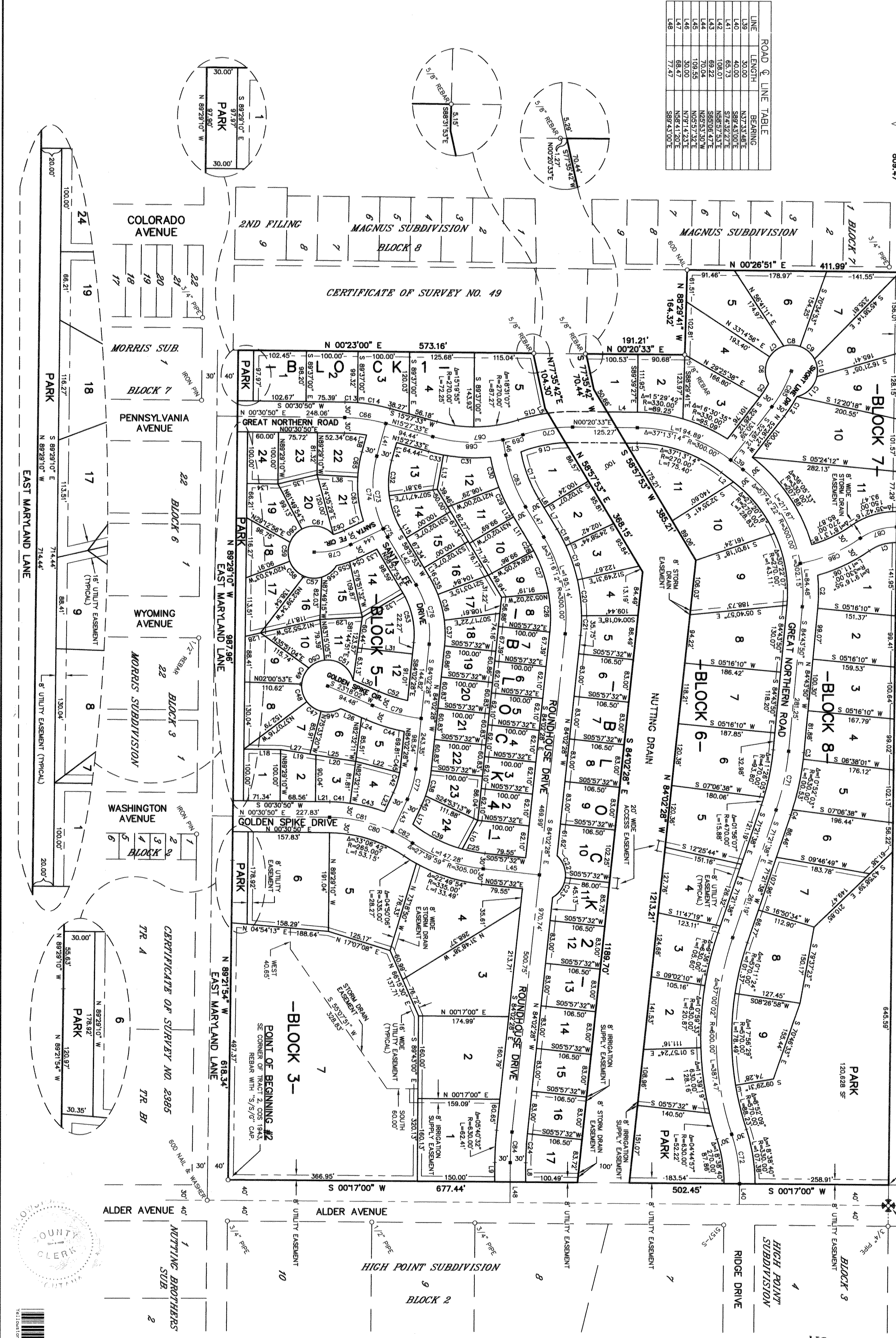
ROAD & CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING
C66	80.86	310.00	149.64°	N 07°59'11"E
C67	177.24	300.00	335.10°	N 02°20'58"E
C68	36.48	300.00	261.51°	N 02°20'58"E
C69	36.48	300.00	261.51°	N 02°20'58"E
C70	98.88	300.00	184.40°	N 02°20'58"E
C71	116.88	300.00	137.21°	N 02°20'58"E
C72	97.62	300.00	163.48°	N 02°20'58"E
C73	162.30	300.00	46°29'40"	N 02°20'58"E
C74	144.34	300.00	41°21'03"	N 02°20'58"E
C75	119.48	300.00	30°52'12"	N 02°20'58"E
C76	119.48	300.00	30°52'12"	N 02°20'58"E
C77	61.12	180.00	165.54°	N 02°20'58"E
C78	73.04	150.00	275.34°	N 02°20'58"E
C79	98.87	325.00	172°30'30"	N 02°20'58"E
C80	170.48	285.00	330°42'42"	N 02°20'58"E
C81	125.48	285.00	242°22'23"	N 02°20'58"E
C82	107.50	300.00	244.13°	N 02°20'58"E
C83	107.50	300.00	244.13°	N 02°20'58"E
C84	59.43	600.00	54°42'32"	N 02°20'58"E
C85	79.17	250.00	160°48'40"	N 02°20'58"E
C86	127.13	300.00	241°45'15"	N 02°20'58"E
C87	74.78	120.00	354°21'15"	N 02°20'58"E

VICINITY MAP

NOT TO SCALE



ROAD & LINE TABLE		
LINE	LENGTH	BEARING
L39	30.00	N 27°34'48"E
L40	40.00	S 88°43'00"E
L41	65.73	S 71°32'27"E
L42	68.22	S 88°43'00"E
L43	70.04	N 02°53'30"W
L44	109.55	N 05°57'32"E
L45	30.00	N 71°14'20"E
L46	68.47	N 88°43'00"E
L47	77.47	S 88°43'00"E



LINE TABLE		
LINE	LENGTH	BEARING
L1	13.88	S 77°12'38"E
L2	27.93	N 02°20'58"E
L3	22.02	N 02°20'58"E
L4	10.24	S 00°20'58"E
L5	18.88	S 88°43'00"E
L6	37.47	S 88°43'00"E
L7	37.47	S 88°43'00"E
L8	37.47	S 88°43'00"E
L9	37.47	S 88°43'00"E
L10	63.56	N 02°20'58"E
L11	63.56	N 02°20'58"E
L12	4.90	N 02°20'58"E
L13	37.47	N 02°20'58"E
L14	37.47	N 02°20'58"E
L15	19.33	S 88°43'00"E
L16	20.74	S 88°43'00"E
L17	39.30	N 02°20'58"E
L18	71.34	N 02°20'58"E
L19	69.28	N 02°20'58"E

LINE TABLE		
LINE	LENGTH	BEARING
L20	13.88	N 02°20'58"E
L21	27.93	N 02°20'58"E
L22	22.02	N 02°20'58"E
L23	10.24	S 00°20'58"E
L24	18.88	S 88°43'00"E
L25	37.47	S 88°43'00"E
L26	37.47	S 88°43'00"E
L27	37.47	S 88°43'00"E
L28	37.47	S 88°43'00"E
L29	63.56	N 02°20'58"E
L30	63.56	N 02°20'58"E
L31	4.90	N 02°20'58"E
L32	37.47	N 02°20'58"E
L33	37.47	N 02°20'58"E
L34	19.33	S 88°43'00"E
L35	20.74	S 88°43'00"E
L36	39.30	N 02°20'58"E
L37	71.34	N 02°20'58"E
L38	69.28	N 02°20'58"E

PLAT OF

IRON HORSE STATION SUBDIVISION

AN ADDITION TO THE CITY OF LAUREL,
SITUATED IN THE NE 1/4 OF SECTION 9, T. 2 S., R. 24 E., P.M.M.
CITY OF LAUREL, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR: MARVIN BROWN
PREPARED BY : ENGINEERING, INC.
SCALE : 1" = 100'

BLOCK 1 AREA TABLE			
LOT	ACRES	SQUARE FEET	
1	0.231	10,060	
2	0.226	9,839	
3	0.248	10,788	
4	0.260	11,310	
5	0.260	11,310	
PARK	0.267	2,538	

BLOCK 2 AREA TABLE			
LOT	ACRES	SQUARE FEET	
1	0.231	10,063	
2	0.208	9,078	
3	0.208	9,055	
4	0.223	9,725	
5	0.197	8,580	
6	0.203	8,840	
7	0.203	8,840	
8	0.203	8,840	
9	0.203	8,840	
10	0.237	10,307	
11	0.196	8,550	
12	0.203	8,840	
13	0.203	8,840	
14	0.203	8,840	
15	0.203	8,840	
16	0.203	8,840	
17	0.212	9,252	

BLOCK 3 AREA TABLE			
LOT	ACRES	SQUARE FEET	
1	0.261	24,451	
2	0.261	28,726	
3	0.261	28,726	
4	0.261	28,726	
5	0.261	28,726	
6	0.261	28,726	
7	0.261	28,726	
PARK	0.123	5,348	

BLOCK 4 AREA TABLE			
LOT	ACRES	SQUARE FEET	
1	0.160	6,950	
2	0.143	6,210	
3	0.143	6,210	
4	0.143	6,210	
5	0.143	6,210	
6	0.143	6,210	
7	0.155	6,729	
8	0.148	6,429	
9	0.150	6,542	
10	0.150	6,542	
11	0.150	6,542	
12	0.150	6,542	
13	0.150	6,542	
14	0.155	6,734	
15	0.155	6,734	
16	0.155	6,734	
17	0.155	6,734	
18	0.155	6,734	
19	0.155	6,734	
20	0.155	6,734	
21	0.155	6,734	
22	0.155	6,734	
23	0.155	6,734	
24	0.155	6,734	

BLOCK 5 AREA TABLE			
LOT	ACRES	SQUARE FEET	
1	0.184	7,134	
2	0.150	6,515	
3	0.142	6,167	
4	0.142	6,167	
5	0.142	6,167	
6	0.142	6,167	
7	0.142	6,167	
8	0.142	6,167	
9	0.142	6,167	
10	0.142	6,167	
11	0.142	6,167	
12	0.142	6,167	
13	0.142	6,167	
14	0.142	6,167	
15	0.142	6,167	
16	0.142	6,167	
17	0.142	6,167	
18	0.142	6,167	
19	0.142	6,167	
20	0.142	6,167	
21	0.142	6,167	
22	0.142	6,167	
23	0.142	6,167	
24	0.142	6,167	

BLOCK 6 AREA TABLE			
LOT	ACRES	SQUARE FEET	
1	0.332	14,451	
2	0.313	13,573	
3	0.313	13,573	
4	0.313	13,573	
5	0.313	13,573	
6	0.313	13,573	
7	0.313	13,573	
8	0.313	13,573	
9	0.313	13,573	
10	0.313	13,573	
11	0.313	13,573	
12	0.313	13,573	
13	0.313	13,573	
14	0.313	13,573	
15	0.313	13,573	
16	0.313	13,573	
17	0.313	13,573	
18	0.313	13,573	
19	0.313	13,573	
20	0.313	13,573	
21	0.313	13,573	
22	0.313	13,573	
23	0.313	13,573	
24	0.313	13,573	

BLOCK 7 AREA TABLE			
LOT	ACRES	SQUARE FEET	
1	0.219	9,478	
2	0.238	10,376	
3	0.238	10,376	
4	0.238	10,376	
5	0.238	10,376	
6	0.238	10,376	
7	0.238	10,376	
8	0.238	10,376	
9	0.238	10,376	
10	0.238	10,376	
11	0.238	10,376	
12	0.238	10,376	
13	0.238	10,376	
14	0.238	10,376	
15	0.238	10,376	
16	0.238	10,376	
17	0.238	10,376	
18	0.238	10,376	
19	0.238	10,376	
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22	0.238	10,376	
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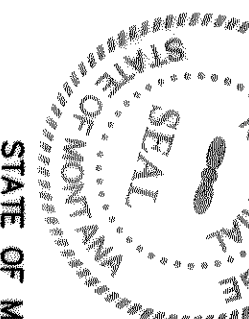
BLOCK 8 AREA TABLE			
LOT	ACRES	SQUARE FEET	
1	0.282	12,365	
2	0.282	12,365	
3	0.282	12,365	
4	0.282	12,365	
5	0.282	12,365	
6	0.282	12,365	
7	0.282	12,365	
8	0.282	12,365	
9	0.282	12,365	
10	0.282	12,365	
11	0.282	12,365	
12	0.282	12,365	
13	0.282	12,365	
14	0.282	12,365	
15	0.282	12,365	
16	0.282	12,365	
17	0.282	12,365	
18	0.282	12,365	
19	0.282	12,365	
20	0.282	12,365	
21	0.282	12,365	
22	0.282	12,365	
23	0.282	12,365	
24	0.282	12,365	

CONSENT TO PLATTING

The undersigned hereby consents to the platting of the tract of land herein described and hereby release and recovery all portions of the tract dedicated to the public.

IN WITNESS WHEREOF, the undersigned has caused this consent and release to be executed and acknowledged. This consent is made pursuant to Section 76-3-6(2)(i), M.C.A.

Stockman Bank of Montana



STATE OF MONTANA) ss

County of Yellowstone) ss

On this _____ day of _____, 2005, before me, a Notary Public in and for the State of Montana, personally appeared _____ known to me to be the person who signed the foregoing instrument as _____ of _____ of _____, who acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

Notary Public in and for the State of Montana
Printed Name: LAUREN DODGE
Residing at: BILLINGS, MONTANA
My commission expires: JUNE 27, 2005

LAUREN DODGE
Notary Public for the State of Montana
Residing at: BILLINGS, MONTANA
My commission expires: 06/27/2005

ADDRESSES:

Block 1		Block 2		Block 3		Block 4		Block 5		Block 6		Block 7		Block 8	
Lot	1	Lot	1	Lot	1	Lot	1	Lot	1	Lot	1	Lot	1	Lot	1
Lot	2	Lot	2	Lot	2	Lot	2	Lot	2	Lot	2	Lot	2	Lot	2
Lot	3	Lot	3	Lot	3	Lot	3	Lot	3	Lot	3	Lot	3	Lot	3
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Golden Spike Drive		Golden Spike Drive		Golden Spike Drive		Golden Spike Drive		Golden Spike Drive		Golden Spike Drive		Golden Spike Drive		Golden Spike Drive	
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SCOTT J CHESTER TRUST
D02522
405 E 13TH ST
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B01526
938 ARONSON AVE
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LAUREL, MT 59044-0272

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130 E 13TH ST
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B03034
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FRANK, TODD K
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MEADOWOOD APARTMENTS
LP
D02625
136 BURLINGTON AVE
BILLINGS, MT 59101-6029

LOUCKS, DALE W
B01543
201 E 12TH ST
LAUREL, MT 59044

WAYNE, JOHNNY
B01544
1115 MONTANA AVE
LAUREL, MT 59044

MAGNUS, DARRELL D &
MAYBELLE
B01557
1131 COLORADO AVE
LAUREL, MT 59044

WILMETH, MATTHEW K &
SHERRY L
B01547A B01555 B01554
B01557
2110 CHATTO DRIVE
BELGRADE, MT 59714

NUTTING DRAIN DISTRICT
D02623
1366 CLARHILL RD
LAUREL, MT 59044-8334

RESIDENTIAL SUPPORT
SERVICES INC
C14953
2110 OVERLAND AVE # 128
BILLINGS, MT 59102-6480

IRON HORSE STATION LLC
C14955M
PO BOX 80661
BILLINGS, MT 59108-0661

NESSAN, RICK
D12716
2432 HOWARD AVE
BILLINGS, MT 59102-4623

PUBLIC HEARING NOTICE

The Laurel City-County Planning Board and Zoning Commission will conduct a public hearing on a zone change requested for parcels within Iron Horse Station Subdivision submitted by Representatives of Iron Horse Station LLC. The Zoning Commission hearing is scheduled for **5:35 P.M., in the City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Wednesday, February 17th, 2021.**

Additionally, the City Council has scheduled a public hearing for the consideration of the zone change request. The City Council hearing is scheduled for **6:30 P.M., in the City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Tuesday, March 9th, 2021.**

The applicant is requesting a zone change from the R-6000 zoning district to Residential Multi-Family (RMF) for Lots 3 to 11, Block 7 of the Iron Horse Station Subdivision. The Residential-6000 district is intended to promote an area for a high, urban density, duplex residential environment on lots that are usually served by a public water and sewer system. The requested Residential Multi-Family (RMF) zoning is intended to provide a suitable residential environment for medium to high density residential dwellings, and to establish a buffer between residential and commercial areas.

Public comment is encouraged and can be provided in person at the public hearings on February 17th and March 9th. Public comment can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1st Street Laurel, MT 59044. A copy of the zone change documentation is available for review upon request at the Planning Department office. Questions regarding this public hearing may be directed to the Planning Director at 628.4796 ext. 5302, or via email at cityplanner@laurel.mt.gov.

Chapter 17.72 - AMENDMENTS

Sections:

17.72.010 - Purpose of provisions.

Whenever the public necessity, convenience, general welfare, or good zoning practice requires, the city council may amend, supplement, or change the regulations in this title, or the zoning boundaries or classification of property on the zoning map, as set forth in this chapter.

(Prior code § 17.84.010)

17.72.020 - Amendment procedure.

Amendments to the text of the title and/or changes in the zoning boundaries or classification of properties shown on the zoning map may be initiated by the city council on their own motion, or upon recommendation of the planning board but no amendment shall become effective unless it shall have been submitted to the zoning commission for review and recommendation. Before enacting an amendment to this title, the city council shall give public notice and hold a public hearing thereon.

(Ord. 96-5 (part), 1996; prior code § 17.84.020 (part))

17.72.025 - Amendment by private property owner.

Amendments to the zoning boundaries or classification of property shown on the zoning map may be initiated by property owners of the land proposed to be rezoned, by the filing with the zoning commission secretary of a zoning change application, which application shall be provided by the zoning commission secretary, and accompanied by all other materials and data required in the application.

(Ord. 01-4 (part), 2001; Ord 96-5 (part), 1996; prior code § 17.84.020 (part))

17.72.030 - Preapplication conference required.

Persons or parties interested in submitting an application for a zoning change shall consult with the planning director and the building inspector, at a joint meeting, if possible, concerning a proposed zoning change, its relation to and effect upon the comprehensive plan, any applicable specific plans or any plans being prepared by the planning department, and whether the proposed change is in conformance with public necessity, convenience, general welfare and good zoning practice.

(Prior code § 17.84.030)

17.72.040 - Application requirements.

- A. Unless initiated by the city council or planning board, all applications for official map amendments must be submitted by the owner of such property, the contract purchaser, or the authorized agent of the owner. An application for an amendment affecting the same property shall not be submitted more often than once every twelve months. The zoning change application shall contain the following information:
1. Name of applicant;
 2. Mailing address;
 3. Telephone number;

4. Accurate legal description of location;
 5. Nature of zoning change requested;
 6. Description of present land uses;
 7. Description of adjacent land uses;
 8. Statement of intended land use;
 9. Statement concerning any expected effect upon the adjacent neighborhood;
 10. Date of preapplication conference;
 11. Names and addresses of adjacent property owners, within three hundred feet;
 12. Signature of applicant;
 13. Payment of all applicable fees.
- B. An application for amendment to the official map shall be made on or before five p.m. of the first day of the month preceding the date of the public hearing before the zoning commission. When the date of submittal falls on a weekend or holiday, the submittal shall be on the following day before five p.m.
- C. An application for a zone change may not be withdrawn or amended after the legal advertising, as required by this section, has appeared for final public hearing before the city council. An applicant may be allowed to withdraw at the time of the zoning commission hearing by a majority vote of the members present without requiring council approval of the withdrawal and without prejudice with respect to the twelve month waiting period providing, however, that no application be allowed to be withdrawn more than once within the twelve month period after application shall have first been submitted.

(Prior code § 17.84.040)

17.72.050 - Planning department evaluation responsibility.

The planning director, upon receiving an application for rezoning of an area or a particular place of property shall do the following:

- A. Consult with other departments of the city or county to fully evaluate the impact of any zoning change upon public facilities and services including, but not limited to schools, drainage, traffic and related facilities;
- B. Study each application with reference to its appropriateness and effect on existing and proposed land use, and references to the comprehensive plan;
- C. In the case of a protest petition filed in the matter of any application for rezoning determine the validity of such petition;
- D. Advertise twice in a newspaper of general circulation in the jurisdictional area of the Laurel-Yellowstone city-county planning board at least fifteen days in advance of the time and place of the public hearing;
- E. Notify, by mail, the applicant or his authorized agent five days prior to the date of the public hearing of the time and place of such hearing;
- F. Notify, by mail, all property owners within three hundred feet of the exterior boundaries of the property subject to the rezoning; of the time, date, place of the public hearing and the existing and proposed classification. Further, he may notify property owners within a radius of more than three hundred feet if he determines that the proposed use of the property would have substantial environmental impact on surrounding land uses;
- G. The planning director shall report his findings and conclusions in writing to the zoning commission, which report shall be a matter of public record.

(Ord. 01-4 (part), 2001; prior code § 17.84.050)

17.72.060 - Zoning commission action.

- A. The zoning commission shall review and take action upon each application in accordance with the provisions of this chapter, and after a public hearing at which the application shall be presented to the zoning commission by the planning director together with his findings and conclusions on the matter. A report of the commission's recommendation and the planning director's findings and conclusions shall be submitted to the city council.
- B. The zoning commission shall make a recommendation to the city council to:
 - 1. Deny the application for amendment to the official map;
 - 2. Grant action on the application for a period not to exceed thirty days;
 - 3. Delay action on the application for a period not to exceed thirty days;
 - 4. Give reasons for the recommendation.
- C. The zoning commission shall adopt such rules and regulations for the conduct of public hearings and meetings, which shall be published and available to the public, as well as conflict of interest rules, to ensure that no member is entitled to vote on a matter in which he has an interest directly or indirectly.

(Prior code § 17.84.060)

17.72.070 - Public hearing—Notice required.

- A. Before taking action on an application for an amendment to the official map, and after presentation of the zoning commission's recommendation, the city council shall hold a public hearing on the application.
- B. The recommendations of the zoning commission shall be published twice in a newspaper of general circulation in the jurisdictional area of the Laurel-Yellowstone city-county planning board, and not less than fifteen days after the first publication of such notice, a final hearing shall be held at the next regular meeting of the city council.
- C. When such proposed amendment has been denied by the city council neither it nor one involving the same tract(s) shall be offered for adoption within one year after such denial.
- D. In case, however, of a valid protest petition against such change signed by the owners of twenty per centum or more either of the lot included in such proposed change, or of those immediately adjacent in the rear of extending one hundred fifty feet therefrom or of those adjacent on either side thereof within the same block, or of those directly opposite thereof extending one hundred fifty feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the city council.

(Ord. 01-4 (part), 2001; prior code § 17.84.070)

17.16.020 - Zoning classified in districts.

Zoning for residential districts is classified in and subject to the requirements of Table 17.16.020.

Table 17.16.020

Zoning Requirements	R 7,500	R 6,000	RLMF	RMF	RMH	PUD	SR	RT
Minimum lot area per dwelling unit in square feet								
One unit	7,500	6,000	6,000 ¹	6,000 ¹	6,000 ³	See	5 acres	1 acre
Two units		7,500	7,500	7,750		Chapter		
Three units		8,500	8,500	9,500		17.32		
Four units			10,000	11,250				
Five units				13,000				
Six units or more				Add 2,500 each additional unit				
Minimum yard – setback requirements (expressed in feet) and measured from public right-of-way								
Front	20	20	20	20	10		25 ⁵	25
Side	5	5 ⁴	5 ⁴	5 ⁴	5		5 ⁵	5
Side adjacent to street	20	20	20	20	20		10 ⁵	10
Rear	5	5	5	5	5		25 ⁵	25
Maximum height for all buildings	30	35	35	40	30		30	30
Maximum lot coverage (percentage)	30	30	40	45	40		15	30
Minimum district size (expressed in acres)	2.07	2.07	2.07	2.07	2.07		20	5

¹ Row housing may be permitted to be constructed on 3,000 square foot lots if approved through the special review process.

² NA means not applicable

³ The requirements for the mobile homes contained herein relate only to a mobile home subdivision; see Chapter 17.44 of this code for the requirements for a mobile home park.

⁴ Zero side setbacks may be permitted if approved through the special review process.

⁵ All pens, coops, barns, stables, or permanent corrals shall be set back not less than 50 feet from any residence, public road, or water course, and any property line.

17.20.020 - Zoning classified in districts.

Zoning for commercial — industrial use is classified in and subject to the requirements of Table 17.20.020.
(Prior code § 17.32.020)



Zoning Requirements	A	RP*	NC*	CBD*	CC*	HC	LI	HI	P
Lot area requirements in square feet, except as noted, 20 acres	20 acres	NA	NA	NA	NA	NA	NA	NA	NA
Minimum yard requirements:									
Front ^(a)	NA	20	20	NA	20	20	20	20	20
Side ^(b)		0	0		0	0	0	0	0
Side adjacent to street		10	10		10	10	10	10	10
Rear ^(b)		0	0		0	0	0	0	0
Maximum height for all buildings ^(c)	NA	25	25	NA	25	45	70	NA	NA
Maximum lot coverage in percent	NA	50	50	NA	50	75	75	75	50
Minimum district size (expressed in acres)	20 acres	2.07	2.07	2.07	2.07	2.07	2.07	2.07	NA
(NA means not applicable)									
*The lot area, yard and lot coverage requirements for 1 and 2 single family dwellings in commercial zoning districts shall be the same as those in the RLMF residential zoning district.									
(a) Arterial setbacks									
(b) Side and rear yards									
(c) Except as provided in the airport zone									

(Ord. No. O-14-03,8-5-2014)

File Attachments for Item:

5. Sign Review: Sunlight Properties



Internally Illuminated Single Face Seamless Sign Display



Fabricated aluminum composite material in a "seamless shoebox" style configuration (no seams or retainers). Computer routed facia with routed dimensional translucent acrylic "pushed through" the facia. Feature is internally illuminated with L.E.D.s.





Chapter 17.26 - COMMUNITY ENTRYWAY ZONING DISTRICT

Sections:

17.26.010 - Intent.

The purpose of the Laurel Entryway Zoning District is to regulate outdoor advertising, outdoor advertising signs, and outdoor signs of all types, to provide fair and comprehensive regulations that will foster a good visual environment for Laurel, enhancing the area in which we live, and creating an aesthetic and enjoyable appearance for our visitors and our residents.

The natural landscape in the Yellowstone Valley is a major influence on the form and character of Laurel. Residents appreciate being able to see the Beartooth Range, the river's corridor of trees, and the large expanse of sky. The intent of the Community Entryway Zoning District (EZD) is to promote attractive, high quality development and to provide an appealing image of the city of Laurel to the traveling public and the people of the community and region. Further, it is the intent of this district to maintain a sensitivity toward existing development while preserving scenic vistas and the pastoral ambience and protecting environmentally sensitive areas. Creativity in meeting these requirements is encouraged with the overall intent of all development representing the image and economy of the Laurel area—and not just a reflection of the same commercial buildings, signage, and parking lots that are seen alongside the interstate across the nation.

Projects in the vicinity of large natural areas/corridors shall be designed to compliment the visual context of the natural area. Techniques include architectural design, site design, use of native landscaping, and choices of colors and building materials shall be utilized in such manner that scenic views across or through the site are protected and man-made facilities are screened from off-site observers and blend with the natural visual character of the area.

This overlay district provides requirements that are in addition to the existing, underlying zoning districts in the jurisdictional area of the city of Laurel and are in addition to the signage standards of the city of Laurel Municipal Sign Code. Except for signage applications, residential uses in the Entryway Zoning District are exempt from the provisions herein.

The intent of this section is to:

- A. Promote a physical landscape that will assist in making Laurel an attractive place to live and work and be inviting to new industries;
- B. Encourage creativity in design and quality in site planning and development;
- C. Reduce the level of adverse impacts from the transportation system on adjoining lands;
- D. Promote development patterns in harmony with the goals and objectives of Laurel's Growth Management Plan;
- H. Promote compatible land use transitions with a sensitivity toward existing residential uses.

Non-commercial/industrial uses falling within the EZD are exempt from the requirements of the EZD except as such requirements pertain to signage.

(Ord. 02-31, 2002)

17.26.030 - Location of district.

The Community Entryway Zoning District (EZD) shall extend three hundred feet on either side of Interstate 90 right-of way as it extends through the Laurel Zoning Jurisdiction Area, an area that extends outside the city municipal limits one mile. Specifically, along the interstate the EZD shall extend as described from the east limit of the extra-territorial zoning boundary west to the limit of the west extra-territorial boundary. The district shall also include that area three hundred feet on either side of the north extra-territorial boundary on Buffalo Trail Road south through Laurel on First Avenue to where First Avenue turns into US Highway 212-310

(Ord. 02-31, 2002)

(Ord. No. O15-03, 5-5-2015)

17.26.040 - Application and approval process.

- A. All plans and applications for development shall be submitted to the city-county planning board. All applications involving signs shall be submitted to the public works department which shall provide a copy thereof to the planning board. All applications must be submitted and signed by the property owner, lessee, the contract purchaser, or the authorized agent of the property owner. Approval is required prior to any construction activity.
- B. Each application shall include, but not be limited to, the following information:
 - 1. The name and address of the property owner;
 - 2. The name and address of the applicant;
 - 3. The legal description of the parcel;
 - 4. A map drawn to scale showing the dimensions, acreage, location of the parcel, north arrow, streets and adjacent land uses;
 - 5. A complete site plan drawn to a scale of no less than 1" = 40' showing the dimensions and locations of all structures, streets, paving, parking, landscaping, signage, waterways or other significant features of the development;
 - 6. Complete elevation drawings drawn to scale including the dimensions and height of the structure;
 - 7. Signage Plan specifications, location, and ground lighting pattern (applications for signs only—see Section 17.26.050); and
 - 8. Application review fee.
- C. Within fifteen working days following the submittal of a complete application, the planning director, other city designee, or the public works department (in the case of signs) shall issue approval for development or sign or a denial of the application, unless the applicant consents in writing to an extension of the review period. Should the application be denied, the applicant shall be notified in writing specifying the reasons for the denial.

(Ord. 02-31, 2002)

17.26.050 - Definitions.

All terms shall have the same meanings as defined elsewhere in the city zoning ordinance or city signage regulations. The standard dictionary meaning shall be applied to terms not otherwise defined.

(Ord. 02-31, 2002)

17.26.052 - Development standards.

A. Signage.

1. Review Consideration. Signage in the EZD needs to recognize the relationship between adjacent land uses and the natural features of the location such as existing views and proximity to residences. Although signs perform a function in providing information concerning services, products, and business, a profusion of signs produces a cumulative effect that cancels out individual effectiveness and detracts from the appearance of the community as a whole. All signage shall be reviewed with the following considerations and criteria:
 - a. Use of subdued, low-key colors;
 - b. Location, size, and height that do not obstruct views of the community, the river corridor, traditional open spaces, or the mountains;
 - c. Sign is built of permanent, durable materials;
 - d. Size and location avoids or minimizes the sense of clutter with nearby signs;
 - e. The sign is professionally prepared and finished on both sides;
 - f. The location and placement of the sign will not endanger motorists or pedestrians and does not interfere with the clear vision triangle at street, railroad, or street driveway intersections;
 - g. The sign will not cover or blanket any prominent view of a structure or façade of historical or architectural significance;
 - h. The sign will not obstruct views of users of adjacent buildings to side yards, yards or to nearby open space;
 - i. The sign will not negatively impact the visual quality of a public open space such as a recreation facilities, square, plaza, court yard and the like;
 - j. The sign cannot be seen from the Yellowstone River or any city, county or state park or—if it can be seen—it must be located one thousand feet from the boundaries of such spaces.
2. Only one sign is allowed per parcel of record and there shall be at least one thousand feet between signs.
3. A construction permit is required whenever the sign copy is changed and any alterations to the sign are made.
4. Signs shall be limited to one hundred sixty square feet in copy area.
5. Non-conforming signs are required to be brought into compliance with this section within six years from the date of adoption of this ordinance or upon the earliest occurrence of the following events.
 - a. The sign is relocated or replaced;

- b. The structure or size of the sign is altered in any way;
 - c. The sign suffers more than fifty percent appraised damage or deterioration or the sign is taken out of service for any reason, such as being knocked down by weather or other means;
 - d. If any non-conforming sign is abandoned or voluntarily discontinued for a period of one hundred eighty days, any subsequent use must be in conformity with this ordinance. An abandoned sign is a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found. An abandoned sign is to be removed by the owner within fifteen days of notice from the public works department.
- 6. No portable signs as described in the city signage ordinance are allowed in the EZD.
- 7. Transit Bus Benches. Transit bus benches, with or without advertising, may be placed within the city right-of-way upon application and approval of the ADA coordinator, the transit administrator and in consultation with the public work director. All benches must comply with any applicable city, state, and or/federal standards or regulations. The city may approve a bench provider, with or without advertising, pursuant to its procurement policy, as amended.
- 8. Lighting. All sign lighting must incorporate cut-off shields to direct light downward. Luminaries shall not be visible from adjacent streets or properties. A sign's lighting will not cause hazardous or unsafe driving conditions for motorists and will not glare, reflect, or spill onto adjacent business or residential areas.
- B. Building Design Standards.
 - 1. All buildings shall be completed on all sides with one of the following finishing material: brick, fluted block, colored textured block, glass, stucco, architectural concealed fastener metal panels, exterior insulation and finishing systems (i.e., Dryvit, etc.), stone or wood. Exposed seam metal buildings shall be prohibited unless covered with an acceptable finishing material.
 - 2. Roofs shall be finished with a material that is architecturally compatible in color and design with the construction of the building. Metal roofs, fascia, and mansards shall be limited to the following: standing seam, metal shakes or shingles and architectural metal treatments. All mechanical equipment placed on top of any roof shall be screened by a parapet or other similar architectural apparatus being at least the height of the mechanical equipment. Pitched roofs are encouraged whenever possible.
 - 3. Long, flat facades that front on the interstate highway, First Avenue North or First Avenue South having more than one hundred lineal feet are prohibited. Buildings over one hundred feet in length shall incorporate one of the following: recesses, off-sets, angular forms, landscaping features or other architectural features such as bell towers, clock towers, to provide a visually interesting shape. The break in the facade shall be minimum of eight feet in length. A single uninterrupted length of a facade shall not exceed one hundred lineal feet. It is encouraged that each offset area contains landscaping or other similar amenities which will complement the offset area.
- C. Additional Provisions for Commercial Uses.
 - 1. Storage of Merchandise. Any permitted storage of merchandise outside an approved building shall be within an area enclosed with a sight obscuring fence at least six feet in height that is architecturally compatible in color and design with the building. However, promotional

displays, vehicle sales lots and plant materials may be displayed outside of an approved building or enclosed area so long as they are placed appurtenant to a building wherein the business displays the bulk of its goods for sale. In addition, retail nurseries shall be exempt from the enclosure of plant materials, and displayed merchandise shall not include any used equipment. Bufferyards or required landscaping shall not be used for the displaying of merchandise.

2. Site Lighting. All outdoor lighting shall be designed, located and mounted at heights no greater than eighteen feet above grade for non-cutoff lights and thirty-five feet above grade for cutoff lights. All outdoor lighting shall be designed and located such that the maximum illumination measured in foot-candles at the property line shall not exceed three-tenths foot-candle for non-cutoff lights and three foot-candles for cutoff lights.
3. Storage of Junk. No person shall store junk, partially or completely dismantled vehicles, or salvaged materials in any commercial zone outside a building. In the case of automobile repair shops, such materials must be enclosed within a building or an area having a sight-obscuring fence at least six feet in height.
4. Solid Waste Area. All solid waste storage facilities shall be located within an area enclosed with a sight-obscuring fence or wall that is architecturally compatible in color and design with the building.

D. Cell Towers.

No wireless communication facilities are allowed in the entryway zone.

(Ord. 02-31, 2002)

(Ord. No. 011-07, 6-7-2011; Ord. No. 016-02, 2-2-2016)

17.26.054 - Landscaping standards.

Landscaping in the form of trees, shrubs, and groundcover serve several purposes: The softening of harsh building forms and paved areas, the absorption of ground water, the reflection of seasonal color change, the provision of sound barriers (such as around utility substations or industrial yards), and urban wildlife habitat.

A. Landscaping Definitions.

Canopy Tree. A species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity. Minimum size of canopy trees shall be two and one half inches in caliper.

Evergreen Tree or Shrub. A tree or shrub of a species which normally retains leaves / needles throughout the year. Minimum size of evergreen trees shall be five feet in height.

B. Landscaping.

1. Bufferyard Requirements. All commercial/Industrial land uses are required to place a bufferyard (landscaping strip) adjacent to and along the length of I-90, First Avenue North, or First Avenue South on which the use fronts. Such landscaping buffer shall extend from the edge of the public right-of-way. Placement and landscaping design shall be at the discretion of the developer, and the required trees and shrubs may be clustered to enhance the view of the

property from the public right-of-way as long as such uses conform with Section 17.26.052(C) of this code. A local design professional or local nursery must be consulted for assistance with the development of the landscape design. The use of native, drought-tolerant plant material is strongly encouraged. Evergreen trees are encouraged for bufferyards, and canopy trees are encouraged for parking areas. The planting of trees should be done in such a manner as to provide maximum solar efficiency throughout the site.

- a. The developer shall have the option of one of the following three bufferyards. Bufferyard depth is measured from the property line adjacent to the public right-of-way inward. Any buffer area which overlaps another buffer area shall be subtracted from the total to avoid double counting. The number of trees and shrubs required is per one hundred feet of frontage:

- (1) Twenty-five foot wide bufferyard: five Canopy or evergreen trees, ten Shrubs
- (2) Twenty foot wide bufferyard: ten Canopy or evergreen trees, fifteen Shrubs
- (3) Fifteen foot wide bufferyard: fifteen Canopy or evergreen trees, twenty Shrubs

- b. The following criteria shall also apply to the bufferyards.

- i. The landscape strip may be contoured. Berming shall be one foot of rise to four feet of run with a minimum of three feet in height. Depressions shall be no lower than the existing grade of the site.
- ii. All landscaped areas shall contain ground cover such as sod, shrubs, flowerbeds, or organic materials. No more than ten percent of the landscaped area shall contain rock, bark chips, stepping stones, or similar material.
- iii. All landscaped areas shall be sub-irrigated, maintained, and kept free of weeds, debris, and litter. Failure to do so constitutes a zoning violation. Existing mature trees and shrubs should be preserved and will be credited toward landscaping requirements.
- iv. Depth of bufferyard shall depend on density of vegetation.
- v. All new utility lines shall be placed underground.
- vi. New tree plantings shall not be constructed so as to grow into existing overhead utility lines.

C. Off-Street Parking Lot Landscaping.

Landscaping shall be provided within all parking areas as follows:

Parking lots containing more than ten spaces shall contain internal areas of landscaping totaling at least ten percent of the parking area. Each planting area shall contain at least three hundred square feet and at least one major tree and groundcover with irrigation. There must be a clearly designated pedestrian route from the parking lot to the street or main entrance.

- 1. A minimum of twenty square feet of landscaped area shall be provided for each parking space on parking lots containing more than ten spaces.
- 2. Two canopy and/or evergreen trees and five shrubs shall be required for every ten parking spaces or component thereof over ten parking spaces.

3. All landscaped areas shall contain ground cover such as sod, shrubs, flowerbeds or organic materials. No more than twenty-five percent of the landscaped area shall contain rock, bark chips, stepping stones or similar material.
4. The minimum width and/or length of any parking lot landscaped area shall be five feet.
5. Internal parking lot landscaping provided shall be proportionately dispersed, at the developer's discretion, in order to define aisles and limit unbroken rows of parking. The maximum horizontal or vertical unbroken length shall be limited to one hundred feet. Landscaped areas provided shall be in a scale proportionate to parking lot.
6. Any development that has parking abutting a required bufferyard, may extend the width of parking landscaping plant material. The minimum bufferyard width and that bufferyard a minimum of five feet and include the additional required landscaping material is required in addition to the parking landscaping.
7. Protection of Landscaped Areas. Landscaped areas within parking lots or the along perimeter of the property must be protected from vehicular traffic through the use of continuous concrete curbs, extruded asphalt or other approved permanent barriers.
8. All new utility lines shall be placed underground.

D. Commercial Uses Abutting Residential Uses.

All commercial uses abutting residential uses shall install a bufferyard. The bufferyard shall be ten feet wide and shall contain ten evergreen and/or canopy trees and ten shrubs per one hundred lineal feet. A solid fence or wall that is architecturally compatible in color and design with the building shall be required on the property line. The fence height shall be a minimum of six feet. Chain link or other wire fencing material is prohibited.

E. Fractions in the Calculation of Number of Trees and Shrubs.

In the calculation of trees and shrubs for bufferyards or parking landscaping, all fractions shall be rounded to the nearest, highest whole number.

(Ord. 02-31, 2002)