



City of Libby
Libby Montana
www.cityoflibby.com

PO Box 1428
952 E. Spruce Street
Libby MT, 59923
(406) 293-2731
Fax (406) 293-4090

Zoning Commission Agenda
Monday, March 23, 2026 @ 6:00pm
City Hall, Council Chambers

1. Call Meeting to Order
2. Review updated draft changes Industrial Zoning District language and finalize a recommendation.
3. Review proposed zoning map changes for Industrial Zoning Districts.
4. Review Zone Change Request from Ohno, LLC (Chris Noble) and make a recommendation.
5. General Comments from Commission
6. Public Comment
7. Adjournment

To access this meeting electronically with ZOOM,
Dial: 253-215-8782
Meeting ID: 4042719951
Password: 151041
Posted: 03/19/26

Chapter 17.28 INDUSTRIAL DISTRICT

Section:

17.28.010 ~~Uses generally, Intent~~

~~A. The Industrial District is created to provide a district for use for any manufacturing process, business, or treatment whatsoever and no such use shall be excluded therefrom which does not create or tend to create a public nuisance and/or an undue hazard to life and/or property. It shall be the duty of the building inspector to determine if any use or proposed use does or will tend to create such a public nuisance and/or hazard. Any applicant or any other interested person may appeal to the board of adjustment as to such use or proposed use, and the board of adjustment shall finally decide the appeal after public hearing thereon, provided reasonable notice of the hearing has been given by suitable publication.~~

~~B. Wood may be stored on any unoccupied property in this area.~~

~~C. No use permitted in any residence district or business district shall be excluded from the Industrial District; provided that any residence or dwelling placed in this district must conform to all minimum requirements as set forth for some type of building in Residence B District, as hereinabove set forth. No building or premises shall be used and no building or structure shall be erected, enlarged, or altered in any manner whatsoever for any trade, industry, or use not approved as herein provided. (Ord 1359, 1987)~~

~~The intent and purpose of the industrial districts is to establish an area for secondary, value adding businesses which manufacture, process, produce or create products that typically do not create objectionable by-products (such as dirt, noise, glare, heat, odors, smoke etc.) which extend beyond the lot lines. It is also intended that the encroachment of non-industrial uses within the district be prevented. The purpose of having more than one manufacturing/industrial district is to provide opportunities for a variety of employment and community service functions within the community while providing predictability. There is a rebuttable presumption that the uses forth for each district will be compatible with each other when the standards of this title are met and any applicable conditions of approval have been satisfied. Additional requirements for development may apply within overlay districts.~~

17.28.020 Uses

A. Permitted Uses – Heavy Industrial Zone

1. Agricultural Resource Development, Manufacturing, Processing and Storage
2. Energy production, manufacturing, generation (wind, solar, water, etc.)

-
3. Essential public and quasi-public services – utilities, pipelines, transmission lines.
 4. Forest resource development, manufacturing, processing and storage.
 5. Foundry
 6. Gas production, manufacturing and generation
 7. Mineral resource development, manufacturing processing and storage.
 8. Transportation terminal (truck, bus, rail)
 9. Kennels
 10. Incidental uses customarily associated with the above

B. Permitted Uses – Light Industrial Zone

1. Food processing
2. Furniture manufacturing
3. Heavy equipment sales, rental and service
4. Laboratories, research and diagnostic
5. Office
6. Parcel delivery service
7. Professional and technical service contractor
8. Technology research, development and manufacturing
9. Technology and trade education
10. Telecommunications
11. Warehousing
12. Incidental uses customarily associated with the above

C. Prohibited Uses

1. Any use prohibited by Institutional Control Decree
2. Hazardous waste disposal
3. Medical waste disposal
4. Nuclear power production, manufacturing, generation, testing (above or below ground)
5. Personal services
6. Off-premises advertising / billboard
7. Bar
8. Casino
9. Convenience Retail
10. Liquor store
11. Mini-warehousing (residential storage)

17.28.030. Setbacks

- Front shall be no less than 20 feet
- Rear shall be no less than 10 feet
- Sides shall be no less than 10 feet
- Riparian setbacks shall be a minimum of 50 feet from edge of defined riparian area.

17.28.040 Height

No buildings shall exceed forty-five (45) feet in height.

17.28.050 Construction.

All construction shall be in accordance with the City's adopted Building Code.



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To: Zoning Commission

19 Mar 2026

From: Samuel Sikes, City Administrator

Subject: ZONING RECOMMENDATION ICO: FLOWER CREEK DEVELOPMENT

I have reviewed the request from Ohno LLC, Chris Noble, concerning the re-zoning of the Flower Creek Development North, commonly known as the "Asa Wood" property, from Residence A District to Residence Business District, and recommend approval of the zoning change.

Background: The "Asa Wood" property has historically been utilized as a school district within a residential district, thus the existing Residence A District designation on the property. From the time the school was constructed until now, changes in the city zoning ordinances were adopted to bring order to an otherwise chaotic planning process and to create uniform standards for logical future growth.

In 2020, the city adopted a new Highway Commercial District to accommodate business opportunities that tend to be more auto orientated along Highway 2, among other things, and in 2023 the city adopted a growth policy to provide guidance for Libby's future growth. In 2024, the city altered the zoning code to ensure that residential business district designations were in place to create a buffer between fully commercial and fully residential land use.

In 2024, Chris Noble made lot line adjustments to the existing "Asa Wood" property to create lots with enhanced marketability that were better suited to future land use while following the city's current zoning for uniform growth. This cooperation ensured that the land abutting Highway 2 met city standards by being zoned as Highway Commercial District.

Conclusion: The requested zoning change conforms with current city zoning code and creates the required buffer between the Highway Commercial and Residence zoning districts. Approval by the Board of Adjustment is required prior to any business being authorized in the district which also further ensures conformance with city code. For these reasons, I recommend approving the zoning change.

A handwritten signature in blue ink, appearing to be "S. Sikes", is written over the printed name of Samuel Sikes.

Samuel Sikes
City Administrator

CERTIFICATE OF SURVEY

BOUNDARY LINE ADJUSTMENT

PARCELS A & C, COS No. 4951RB, PLAT No. 656, AND PLAT No. 2206 in the
 NE1/4 SE1/4, SECTION 4 and NW1/4 SW1/4, SECTION 3, T.30N., R.31W., P.M., MT., LINCOLN COUNTY, MONTANA
 FOR: NOBLE INVESTMENT PROPERTIES, LLC & PLAYA DULCE MONTANA, LLC DATE: FEBRUARY, 2024



PURPOSE OF SURVEY AND OWNER'S EXEMPTION CERTIFICATION
 We, Noble Investment Properties, LLC, Representatives, & Playa Dulce Montana, LLC, Representatives hereby certify that the purpose of this survey is the relocation of common boundary lines between adjoining parcels. I further certify that the purpose of relocating common boundary lines between adjoining parcels is to correct an error in the plat No. 2206, plat No. 656, and plat No. 4951RB, a parcel that has a previous approval issued under Title 76, Chapter 10, and 10A, MCA, in violation of 76-1-101 through 76-1-103, MCA, and that the relocation of the boundary lines will not cause approved facilities to be constructed on the parcel; and (3) the division of land will not cause approved facilities to be constructed on the parcel; and (4) the division of land will not cause approved facilities to be constructed on the parcel.

ACKNOWLEDGMENT
 The foregoing Exemptions were subscribed and acknowledged before me a Notary Public for the State of Montana by **Noble Investment Properties, LLC, Representative, Chris Noble** and **Playa Dulce Montana, LLC, Representative, Chris Noble** on this **22nd** day of **February**, 2024, in witness whereof, I have hereunto set my hand and affixed my notarial seal.

ACKNOWLEDGMENT
 The foregoing Exemptions were subscribed and acknowledged before me a Notary Public for the State of Montana by **California San Inc** on this **1st** day of **March**, 2024, in witness whereof, I have hereunto set my hand and affixed my notarial seal.

ACKNOWLEDGMENT
 The foregoing Exemptions were subscribed and acknowledged before me a Notary Public for the State of Montana by **Arroyo Grande** on this **6-22-2026** in witness whereof, I have hereunto set my hand and affixed my notarial seal.

METHOD OF SURVEY
 A Trimble R10 Model 2 ONS System was used to its previously set controlling corners and road alignment by Colin Williams, April, 2023.

HISTORY OF SURVEYS
 1955 - Plat No. 2206, by C. Miller, 4025
 1960 - Plat No. 656, Jack Noremson, 5348
 1998 - COS No. 2637, Boundary Location for California San Inc, 48175
 2023 - COS No. 4951RB, Boundary Line Adjustment, Byron Sanderson, 70400LS

LAND SURVEYOR'S CERTIFICATION
 I, **Byron Sanderson**, Licensed Professional Land Surveyor, State of Montana, No. 70400LS, do hereby certify that the survey shown on this 'Certificate of Survey' has been prepared under my supervision and in accordance with the Montana Code Annotated, Sections 76-3-101 through 76-3-623, and the Lincoln County Ordinance adopted pursuant thereto.

COUNTY TREASURER'S CERTIFICATION
 I hereby certify that all real property taxes and special assessments assessed and levied on the parcel shown hereon are paid pursuant to Section 76-3-203(3), MCA.

CLERK AND RECORDER'S CERTIFICATION
 State of Montana, County of Lincoln, filed this **22** day of **March**, 2024, A.D. at **3:52** o'clock by **Stephanie J. Barber**, Lincoln County Clerk and Recorder.



CERTIFICATE OF SURVEY No. 5014 RB SHEET 1 OF 2



CITY OF LIBBY

952 E. SPRUCE | POST OFFICE BOX 1428, LIBBY MT, 59923

PHONE 406-293-2731 | FAX 406-293-4090 | WEBSITE: www.cityoflibby.com

PETITION FOR ANNEXATION AND INITIAL ZONING

Project Name | Property Address
 Flower Creek Development North | 609 West 8th Street, Libby, MT 59923

NAME OF APPLICANT | Applicant Phone
 Ohno, LLC | 406.293.1053

Applicant Address | City, State, Zip
 PO Box 1592, 140 Antler Ridge Road | Libby, MT 59923

Applicant Email Address
 cnoble@nobleexcavating.com

if not current owner, please attach a letter from the current owner authorizing the applicant to proceed with the application.

OWNER OF RECORD | Owner Phone
 Ohno, LLC | 406.293.1053

Owner Address | City, State, Zip
 PO Box 1592, 140 Antler Ridge Road | Libby, MT 59923

Owner Email Address
 cnoble@nobleexcavating.com

CONSULTANT (ARCHITECT/ENGINEER) | Phone
 Andy Evensen, PE | 406-885-4064
 Evensen Engineering & Consulting, Inc.

Address | City, State, Zip
 3674 Foothill Road | Kalispell, MT 59901

Email Address
 andy@eecivil.com

Address | City, State, Zip

Email Address

List ALL owners (any individual or other entity with an ownership interest in the property):

No other owners

Legal Description (please provide a full legal description for the property and attach a copy of the most recent deed):

See attachments – Deed and Certificate of Survey

Please initial here indicating that you have verified the description with the Lincoln County Clerk and Recorder and that the description provided is in a form acceptable to record at their office.

Description is **See attached Certificate of Survey**
verified

1. Land In project (acres) **6.51 acres**

2. Current estimated market value **\$1,050,000**

Estimated market value of proposed development at 50% build out: **\$ 1,950,000**

Estimated market value of proposed development at 100% build out: **\$3 million**

3. Is there a Rural Fire Dept RSID or Bond on this property? Yes _____ No x _____

If yes, remaining balance is: \$ _____

4. Present zoning of property: **Residential A, Note: 2.22 acres located in Parcel A1 is already zoned HWY Commercial.**

5. Proposed zoning of property: Residential Business

6. State the changed or changing conditions that make the annexation necessary:

This property is currently progressing through engineering and plans for site development. The property owner is negotiating for a land sale for a low impact commercial project. The site is suitable for transition to Residential Business Zoning, which parallels the neighboring land use.

HOW WILL THE PROPOSED ZONING DISTRICT ACCOMPLISH THE INTENT AND PURPOSE OF (attach separate sheet w/ answers):

SEE ATTACHED

- a. Promoting the Growth Policy
- b. Lessening congestion in the streets and providing safe access
- c. Promoting safety from fire, panic and other dangers
- d. Promoting the public interest, health, comfort, convenience, safety and general welfare
- e. Preventing the overcrowding of land
- f. Avoiding undue concentration of population
- g. Facilitating the adequate provision of transportation, water, sewage, schools, parks and other public facilities
- h. Giving reasonable consideration to the character of the district
- i. Giving consideration to the peculiar suitability of the property for particular uses
- j. Protecting and conserving the value of buildings
- k. Encouraging the most appropriate use of land by assuring orderly growth



Applicant Signature

3-17-2026

Date

HOW WILL THE PROPOSED ZONING DISTRICT ACCOMPLISH THE INTENT AND PURPOSE OF RESIDENTIAL BUSINESS ZONING:

The request for a change in zoning from Residence A to Residential Business District on a total of 6.51 acres (2.23 acres on parcel A1 and 4.28 acres on parcel B). will allow the subject property, including vacant and underutilized portions of the site and the shuttered school building, to move forward as a redevelopment opportunity that is more consistent with the property's location, access, and neighboring development patterns. The requested district is intended as a transition between residential areas and more active corridors by allowing residential uses and, where separately approved, low-impact non-retail business uses that remain compatible with nearby residential properties.

While this request for rezoning includes only **Parcel A1 and Parcel B**, the evaluation of land use, access, and infrastructure is being coordinated with the nearby Highway 2 parcels shown on the attached Certificate of Survey. Engineering work is under way for access and utilities serving the subject parcels so that future development can proceed in an orderly manner and in compliance with applicable city requirements.

a. Promoting the Growth Policy.

The requested rezoning supports redevelopment of vacant and underutilized property, encourages infill and efficient land use, and creates a path for reuse of an existing site within the community. To the extent the January 2023 Growth Policy encourages redevelopment of vacant buildings and sites, investment in underutilized land, efficient land use, and provision of needed services, this request is consistent with those objectives.

Growth Policy Citations:

- i. Promote redevelopment of and use of vacant buildings and sites. (E-6)
- ii. Increase number of workers in sectors currently lacking in the community such as health care (E-7).
- iii. Facilitate redevelopment and encourage development of blighted vacant or undeveloped land (L-1)
- iv. Encourage infill and efficient land use (L-6)

b. Lessening congestion in the streets and providing safe access.

Ingress and egress to the property are being evaluated in coordination with the newly permitted Highway 2 access and with a second connection through Nevada Avenue/ 6th Street. Multiple access points, internal circulation planning, and coordinated infrastructure design will help distribute traffic safely and reduce the risk of concentrated congestion at a single point of entry. Any future site development will remain subject to city access, parking, and public works requirements.

The former elementary school use generated heavier traffic demands, including bus circulation and parent pickup activity. The existing 12-foot pickup lane, running along Idaho between Highway 2 and 6th Street, was developed to accommodate that

historical use, and future redevelopment provides an opportunity to reevaluate traffic circulation in a manner more consistent with current site needs.

c. Promoting safety from fire, panic and other dangers

Future development of the property will comply with applicable zoning, building, fire, and public safety requirements. Site design will include required setbacks, emergency access, and utility planning, and all construction will be required to comply with the city's adopted building code and other applicable development standards.

d. Promoting the public interest, health, comfort, convenience, safety and general welfare

The requested zoning change promotes the public interest by creating a reasonable transition district for a property that is no longer functioning in its prior use and is suited for orderly redevelopment. The Residential Business District allows residential uses and provides an opportunity for compatible low-impact, non-retail business uses only where separately approved, which helps protect nearby residential properties while also supporting reinvestment, services, and employment opportunities. Parking, lighting, circulation, and other site improvements will be required to comply with city standards.

e. Preventing the overcrowding of land.

The proposed zoning will not remove the requirement that future development comply with applicable lot, setback, parking, building, and site design standards. Development of the property will be limited by the dimensional and performance standards that apply to the district, and any future use will be subject to review for compliance with those standards.

f. Avoiding undue concentration of population

The requested rezoning does not itself authorize an intensity of use beyond what is permitted by the zoning ordinance and later site-specific approvals. Residential development, if proposed, will remain subject to applicable zoning and building requirements, and any business use in the district must be separately reviewed and approved as a low-impact, non-retail use. This structure helps avoid undue concentration of population or activity while allowing appropriate reuse of the site.

g. Facilitating the adequate provision of transportation, water, sewage, schools, parks and other public facilities.

Utility easements and the road access is intended to be built to city standards, with the understanding that roads may be annexed by the City at a later date. Engineering reviewed by the City of Libby and the contracted City Planner and Engineer includes design for roadway improvements, sidewalks, street lighting, and city utilities to support

future development. These improvements will help ensure that transportation and utility infrastructure are adequate for the property's future use.

h. Giving reasonable consideration to the character of the district

The property has historically contained an elementary school, which created traffic circulation patterns and on-site access improvements different from a typical single-family residential lot. The requested Residential Business District is appropriate because it is intended to serve as a transition between residential areas and more active areas, rather than as a purely commercial district. Future development under this zoning will be expected to respect neighboring residential uses through appropriate building scale, site design, landscaping, lighting, parking layout, signage, and visual compatibility. Any future business use would require separate approval and would be evaluated with special consideration given to visual impact on neighboring residential uses.

i. Giving consideration to the peculiar suitability of the property for particular uses

The site includes vacant or underutilized land together with a shuttered school building, and it is situated in a location where coordinated access and infrastructure planning can support redevelopment more effectively than an isolated site with limited infrastructure coordination. These site characteristics and infrastructure investment make the property suitable for a transition district that can accommodate residential use and, where specifically approved, low-impact non-retail business uses. The requested zoning therefore recognizes the particular circumstances of the property while still preserving compatibility safeguards for surrounding residential areas.

j. Protecting and conserving the value of buildings.

The requested rezoning supports reinvestment in a currently underutilized property and helps prevent continued decline of the site. Redevelopment of vacant land and reuse or lawful disposition of the existing building can protect surrounding property values by replacing long-term vacancy and uncertainty with a regulated path for improvement. The existing building has been evaluated in connection with Brownfield review and cleanup efforts, and redevelopment will include demolition or other lawful disposition of the structure.

k. Encouraging the most appropriate use of land by assuring orderly growth

The requested rezoning encourages the most appropriate use of the land by allowing the property to transition from a site associated with a former institutional use to a district that better fits its present conditions and future redevelopment potential. The rezoning will allow planning for access, utilities, circulation, and site design to proceed in an orderly way and will ensure that future uses remain subject to the city's zoning, building, and permitting requirements. This supports orderly growth, coordinated infrastructure, and compatibility with the surrounding area.

After recording, please return to:
Law Office of J. Tiffin Hall
P.O. Box 2109
Eureka, MT 59917
(406) 297-7026

319102 BOOK: 413 RECORDS PAGE: 320 Pages: 2
STATE OF MONTANA LINCOLN COUNTY
RECORDED: 01/05/2026 11:12 KOI: DEED
CORRINA BROWN CLERK AND RECORDER
FEE: \$30.00 BY: Jessie Jensen, Deputy
FOR: J. TIFFIN HALL PO BOX 2109, EUREKA, MONTANA 59917

QUITCLAIM DEED

FOR VALUE RECEIVED, Playa Dulce Montana, LLC, of 200 South 13th Street Suite 208, Grover Beach, CA 93433 ("Grantor"), does hereby convey, release, remise and forever quitclaim unto Ohno, LLC of 140 Antler Ridge Road, Libby, MT 59923 ("Grantee"), all interest it may have in the following described property in Lincoln County, Montana:

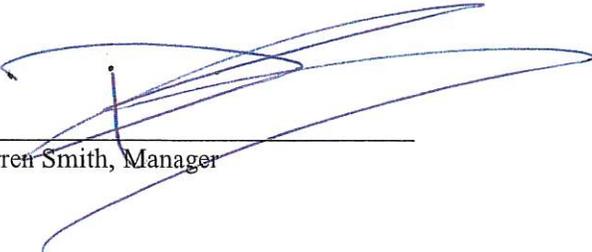
An irregular tract of land, lying in the city limits of Libby, Montana, Lincoln County, NW1/4 NW1/4SW1/4, Section 3, T30N, R31W, P.M.M, MT and more particularly described as Parcel B of COS No. 5014RB.

SUBJECT TO covenants, restrictions, provisions, easements and encumbrances of record.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee.

DATED this 26th day of December, 2025.

PLAYA DULCE MONTANA, LLC



Darren Smith, Manager

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Luis Obispo)

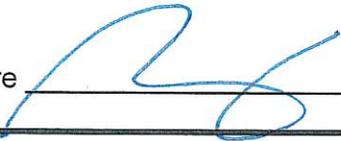
On 12-26-2025 before me, Tricia Martinez, Notary Public
(insert name and title of the officer)

personally appeared Darren Smith,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



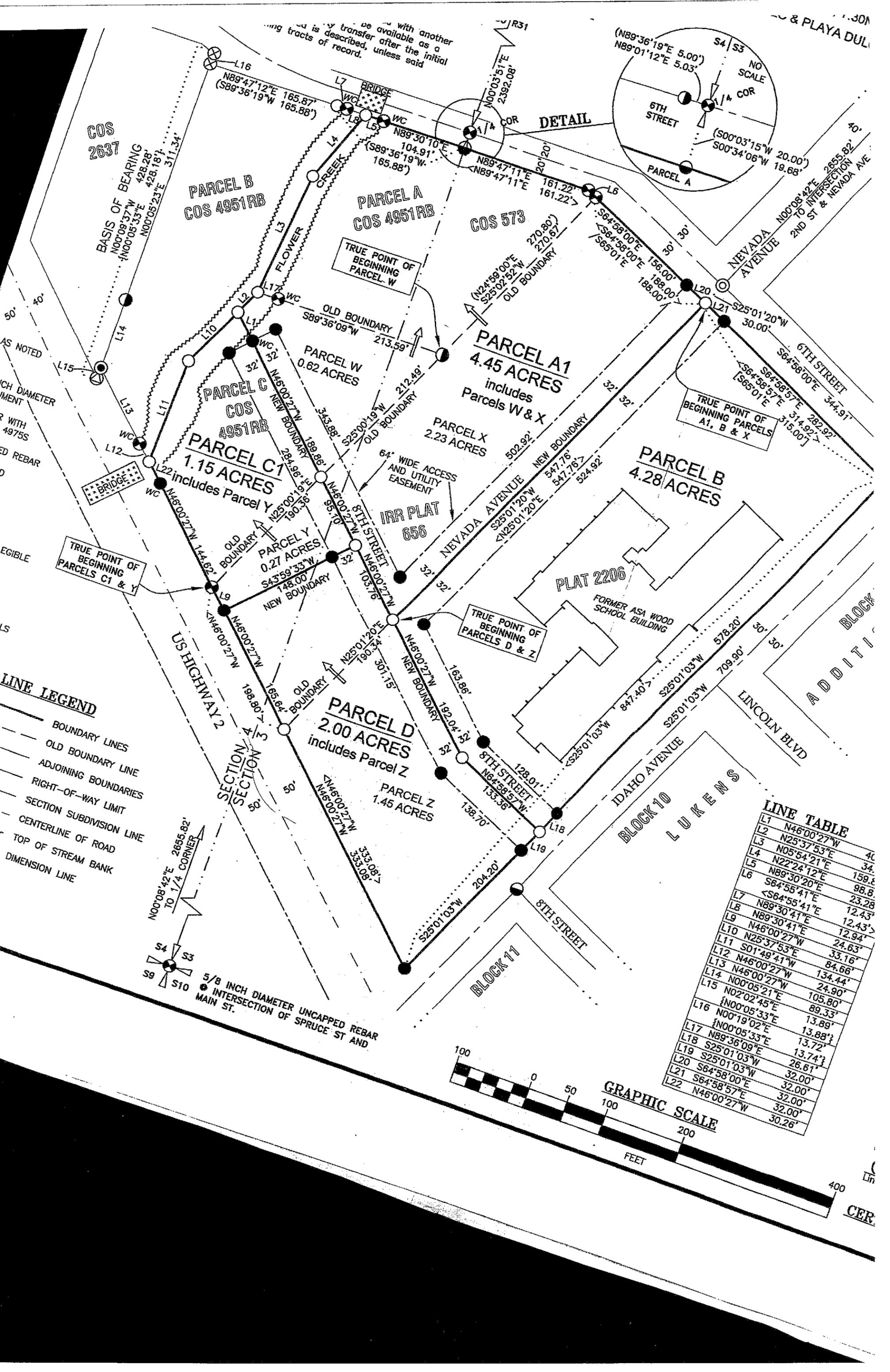
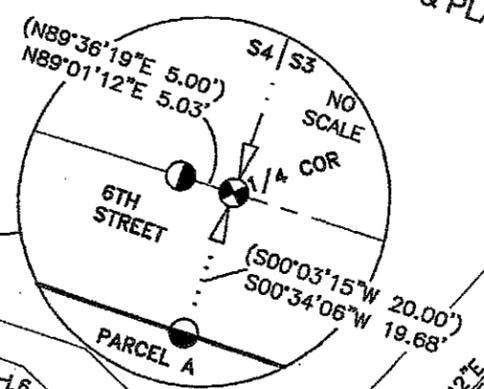
Comments to the Attached Survey

Parcel A1: Zoning on Parcel A1 is split between the following:

- 2.22 acres is currently zone HWY Commercial. No zoning change is requested here.
- The remaining acreage, 2.23 acers, Is requested for a zoning change from Residential A - to Residential Business.

Parcel B: Request is for the complete parcel to be rezoned (4.28 acres) from Residential A to Residential Business.

... with another ... available as a ... transfer after the initial ... is described, unless said ... tracts of record.



COS 2637

PARCEL B
COS 4951RB

PARCEL A
COS 4951RB

COS 573

PARCEL A1
4.45 ACRES
includes
Parcels W & X

PARCEL B
4.28 ACRES

PARCEL C1
1.15 ACRES
includes Parcel Y

PARCEL D
2.00 ACRES
includes Parcel Z

PARCEL Z
1.45 ACRES

PARCEL G
COS 4951RB

PARCEL W
0.62 ACRES

PARCEL X
2.23 ACRES

PARCEL Y
0.27 ACRES

PLAT 2206

FORMER ASA WOOD
SCHOOL BUILDING

IRR PLAT
656

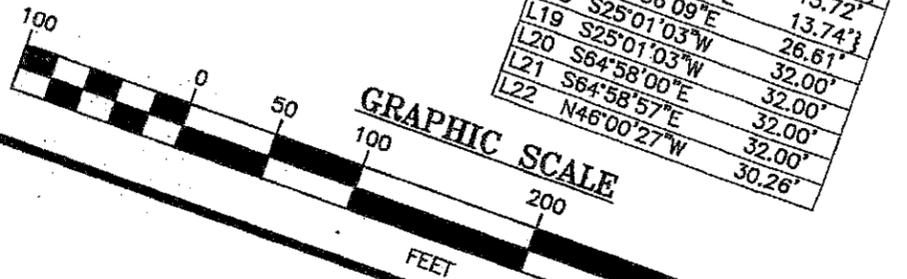
ADDITIONAL BLOCK

LINE LEGEND

- BOUNDARY LINES
- - - OLD BOUNDARY LINE
- - - ADJOINING BOUNDARIES
- - - RIGHT-OF-WAY LIMIT
- - - SECTION SUBDIVISION LINE
- - - CENTERLINE OF ROAD
- - - TOP OF STREAM BANK
- - - DIMENSION LINE

LINE TABLE

L1	N46°00'27"W	40'
L2	N25°37'53"E	34'
L3	N05°54'21"E	159.8'
L4	N22°24'12"E	98.8'
L5	N89°30'20"E	23.28'
L6	S64°55'41"E	12.43'
L7	N89°30'41"E	12.43'
L8	N46°00'27"W	12.94'
L9	N25°37'53"E	24.63'
L10	S01°49'41"W	33.16'
L11	N46°00'27"W	84.66'
L12	N00°05'21"E	134.44'
L13	N02°02'45"E	105.80'
L14	N00°19'02"E	89.33'
L15	N00°05'33"E	13.89'
L16	N89°36'09"E	13.72'
L17	S25°01'03"W	26.61'
L18	S64°58'00"E	32.00'
L19	S64°58'57"E	32.00'
L20	N46°00'27"W	30.26'
L21		
L22		



5/8 INCH DIAMETER UNCAPPED REBAR
● INTERSECTION OF SPRUCE ST AND
MAIN ST.

CER