

Emergency zoning planned for gravel pits

By JODI HAUSEN Chronicle Staff Writer

After listening to more than three hours of testimony about gravel pits, Gallatin County Commissioners agreed Wednesday to support emergency or interim zoning for the southeast area of the Belgrade planning district. The area encompasses at least two proposed gravel pits on Cameron Bridge Road.

Though commissioners have yet to officially adopt interim zoning to regulate gravel pits, they did vote unanimously to direct planning department staff to draft regulations and three zoning district maps.

Each commissioner had different ideas about how much of the county should be regulated: Joe Skinner proposed applying the yet-to-be-created regulations on the entire county; Steve White was comfortable with using them only for the southwest planning region of Belgrade that Wednesday's hearing addressed; and Chairman Bill Murdock sat, literally and figuratively, in the middle, suggesting that zoning be applied to all of Belgrade's planning and zoning districts not yet within the city's planning purview.

"I would like nothing more than to see conditions placed on gravel pits," Murdock said. "I don't think we'll see good neighbors without rules."

Zoning could take years but the gravel industry won't wait. The only way to zone immediately is with emergency zoning, Murdock said.

If the two proposed pits on Cameron Bridge and South Alaska Roads in the 113-acre Spanish Peaks and 80-acre Cameron Springs pits receive permits from the Montana Department of Environmental Quality before emergency zoning is adopted, they would be grandfathered and not subject to the new regulations.

"I'm looking for solutions," Skinner said. "I don't think interim zoning in the Belgrade area is the solution. We've been dealing with this for four months."

If commissioners choose to regulate only that specific area, the issue will undoubtedly come up again for other proposed pits.

White said he won't support countywide zoning, but would approve emergency zoning in the area southwest of Belgrade. He said the Belgrade issues are different than those raised in November when residents in Gallatin Gateway and Amsterdam requested emergency zoning to prevent the expansion of one pit and creation of another there.

The difference, White said, is that Belgrade has taken steps to plan the area for future use and has identified the area as high-density residential.

During Wednesday's hearing, more than 20 people spoke to support emergency zoning while about eight opposed the move. Also, Kathy Brekke, a vocal opponent of gravel pits, gave commissioners a petition containing more than 760 signatures of people seeking emergency zoning.

Opponents to zoning, mostly contractors, said they failed to see the situation as an emergency. They also said there would be increased costs and emissions created by the need to transport gravel from pits farther away from construction projects.

Proponents of zoning expressed concerns about potential health issues from dust exposure; diminished water quantity and contamination; increased truck traffic that would damage county roads; traffic safety; and damage

to property values.

Montana Contractors Association's Executive Director Cary Hegreberg said, "We find ourselves in a somewhat ironic position of defending a process and product that is integral to everyone's daily life."

Residents want better roads, a new interchange in Belgrade, bike paths, parking lots and affordable housing, Hegreberg said. "They don't want a gravel pit and the associated processing facilities necessary in providing that infrastructure. Let me re-phrase that n they just don't want a gravel pit near where they live n they want gravel pits near where someone else lives."

David Wells is a builder with about \$2 million in projects in the Gallatin Valley and is "an end-user of gravel," he said. But he also lives on Cameron Bridge Road and supports emergency zoning for the proposed pits. He argued that additional costs associated with locating gravel pits farther from their intended projects increases the cost of a \$300,000 home about \$490 n a fact later disputed by Scott Johnson, owner of the proposed Cameron Springs pit.

In whatever form commissioners choose to institute emergency zoning, gravel pits would be subject to conditional use permitting, which would give residents an opportunity to protest through a public hearing and commissioners the authority to deny them. The DEQ is not required to hold public hearings for gravel pit permits.

At the heart of both sides of the argument was property rights.

"Property rights do not mean that I can do whatever I want on my property, regardless of the impact that my actions may have on my neighbors," said Debra Wahlberg, a member of the Four Corners neighborhood zoning committee.

"That's anarchy, and this is a democracy," she said.