



YELLOWSTONE COUNTY BOARD OF PLANNING
CITY OF BILLINGS AND
YELLOWSTONE COUNTY, MONTANA



AGENDA

July 28, 2015 MEETING TIME: 6:00 p.m.
1st Floor Large Conference Room, Miller Building
2825 3rd Avenue North, Billings, Montana 59101

1. **CALL TO ORDER - Planning Board President:** Welcome and Introduction of new and returning Board Members.
2. **APPROVAL OF AGENDA*** - including any additions or deletions to agenda. The agenda for a regular meeting will be closed at 5:00 p.m. three (3) working days prior to the date of the meeting.
3. **MEETING MINUTES: June 23, 2015; July 14, 2015**
4. **PUBLIC COMMENT PERIOD** – As required (3 minute maximum per person). *Any member of the public may be heard on any subject that is not on the agenda. The Planning Board will not take any action on these items at this time, but could choose to add an item to the next meeting's agenda for discussion.*
 - 4a) **Comments on items not on agenda and requests to add items to future agendas**
 - 4b) **Comments on items on the non-public hearing agenda items**
5. **DISCLOSURE OF CONFLICT OF INTEREST**
6. **DISCLOSURE OF EX PARTE COMMUNICATION:** Ex Parte Communication Binder is available at the Sign-In and Agenda station.
7. **OLD BUSINESS** (Agenda items that were not discussed or not completed in a previous meeting or items requiring action).

- a. **PUBLIC HEARINGS/PUBLIC HEARING PARTICIPATION GUIDELINES.** The County Planning Board welcomes public input on matters brought before the Board. To ensure a fair and effective public comment process, we ask that you consider the following guidelines when presenting your comments: Address the Planning Board directly. You must state your name and address before commenting. This is an opportunity to explain how you will be affected by the decision and why that is an important consequence. By state law, the Planning Board must consider only certain criteria when reviewing subdivisions (76-3-608(a), MCA). Please see the attached guidelines for the criterion. Thank you for participating!

1. **Motion/Recommendation. Holly's Subdivision, Amended Lot 1, Block 1. Dave Green, Planner II**

On June 1, 2015, agent Tom Llewellyn for the owner, the Holly Huennekens Trust, applied for preliminary subsequent minor plat approval for Holly's Subdivision, Amended Lot 1, Block 1. The proposed plat creates 4 lots from a 25.25 acre parcel of land. The subject property is generally located at 7625 Neibauer Road. The property is outside of zoning and there is a mixture of farming and residential uses in the immediate vicinity. The Board of County Commissioners is scheduled to act on the proposal at its August 11 meeting.

PROCEDURAL HISTORY

- A pre-application meeting was held on April 16, 2015.
- The preliminary plat application was submitted to the Planning Division on June 1
- A departmental review meeting was conducted on June 18.
- The preliminary plat was resubmitted with revisions based on department reviews on June 25.
- The Planning Board reviewed the plat on July 14.
- The Planning Board will conduct a public hearing on July 28, and forward a recommendation to the Board of County Commissioners.
- The Board of County Commission will consider the preliminary plat on August 11.
- The 60 working-day preliminary plat review period ends August 24.

8. **NEW BUSINESS:** (Agenda items new to this meeting).
 - a. **Motion. Transportation Alternative Program Support Letters.** Lora Mattox, Transportation Planner.
 - b. Update/Discussion. Americorps Vista Program/Planning Division-Jeffery Butts, Bike Pedestrian Coordinator
9. **OTHER BUSINESS:**
 - a. **(Standing Item) Staff update.** Long Range Strategic Issues and an overview of future City and County issues and projects.
10. ADJOURNMENT

FUTURE AGENDA ITEMS FOR TUESDAY, AUGUST 11, 2015

- a. **Plat Review. Curly Willow Subdivision, Lot 4, Condominiums.** Brandon and Nicole Fleury, of Concrete Partners, LLP. Dave Green, Planner II. A County Subsequent Minor condominium complex of 5-units in a single building. The 2-acre property is on the east side of S. 56th St. West, south of the Frontage Road.
- b. **Plat Review. Keller Place Subdivision, Amended Lot 3A, Block 1.** Jeff Winkler of HGFA Architects, on behalf of Skip King owner. Dave Green, Planner II. A a 3-lot subsequent minor subdivision located on the west side of Johnson Lane just south its intersection with Old Hardin Road in Lockwood.
- c. **Plat Review. Amended Plat of Lots 5-11, and 15-18, Block 2, Pike Subdivision. Levi Britton, owner. Dave Green, Planner II.** A County Subsequent Minor located west of 80th Street West and north of King Avenue West. The original plat was created in 1972, but the subject lots remain vacant. The proposal would plat a new road to serve the lots instead of the original layout.

Planning Board Planning Board Meeting 2

Meeting Date: 07/28/2015

Information

Subject

MEETING MINUTES: June 23, 2015; July 14, 2015

Attachments

2015_06_23_PLNB_Minutes

2015_07_14_PLNB_Minutes

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Board Attendance Roster: Please note: “E” stands for excused absence, “A” stands for un-excused absence, “1” stands for present.

BYLAWS, YELLOWSTONE COUNTY BOARD OF PLANNING, (Amended. May 25, 2004)

Section 4. Absences and Removal

- A. Each member shall inform the Planning Director at least one day before the meeting of his/her inability to attend a Board or Committee meeting. Such an absence shall be considered an excused absence.
- B. If any Board member accrues three (3) or more consecutive unexcused absences from regular meetings, notice of which has been given at his/her usual place of work or residence, or by announcement at a meeting attended by him/her, the President may call such absences to the attention of the Board which may then recommend to the appointing authority that such member be asked to resign and that another person be appointed to serve out the unexpired term. Schedule: (** denotes a Wednesday meeting)

1	Position	01/13/2015	01/27/2015	02/11/2015	02/24/2015	03/10/2015	03/24/2015	04/14/2015	04/28/2015	05/12/2015	05/26/2015	06/09/2015	06/23/2015	07/14/2015	07/28/2015	08/11/2015	08/25/2015	09/08/2015	09/22/2015	10/13/2015	10/27/2015	11/10/2015	
Dave Goodridge	Mayor/Billings Ward I	-	-	-	-	1	1	-	1	E	E	E	1										
Patrick Klugman	Mayor/Billings Ward II	1	1	1	-	1	1	-	1	1	1	1	1										
Donna Forbes	Mayor/Billings Ward III	1	1	E	-	1	1	-	1	1	1	1	E										
Darell Tunnicliff	Mayor/Billings Ward IV	1	1	1	-	-	1	-	1	1	1	1	1										
Dick Clark (President)	Mayor/Billings Ward V	1	E	1	-	1	1	-	1	1	1	1	1										
Vacant	YC District 1	-	-	-	-	-	-	-	-	-	-	-	-										
Dennis Cook	YC District 2	1	1	1	-	-	E	-	1	1	1	1	1										
Lisa Sukut	YC District 3	1	E	E	-	-	E	-	E	1	E	1	1										
Vacant	YC District 4	-	-	-	-	-	-	-	-	-	-	-	-										
Don Reed	YC District 5	E	E	1	-	-	1	-	1	E	1	1	1										
Dean Clark	YC District 6	E	E	1	-	1	1	-	1	1	1	1	1										
Al Littler	YC District 7	1	1	1	-	1	E	-	E	E	E	E	1										
Clint McFarland	Y County Cons. District	1	1	1		1	1	-	E	1	1	1	1										
Scott Reiter	Ex-Officio S.D. 2 Facilities Director	E	E			1	1	-	1	-	E	E	1										
Supt. Terry Bouck	Ex-Officio S.D. 2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

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June 23, 2015

To be approved by a motion on July 14, 2015

1. Call the Meeting to Order

President Dick Clark called the meeting to order at 6:00 p.m. on Tuesday, June 23, 2015, in the Miller Building 1st Floor conference room, 2825 3rd Avenue North, Billings, Montana.

Introduction of Planning Board Members and Planning Department Staff

President Clark called for introductions of the members of the Planning Board and staff. Attending Planning staff members are: Wyeth Friday, Planning Division Manager; Dave Green, Planner I; Scott Walker, Transportation Planning Coordinator; Tammy Deines, Planning Clerk

Attending: Toby Liecht, Blueline Engineering; Jolene Rieck, Peaks to Plains Design; Mary Kay Rottrop

- 2. Approval of the Agenda-**President Clark called for approval of the June 23, 2015 meeting agenda. Planning Clerk Deines requested an agenda item under “Other Business” to discuss the “Agenda Quick” software and the meeting packets.

Motion

Dean Clark made a motion and it was seconded by David Goodridge to approve the June 9, 2015 meeting agenda with discussion item to discuss the “Agenda Quick” Software and the meeting packets.

The motion carried with a unanimous voice vote.

3. Meeting Minutes for May 27, 2015

Motion

Donna Forbes made a motion and Clint McFarland seconded the motion to approve the May 27, 2015 minutes.

The motion carried with a unanimous voice vote.

- 4. Public Comment:** President Clark asked if there was anyone wishing to speak during the public comment portion of the meeting. He stated any member of the public may be heard on any subject that is not on the agenda; the Planning Board will not take any action on these items at this time, but could choose to add an item to the next meeting agenda for discussion.

There were no Public Comments given during this time.

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5. Disclosure of Conflict of Interest – Board members and Planning Staff. There were no disclosures of conflict of interest.

6. Disclosure of Outside (Ex Parte) Communication– Board Members and Planning Staff. The Ex Parte Communication Binder is available at the Sign-In and Agenda station. There was none.

7. OLD BUSINESS-

7a. Public Hearing Guidelines-President Clark reviewed the public hearing participation guidelines provided on the agenda.

7b. Public Hearing. Motion/Recommendation Aspen Ridge Subdivision 2nd Filing, Wyeth Friday, Planning Division Manager

INTRODUCTION

On May 1, 2015, owner, Superior Builders, LLP, applied for preliminary major plat approval for Aspen Ridge Subdivision, 2nd Filing. The proposed plat creates 15 lots from a 28-acre parcel of land. The subject property is generally located in Lockwood, on the south side of San Marino Drive, between Tanglewood Drive and Noblewood Drive. The property is zoned Residential-9,600 (R-96). The Yellowstone County Board of Planning conduct a public hearing on Tuesday, June 23, 2015. The Board of County Commissioners will act on the proposal on July 14, 2015.

RECOMMENDATION

Staff recommends that the Planning Board recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Aspen Ridge Subdivision, 2nd Filing, and adopt the Findings of Fact as presented in the staff report.

Wyeth Friday noted the following items as an update from the plat review:

- **Stormwater Management Facilities**
 - Developer retains ownership of Lot 9, Blk. 2 with stormwater maintenance easements placed on the lot.
 - County Public Works proposed condition to pipe stormwater conveyance on northeast side of subdivision along existing alley.
- **Clarification and condition proposed by Planning to ensure pedestrian pathways are constructed in the First and Second filings of Aspen Ridge.**

PROPOSED CONDITIONS OF APPROVAL

Pursuant to Section 76-3-608(4), MCA, the following conditions are recommended to reasonably minimize potential adverse impacts identified within the Findings of Fact.

1. To minimize effects on local services, prior to final plat approval two stormwater facilities easements shall be created for the stormwater facilities on Lot 9, Block 2.
2. A County RSID for maintenance of the stormwater facilities in the

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- easements also shall be established or expanded prior to final plat approval. The final SIA must reflect these arrangements for the storm water management.
2. To minimize effects on local services, prior to final plat approval the conveyance of stormwater in the 20’ stormwater easement along the northeast boundary of the subdivision adjacent to the existing alley shall be piped from the new stormwater facilities proposed on Lot 9, Block 2, to the existing stormwater detention pond located in an easement on proposed lots 2, 3, and 4, Block 2. The design of the piping system shall be reviewed and approved by County Public Works.
 3. To minimize the effects on the natural environment, a weed management plan and property inspection shall be approved by the County Weed Department, prior to final plat approval.
 4. To minimize effects on local services, provide the pedestrian pathway connectivity required by Section 4.6 C. 15 of the County Subdivision Regulations, and meet the requirements of the Aspen Ridge Subdivision, 1st Filing Subdivision Improvement Agreement, prior to final plat approval the 5-foot wide pedestrian walkway/trail shall be constructed along the east side of Tanglewood Drive and the north side of San Marino Drive in the existing walkway/trail easement in Aspen Ridge Subdivision, 1st Filing, and the 5-foot wide pedestrian walkway/trail shall be constructed in the walkway/trail easement along the north side of San Marino Drive to the cul-de-sac in the 2nd Filing.
 5. Minor changes may be made in the SIA and final documents, as requested by the Planning and/or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
 6. The final plat shall comply with all requirements of the County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County, and the laws and Administrative Rules of the State of Montana

Discussion

President Clark called for discussion. Al Littler asked if the County or City has any maintenance through an RSID. Wyeth Friday said an Ad Hoc Committee assesses the needs on an annual basis and usually the County will contract for the work to be done. Al Littler commented the residents have to hire a private contractor to maintain the detention pond and the covered pipes. Wyeth Friday said his understanding is that County Public Works Department preferred covered pipes due to the potential for swales diverted by homeowners.

Don Reed asked where the stormwater goes after it leaves this neighborhood. He said the streets and roads may not handle traffic loads from future developments as they are not collector streets. His preference would be to develop Noblewood Drive to handle more traffic and to build an exit onto Noblewood Drive. Wyeth Friday clarified and said the ponds retain the water until it dissipates. He said Noblewood Drive will be built to County collector standards and the proposal is to fully construct Noblewood Drive with the next

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filing. Don Reed said Becraft Lane and Old Hardin Road should be built to County collector standards.

In response to a question by Dick Clark, Wyeth Friday said he will find out what materials will be required for the pedestrian path.

David Goodridge asked regarding the parkland dedication, and Wyeth Friday explained it would not be for the area along the roadway.

Public Hearing

At 6: 31 p.m. President Clark opened the public hearing and asked for anyone that wished to speak in favor or against Aspen Ridge Subdivision, 2nd Filing.

Toby Liecht, Blueline Engineering, 2110 Overland Ave, Suite 119B, Billings, Montana

Mr. Liecht said they are required by DEQ to hold the stormwater on site. They have proposed a swale with a culvert approved by the County. Don Reed voiced concern with the need for an access to Noblewood Drive, and asked how long it will be before the implantation of the next phase. Mr. Liecht responded it will be done as soon as possible but it depends on development. Patrick Klugman asked if there has been any consideration to build the pedestrian trail to Heritage Trail standards. Mr. Liecht said they typically use gravel but will build it to Heritage trail standards if needed. Patrick Klugman said an asphalt trail would be better for the greater community. Al Littler said he likes the plan of a swale but typically homeowners will build over it and cause issues if maintenance is needed.

Mary Kay Ruttrop (no address given)

Ms. Ruttrop said she and her hey own property south of this parcel. She asked regarding the future plans for the end of Noblewood Drive. She said their hope is Noblewood will be built towards the west and run into Eagle Cliff Meadows Subdivision. Wyeth Friday referred to the functional classification map and said Noblewood Drive is expected to go through to Ford Road. The direction is unknown and will be decided as development takes place. Ms. Ruttrop said they hope to have some input at some time Wyeth Friday explained they will be notified of any development through the public notices.

Motion

Don Reed made a motion and it was seconded by Darell Tunncliff to forward a recommendation to the Board of County Commissioners of conditional approval with the Findings of Fact and conditions presented by staff.

The motion carried with a unanimous voice vote.

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Discussion

President Clark called for discussion on the motion. Patrick Klugman asked if the request for a paved pedestrian trail will be brought forward. Wyeth clarified and said staff will work to address this through the SIA; the proposed Condition of Approval is to complete it prior to final plat approval. Darrell Tunnicliff asked what the solution is for these issues.

Wyeth Friday said Lockwood created a pathway and lighting district to make pedestrian improvements along the streets. He commented it will take some time to accomplish this, and they are working on prioritization of projects for the future. Darrell Tunnicliff said the global issue is that the County has different standards than the City and an action plan may be more rewarding than discussion points.

7c. Public Hearing. Motion/Recommendation Clear Creek Subdivision 2nd Filing, Amended Lot 5, Block 1, Dave Green, Planner I.

INTRODUCTION

On May 1, 2015, owners Robert and Dorothy Labert applied for preliminary subsequent minor plat approval for Clear Creek Subdivision, 2nd Filing, Amended Lot 5, Block 1. The proposed plat creates 2 lots from a 3.8-acre parcel of land. The subject property is generally located on the south side of Pine Ridge Lane, just north of the Highway 87 N/ Highway 312 intersection in the Heights. The property is zoned Community Commercial (CC) and there are a mixture of commercial and residential uses in the immediate vicinity. The Board of County Commissioners will act on the proposal on July 14, 2015.

RECOMMENDATION

Staff recommends that the Planning Board recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Clear Creek Subdivision, 2nd Filing, Amended Lot 5, Block 1, and adopt the Findings of Fact as presented in the staff report.

PROPOSED CONDITIONS OF APPROVAL

Pursuant to Section 76-3-608(4), MCA, the following conditions are recommended to reasonably minimize potential adverse impacts identified within the Findings of Fact.

- To minimize the effects on the natural environment, a weed management plan and property inspection shall be approved by the County Weed Department, prior to final plat approval.
- Minor changes may be made in the SIA and final documents, as requested by the Planning and/or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
- The final plat shall comply with all requirements of the County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County, and the laws and Administrative Rules of the State of Montana.

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Discussion

President Clark called for questions and discussion. There was none.

Public Hearing

President Clark opened the public hearing and asked if there is anyone present wanting to speak in favor or against the Clear Creek Subdivision 2nd Filing Amended L5 B1.

Toby Liecht, Blueline Engineering, 2110 Overland Ave., Billings, Montana

Mr. Liecht represents the property owners Robert and Dorothy Labert. Per one of the Board member’s request, he clarified the ownership of the existing house on the property.

Motion

Al Littler made a motion and Darell Tunncliff seconded the motion to forward a recommendation to the Board of County Commissioners of conditional approval of Clear Creek Subdivision, 2nd Filing with the Findings of Fact and conditions presented by staff.

The motion carried with a unanimous voice vote.

7d. Public Hearing. Motion/Recommendation Lone Tree Industrial Park Subdivision, Dave Green, Planner I.

INTRODUCTION

On May 1, 2015, the Planning Division received an application for review and approval of a seven-unit condominium subdivision on Tract 3A of Certificate of Survey. The property is located on the north side of King Avenue West, between South 64th Street West and South 72nd Street West, the general address is 6875 King Avenue West. The property is not within the County zoning jurisdiction and therefore, in accordance with Chapter 8 of the County Subdivision Regulations, this condominium development must be reviewed as a “subdivision for rent or lease.” The Board of County Commissioners will act on the proposal on July 7, 2015.

RECOMMENDATION

Staff recommends the Planning Board recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of the Lone Tree Industrial Park and adopt the Findings of Fact as presented in the staff report.

PROPOSED CONDITIONS OF APPROVAL

Pursuant to Section 76-3-608(4), MCA, the following conditions are recommended to reasonably minimize potential adverse impacts identified within the Findings of Fact.

1. To minimize the effects on public health and safety, prior to final plat approval the subdivider shall receive approval from the MDEQ / RiverStone Health for the proposed cistern and septic system.

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2. Minor changes may be made in the SIA and final documents, as requested by the Planning and/or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
3. The final plat shall comply with all requirements of the County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County, and the laws and Administrative Rules of the State of Montana.

Discussion

President Clark called for questions and discussion. Dick Clark noted that there is a lot of commercial growth in this area. Patrick Klugman commented this application will not move forward if it is not up to DEQ's standards.

Public Hearing

President Clark opened the public hearing and asked if there is anyone present wanting to speak in favor or against the Lone Tree Industrial Park.

Quentin Eggart, Eggart Engineering, 720 Lohwest Lane, Billings, Montana

Mr. Eggart explained DEQ approval is needed to install the septic tank, and without the approval the buildings would be considered as "cold storage". Currently, there is an electrician planning to use one building and the others are planned to be used for recreational storage.

President Clark asked if there is anyone else wanting to speak in favor or against the Lone Tree Industrial Park Subdivision. There was none. President Clark closed the public hearing at 7:01 p.m.

Motion

David Goodridge made a motion and Patrick Klugman seconded the motion to forward a recommendation to the Board of County Commissioners of conditional approval of Lone Tree Industrial Park Subdivision with the Findings of Fact and conditions presented by staff.

The motion carried with a unanimous voice vote.

8. NEW BUSINESS-

8A. Discussion. Lockwood Non-Motorized Plan, Scott Walker Transportation Coordinator

Scott Walker introduced this agenda item and stated the Transportation Advisory Board met and is recommending to move this plan through the review system. He said Lockwood constituents contacted Staff with a request to review this plan and forward it with a recommendation to the governing bodies; as they would like to have this document recognized by PCC. He introduced consultant Jolene Rieck, Peaks to Plains Design.

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Jolene Rieck, Peaks to Plains Design, Billings, Montana

Ms. Rieck opened with a PowerPoint presentation and said she along with Chuck Strum, Interstate Engineering, are the consultants for this study. She gave a brief history of the Lockwood Public Safety District. The ultimate spending authority is the Yellowstone County Board of County Commissioners. The Mission is to effectively eliminate fatalities and serious injuries with walking and bicycling in the Lockwood area. They determined the US Department of Transportation assigns a statistical life value of \$9.2 million dollars. Using this statistic as a basis, Lockwood has lost over 20 million in economic impacts due to loss of life. The study considered Lockwood’s demographics including population; income, and health. The study looks at crash and injury data. Ms. Rieck noted that less than 2% of all of the roads in Lockwood have sidewalks. There has been a lot of public involvement and outreach, including LPDS Advisory Board Meetings; and Open House, and postings on the Yellowstone County Web site.

LPDS Work Plan:

- **Education**-Bicycle Safety Class, Distribution of Reflective arm bands
- **Enforcement**-development of ordinance for sidewalks; update county road standards collaborate with City County Planning; speed study on Highway 87
- **Encouragement**-street lights; recognize businesses that have put in infrastructure, and a helmet give away with leverage of partnerships
- **Engineering**-US Highway 87 sidewalk from Old Hardin Road to Peters Street, school bus stop gathering areas; Evaluate re-opening of the cut through path at East Ridge Estates, Becraft sidewalk
- **Evaluations**-Annual review of non-motorized transportation plan; bicycle pedestrian counts; parent and student surveys, Partnerships & Funding Sources-identify possible grant sources with a 6 month rolling time frame request non-infrastructure funding from Yellowstone County; participate in meeting involving tax entities.

The next step is to complete the sidewalk around Highway 87 prior to school opening in the fall. LPDS Meetings are held the 1st Wednesday of the month at 7:00 p.m. at the Lockwood School Building. This plan will be brought forward for a motion and recommendation from Planning Board on July 14, 2015, City Council on July 6, 2015 and July 13, 2015; the Board of County Commissioners on July 6, 2015 and July 14, 2015; and presented to PCC at the July 21, 2015 meeting.

Discussion

President Clark called for questions and discussion. Al Littler asked if there are any reliance on RSIDs for funding. David Goodridge asked about grants for lighting and in was noted NorthWest Energy and Yellowstone Valley Electric have provided some support. Don Reed complemented the consultants for the job they have done with this plan.

Woody Woods, Lockwood Water and Sewer District, explained that this document aims to fix 40 years of development. He stressed the need to address issues and said they have worked with the County to find ways to get the sidewalks put in to make Lockwood a safe community and to find any available help to move forward.

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Darell Tunnicliff said he appreciated Ms. Rieck’s presentation and asked that more agenda items of this type are scheduled as they are of great value.

David Goodridge asked if it is possible to build incentives in the SIAs wherein sidewalks can be a part of the developer’s parkland dedication. Wyeth Friday explained parkland dedications of land are to be used for park facilities. He cautioned and explained that the sidewalk is a part of the transportation corridor and there should be a distinction as oftentimes the sidewalks are in the right of-way.

Dick Clark asked about incorporation for Lockwood. Don Reed stated currently the number one priority is trails and sidewalks Woody Woods commented the demographics of Lockwood is changing and has more younger people that are more in tune with amenities. He said they are dealing with these on a step by step basis and an incorporation or charter may come into play in the future.

Darell Tunnicliff commented on the need for a thought process how to mitigate some of these problems and change the circumstances. Patrick Klugman said the Growth Policy addresses some of the items and potentially have some of the regulations changed. Wyeth Friday said the Board can supporting this plan or could bring forward additional statements to the Board of County Commissioners requesting changes to the regulations. Al Littler said the answer lies within the Legislature changing the laws to address the jurisdictional problems between the City and the County. Discussion followed on City and County regulations and development standards.

8A. Motion/Recommendation. East Billings Urban Renewal District Zone Change, Wyeth Friday, Planning Division Manager

Planning Division Manager Wyeth Friday explained the idea of the zone change initiation is to get an Overlay District in place for City and County properties to move towards the Master Plan developments. Tonight’s formal action is to initiate a zoning text amendment which will go through the Zoning Commission and the governing Boards for consideration of adoption.

Discussion

Al Littler asked about participating landowners in the District. Wyeth Friday explained 12 properties were annexed into the City and included into the EBURD, and there are approximately a dozen property owners that are not interested in participating in the Master Plan or the EBIRD. Don Reed commented this is an opportunity to create a distinctive gateway to the community. He asked if there are any plans to work through the traffic bottleneck. Wyeth Friday said the Hospitality Corridor Plan has several proposals to address this area from reconfiguration and a slip lane, pedestrian access, or a roundabout. Don Reed commented he would thing the “back side” of the METRA could be made more useable. Wyeth Friday said there are several concepts from an access and

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transportation standpoint that could make a difference but there are a lot of issues to work through with METRA Park. Darrell Tunncliff commented on the environmental issues with soils and the ongoing efforts to do brownfield analysis. BSEDA has a grant to contract with a grantee to conduct assessments to clearly identify issues. Patrick Klugman pointed out that BSEDA does not benefit financially in this process. Al Littler said it makes sense to create a special area to avoid jurisdictional differences and to create a common blue print. Dennis Cook said the primary road block is the assemblage of the land. Wyeth Friday explained this is a long term process; the latest effort with the annexation of some of the properties is a forward step but there could be challenges with those property owners who are not interested.

Motion

Darrel Tunncliff made a motion and it was seconded by Dennis Cook to initiate a zoning text and map amendment to the Unified Zoning Regulations for the purpose of establishing the Exposition Gateway Overlay District Zone for the Exposition Gateway Concept Plan Area.

The motion carried with a unanimous voice vote.

OTHER BUSINESS-

1. **Planning Board Packets:** Discussion was held on the new “Agenda Quick” software staff is using to deliver agendas, minutes and supporting documents. It was the consensus of the Board members to have staff poll the Board to determine preference for digital information, hard copies or a combination of both.

ADJOURNMENT: 8:50 p.m.

ATTEST: DRAFT. To be approved on June 14, 2015

Richard Clark, President, Yellowstone County Board of Planning

Candi Millar, Planning Board Executive Secretary and Planning and Community Services Department Director

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- B. If any Board member accrues three (3) or more consecutive unexcused absences from regular meetings, notice of which has been given at his/her usual place of work or residence, or by announcement at a meeting attended by him/her, the President may call such absences to the attention of the Board which may then recommend to the appointing authority that such member be asked to resign and that another person be appointed to serve out the unexpired term. Schedule: (** denotes a Wednesday meeting)

1	Position	01/13/2015	01/27/2015	02/11/2015	02/24/2015	03/10/2015	03/24/2015	04/14/2015	04/28/2015	05/12/2015	05/26/2015	06/09/2015	06/23/2015	07/14/2015	07/28/2015	08/11/2015	08/25/2015	09/08/2015	09/22/2015	10/13/2015	10/27/2015	11/10/2015	
Dave Green Goodridge	Mayor/Billings Ward I	-	-	-	-	1	1	-	1	E	E	E	1	1									
Patrick Klugman	Mayor/Billings Ward II	1	1	1	-	1	1	-	1	1	1	1	1	1									
Donna Forbes	Mayor/Billings Ward III	1	1	E	-	1	1	-	1	1	1	1	E	1									
Darell Tunnicliff	Mayor/Billings Ward IV	1	1	1	-	-	1	-	1	1	1	1	1	1									
Dick Clark (President)	Mayor/Billings Ward V	1	E	1	-	1	1	-	1	1	1	1	1	1									
Vacant	YC District 1	-	-	-	-	-	-	-	-	-	-	-	-	-									
Dennis Cook	YC District 2	1	1	1	-	-	E	-	1	1	1	1	1	1									
Lisa Sukut	YC District 3	1	E	E	-	-	E	-	E	1	E	1	1	1									
Vacant	YC District 4	-	-	-	-	-	-	-	-	-	-	-	-	-									
Don Reed	YC District 5	E	E	1	-	-	1	-	1	E	1	1	1	1									
Dean Clark	YC District 6	E	E	1	-	1	1	-	1	1	1	1	1	1									
Al Littler	YC District 7	1	1	1	-	1	E	-	E	E	E	E	1	E									
Clint McFarland	Y County Cons. District	1	1	1		1	1	-	E	1	1	1	1	E									
Scott Reiter	Ex-Officio S.D. 2 Facilities Director	E	E			1	1	-	1	-	E	E	1	E									
Supt. Terry Bouck	Ex-Officio S.D. 2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

CITY/COUNTY PLANNING BOARD

“Serving Billings, Broadview and Yellowstone County”

July 14, 2015

To be approved by a motion on July 28, 2015

1. Call the Meeting to Order

President Dick Clark called the meeting to order at 6:00 p.m. on Tuesday, July 14, 2015, in the Miller Building 1st Floor conference room, 2825 3rd Avenue North, Billings, Montana.

Introduction of Planning Board Members and Planning Department Staff

President Clark called for introductions of the members of the Planning Board and staff. Attending Planning staff members are: Candi Millar, Planning and Community Services Department Director; Wyeth Friday, Planning Division Manager; Dave Green, Planner II.

Attending: Jolene Reick, Peaks to Plains; Chuck Strum, Interstate Engineering; Carlotta Hecker, Lockwood Pedestrian Advisory Board; Darin Swenson, County Public Works.

- ## **2. Approval of the Agenda**
- President Clark called for approval of the July 14, 2015 meeting agenda.

Motion

Dennis Cook made a motion and it was seconded by Lisa Sukut to approve the July 14, 2015 meeting agenda

The motion carried with a unanimous voice vote.

3. Meeting Minutes for June 23, 2015

Approval of the June 23, 2015 minutes is delayed to address a missing section on the Initiation of the Exposition Gateway Zoning Overlay District.

- ## **4. Public Comment:**
- President Clark asked if there was anyone wishing to speak during the public comment portion of the meeting. He stated any member of the public may be heard on any subject that is not on the agenda; the Planning Board will not take any action on these items at this time, but could choose to add an item to the next meeting agenda for discussion. There were no Public Comments given during this time.

- ## **5. Disclosure of Conflict of Interest – Board members and Planning Staff.**
- There were no disclosures of conflict of interest.

- ## **5. Disclosure of Outside (Ex Parte) Communication– Board Members and Planning Staff.**
- The Ex Parte Communication Binder is available at the Sign-In and Agenda station. There was none.

CITY/COUNTY PLANNING BOARD

“Serving Billings, Broadview and Yellowstone County”

7. OLD BUSINESS -

Lockwood Non-Motorized Transportation Plan – Public Hearing and Action /recommendation to PCC.

Jolene Reick, Peaks to Plains consultant gave a brief presentation/summary of the document. A full presentation had been provided at the review at the June 23 meeting. No members of the public were in attendance who were not familiar with the plan.

Don Reed asked about the bid for the Highway 87 sidewalk project. Jolene Reick said that the bid came in too high. She said timing and breaking the project into segments may help the bid process and it will be brought out to bid this fall. Don Reed also asked about the sidewalk crossing Old Hardin Road. Jolene Rieck said it was intended to cross Old Hardin Road. Don Reed asked if the new sidewalk would be boulevard. Jolene said it would be a large boulevard.

Dick Clark opened the public hearing

Carlotta Hecker, 3325 Dove Avenue – spoke as a resident of Lockwood. She said cyclists were riding out in Lockwood on her way into the meeting tonight. She said this is much needed and well supported. She asked for the Board’s support of this plan.

Dick Clark asked for any other public comment. There was none.

Motion

Don Reed made a motion to approve the plan and recommend adoption by PCC.

Dave Green Goodrich seconded the motion.

The motion carried with a unanimous voice vote.

NEW BUSINESS-

7a. Plat Review/Discussion. Holly’s Subdivision Amd Lot 1, B1, Dave Green, Planner II

INTRODUCTION

On June 1, 2015, the owners’ agent Tom Llewellyn for the Holly Huennekens Trust applied for preliminary subsequent minor plat approval for Holly’s Subdivision, Amended Lot 1, Block 1. The proposed plat creates 4 lots from a 25.25-acre parcel of land. The subject property is generally located at 7625 Neibauer Road. The property is outside of zoning and there is a mixture of farming and residential uses in the immediate vicinity. The Yellowstone County Board of Planning will review the plat at this meeting and conduct a public hearing on Tuesday, July 28, 2015. The Board of County Commissioners will act on the proposal on August 11, 2015.

RECOMMENDATION

Staff recommends the Planning Board recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Holly’s

CITY/COUNTY PLANNING BOARD

“Serving Billings, Broadview and Yellowstone County”

Subdivision, Amended Lot 1, Block 1, and adopt the Findings of Fact approve the variance request as presented in the staff report.

VARIANCES REQUESTED

The applicant has requested a variance from Section 4.4 D of the Yellowstone County Subdivision Regulations, which states “No Single lot may be divided by a public road, alley, or access easement”. Staff is recommending approval of this variance request. Further explanation and analysis can be found in Attachment A.

PROPOSED CONDITIONS OF APPROVAL

Planning staff recommends the following conditions of approval:

1. To minimize the effects on surrounding property owners the applicant will add language in the SIA under Conditions That Run With The Land to inform future property owners, should they use water from the Big Ditch to irrigate their property, that they will control irrigation water from flooding onto adjacent property owners land.
2. To ensure proper transfer or retention of water shares currently on Lot 1, in the SIA under an Irrigation heading the applicant will clarify what water shares exist with Lot 1 and what will be Don Reed with them.
3. To ensure the Big Ditch company has proper access and room to perform maintenance on the Big Ditch applicant will contact the Big Ditch Company to determine what size the easement needs to be for the ditch company to properly access the ditch for maintenance purposes and provide documentation with signatures from the Big Ditch representative on what was agreed upon.
4. To minimize the effects on the natural environment and provide safe services to lot owners the subdivider will receive approval from MDEQ for the use of septic systems, and wells or cisterns before final plat approval
5. To minimize the effects on the existing ditches on the site any construction of culverts for getting over the ditch or trenches for the installation of utilities will require approval from the ditch company that is affected prior to construction or trenching for utilities.
6. To clarify the SIA and what is being built for access to the proposed lots the applicant will revise the transportation section of the SIA to clarify what lots have a paved private road on them, which lots have a dirt drive way as their access and how Lot 1C is required to have a separate access across the existing ditch than Lots 1A and 1B that are using the dirt drive way.
7. To ensure proper fire suppression systems installation the applicant will need a letter from the Laurel Fire Department that they have tested and accept the 10,000 gallon dry hydrant system.

CITY/COUNTY PLANNING BOARD

“Serving Billings, Broadview and Yellowstone County”

8. To ensure the future maintenance of the dry hydrant system an RSID will need to be created for maintain of the 10,000 gallon dry hydrant tank.
9. To meet YCSR and ensure proper storm water management practices before final plat approval the applicant will submit proposed storm water management information to the MDEQ for review and approval.
10. To minimize the effects on the natural environment, a weed management plan and property inspection shall be approved by the County Weed Department, prior to final plat approval.
11. Minor changes may be made in the SIA and final documents, as requested by the Planning and/or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
12. The final plat shall comply with all requirements of the County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County, and the laws and Administrative Rules of the State of Montana.

Discussion

President Clark called for discussion and questions from the Board. Donna Forbes asked about Lot 1C. She asked for clarification of the ditch that bisects Lot 1C. Dave Green clarified that the irrigation ditch does bisect Lot 1C.

Donna Forbes also asked about fire access. She said it appeared that there was one way in and one way out. Dave Green clarified that since there are only 2 driveways serving the 2 lots north of the cul-de-sac the single access; the dry hydrant system met the subdivision regulations and Laurel Fire Department requirements.

Patrick Klugman asked if some of the conditions would be addressed by the public hearing. Dave Green said that the conditions would not be addressed by the time the public hearing is conducted but will be completed prior to final plat approval.

Dave Goodrich asked for clarification on the irrigation shares that were allocated. Dave Green said that the shares need to be clarified as to what lots they are being allocated to, or not. He said the SIA needs to be modified to reflect how the shares will be addressed.

Tom Llewellyn, (no address given)

Mr. Llewellyn is the agent for the Holly Huennekens Trust. He stated he has the DEQ permit application ready for review. He said the ditch company changed the initial request from the first Holly's Subdivision to this second one. He said he is willing to sit down with the ditch company and sort it out. He also clarified how Lot 1C would have its driveway access further east past the dry hydrant. He said he expected to have the Big Ditch water rights allocated to the various lots. He said he was not sure if the

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“Serving Billings, Broadview and Yellowstone County”

groundwater could meet drinking standards but that would be determined during the DEQ review.

Donna Forbes stated she said she found the plat very hard to read and understand. She said the vicinity map was hard to read. She said a better vicinity map is needed. Staff agreed that the vicinity map on the plat should be less vague and easier to read.

**A public hearing for Holly’s Subdivision, Amd L1 B1 will be held on Tuesday, July 28, 2015.

OTHER BUSINESS-

There was none.

ADJOURNMENT: 6:40 p.m.

ATTEST: DRAFT. To be approved on July 28, 2015

Wyeth Friday, Division Manager for Tammy Deines, Planning Clerk

Candi Millar, Planning Board Executive Secretary and Planning and Community Services Department Director



YELLOWSTONE COUNTY BOARD OF PLANNING
CITY OF BILLINGS AND
YELLOWSTONE COUNTY, MONTANA



Planning Board Planning Board Meeting 2

Meeting Date: 07/28/2015

Information

INTRODUCTION

Motion/Recommendation. Holly's Subdivision, Amended Lot 1, Block 1. Dave Green, Planner II

On June 1, 2015, agent Tom Llewellyn for the owner, the Holly Huennekens Trust, applied for preliminary subsequent minor plat approval for Holly's Subdivision, Amended Lot 1, Block 1. The proposed plat creates 4 lots from a 25.25 acre parcel of land. The subject property is generally located at 7625 Neibauer Road. The property is outside of zoning and there is a mixture of farming and residential uses in the immediate vicinity. The Board of County Commissioners is scheduled to act on the proposal at its August 11 meeting.

PROCEDURAL HISTORY

- A pre-application meeting was held on April 16, 2015.
- The preliminary plat application was submitted to the Planning Division on June 1
- A departmental review meeting was conducted on June 18.
- The preliminary plat was resubmitted with revisions based on department reviews on June 25.
- The Planning Board reviewed the plat on July 14.
- The Planning Board will conduct a public hearing on July 28, and forward a recommendation to the Board of County Commissioners.
- The Board of County Commission will consider the preliminary plat on August 11.
- The 60 working-day preliminary plat review period ends August 24.

RECOMMENDATION

Staff recommends the Planning Board recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Holly's Subdivision, Amended Lot 1, Block 1, adopt the Findings of Fact, and approve the variance request as presented in the staff report. The proposed conditions are as follows:

1. To minimize the effects on surrounding property owners, prior to final plat approval

the applicant will add language in the SIA under Conditions That Run With The Land to inform future property owners, should they use water from the Big Ditch to irrigate their property, that it is their responsibility to control irrigation water from flooding onto adjacent property.

2. To ensure proper transfer or retention of water shares currently on Lot 1, prior to final plat approval the applicant will clarify in the SIA under an Irrigation Facilities heading what water shares exist with Lot 1 and what will be done with them as per Section 4.13 of the Yellowstone County Subdivision Regulations (YCSR).
3. To ensure the Big Ditch Company has proper access to perform maintenance on the Big Ditch, prior to final plat approval the applicant will contact the Big Ditch Company to determine what size the easement needs to be for maintenance purposes, and provide documentation with signatures from the Big Ditch representative on the easement width. The proper easement, as per the Big Ditch Company, will be depicted on the Final Plat.
4. To minimize the effects on the natural environment and provide safe services to lot owners, prior to final plat approval the subdivider will receive approval from MDEQ for the use of septic systems, and wells or cisterns.
5. To minimize the effects on the existing ditches on the site, prior to final plat approval language shall be added to the SIA under Utilities that any construction of culverts for ditch crossings or trenches for the installation of utilities will require approval from the ditch company affected prior to construction or trenching.
6. To clarify the SIA and what is being built for access to the proposed lots, prior to final plat approval the applicant will revise the Transportation section of the SIA to clarify what lots have a paved private road on them, which lots have a dirt drive way as access, and how Lot 1C is required to have a separate access across the existing ditch while Lots 1A and 1B are using the dirt drive way. All accesses, roads and driveways must meet County Standards as specified in the YCSR and by the Yellowstone County Public Works Department.
7. To ensure proper fire suppression system installation, prior to final plat approval the applicant must provide written verification from the Laurel Fire Department that it has tested and accept the 10,000 gallon dry hydrant system.
8. To ensure the future maintenance of the dry hydrant system, prior to final plat approval an RSID will be created for maintenance of the system.
9. To meet YCSR and ensure proper storm water management practices, prior to final plat approval the applicant will submit proposed storm water management information to the MDEQ for review and approval.
10. To minimize the effects on the natural environment, prior to final plat approval a weed management plan and property inspection shall be approved by the County Weed Department.
11. Minor changes may be made in the SIA and final documents, as requested by the Planning and/or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
12. The final plat shall comply with all requirements of the County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County,

and the laws and Administrative Rules of the State of Montana.

VARIANCES REQUESTED

The applicant has requested a variance from Section 4.4 D of the Yellowstone County Subdivision Regulations, which states “No single lot may be divided by a public road, alley, or access easement”. Staff is recommending approval of this variance request. Further explanation and analysis can be found in Attachment A.

DISCUSSION/STAKEHOLDERS

Planning staff gave a presentation to the Planning Board at its July 14 meeting about the proposed Holly’s Subdivision Amended Lot 1, Block 1, and reviewed the conditions of approval. The Board had some questions regarding the proposed plat regarding the ditches, irrigation, and fire access.

Board Member Donna Forbes asked for clarification of the ditch that bisects Lot 1C. Dave Green clarified that an existing irrigation ditch does bisect Lot 1C just north of the proposed paved cul-de-sac. Board Member Donna Forbes also asked about fire access. She said it appeared that there was one way in and one way out. Dave Green clarified that since there are a total of 4 lots they were not required to have a second access. The upper two lots are the only ones being served by the proposed driveway running north off of the cul-de-sac. The single access and dry hydrant system met the subdivision regulations and Laurel Fire Department requirements.

Board Member Patrick Klugman asked if some of the conditions would be addressed by the public hearing. Dave Green said that the conditions must be addressed prior to final plat approval and most likely would not be addressed by the time the public hearing was conducted.

Board Member Dave Goodrich asked for clarification on the irrigation shares that were allocated. Dave Green said that the shares need to be clarified as to what lots they are being allocated to. He said the SIA does not address this and needs to be modified to reflect how the shares will be handled.

Mr. Thomas Llewellyn, the agent for the Holly Huennekens Trust, provided some response to the Board questions. He stated that he has the DEQ permit application ready to be reviewed. He also stated that the ditch company changed what they wanted from the first Holly’s Subdivision to this second one. He said he is willing to sit down with the ditch company and sort out what easement they need to have to be able to access the ditch. He also clarified how Lot 1C would have its driveway access further east past the dry hydrant system location. Llewellyn also said he believed that the Big Ditch water shares would be allocated to the various lots. He said he was not sure if the groundwater could meet drinking standards but that would be determined during the DEQ review. Mr. Llewellyn stated he did not have any problems with any of the proposed conditions.

Attachments

Attachments

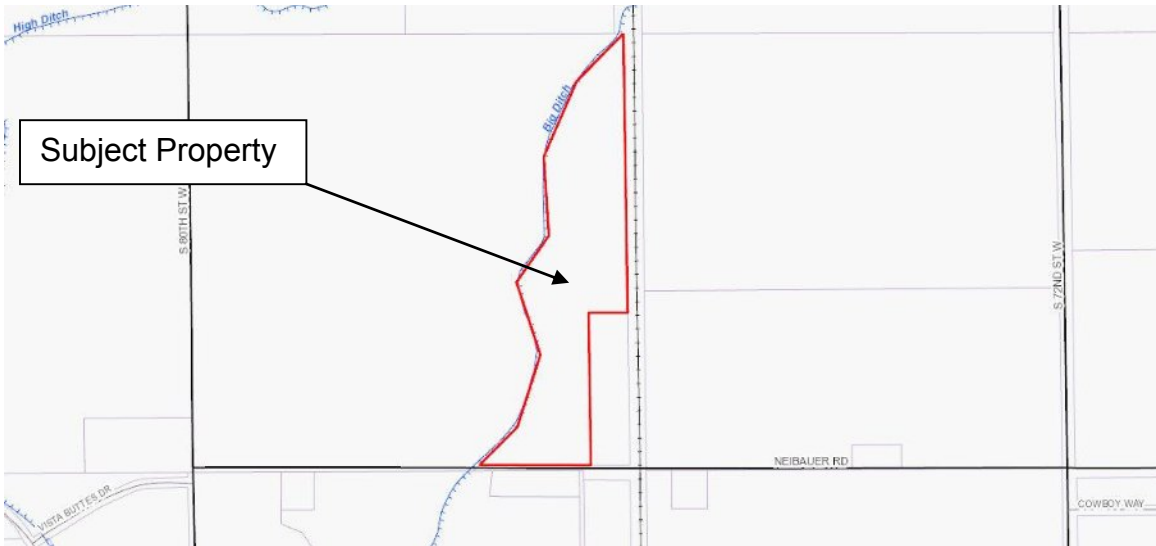
Plat

Attachment A

Staff Analysis and Recommendation

County Planning, Public Works, and Legal staffs have reviewed this request from Section 4.4 (D) of the Yellowstone County Subdivision Regulations and are recommending its approval. The proposed subdivision has one access, Holly's Lane, off of Neibauer Road to serve the four building lots. The access road will be constructed to County paved road standards, and will be less than the maximum allowable length (1000 feet) for a dead end road. The original intent of the regulation in question, Section 4.6 (D), was to prevent bisecting a lot with a road or access and utility easement and creating a small unusable piece of ground. In order for Holly's Lane to meet Neibauer Road at a 90 degree angle for good visibility and to safely enter Neibauer Road it will cut across a pie shaped corner of proposed Lot 1D. This will separate a small corner of proposed Lot 1D between the utility and access easement, Holly's Lane, and the Big Ditch. For public safety reasons this proposed access angle is the best solution for future residents.

Therefore, staff is supportive of the proposed variance, and recommends that the Planning Board recommend its approval to the Board of County Commissioners.



**PRELIMINARY PLAT OF
AMENDED PLAT OF
LOT 1, BLOCK 1 OF HOLLY'S SUBDIVISION**

**BEING LOT 1, BLOCK 1 OF HOLLY'S SUBDIVISION, DOCUMENT NO. 3700826,
LOCATED IN THE SW1/4 OF SECTION 24, T.1S., R.24E., P.M.M.,
YELLOWSTONE COUNTY, MONTANA**



SCALE 1"=100'
0 100 200

TRACT B
C.O.S. NO. 617
MILLER REVOCABLE TRUST
1120 CHERRY HILLS DR.
LAUREL, MT 59044

SURVEYED BY: RED LODGE SURVEYING, INC.
15 TWO WILLOW LANE, STE B
RED LODGE MT 59068
DURING MARCH 2015

LANDOWNER: HOLLY D. HUENNEKENS TRUST
COMMISSIONED BY: HOLLY D. HUENNEKENS

UNPLATTED
YELLOWSTONE BOYS AND GIRLS RANCH
1732 S. 72ND ST W
BILLINGS, MT 59106

QUARTER CORNER
OF SECTIONS 23 & 24
FOUND YPC
VIA SANDERSON STEWART

CERTIFICATE OF DEDICATION AND LEGAL DESCRIPTION:

I, the undersigned landowner do hereby certify that I have caused to be surveyed, subdivided and platted into lots, as shown by the plat hereto annexed, the following described land located in the SW1/4 of Section 24 T.1S., R.24E., P.M.M., Yellowstone County, Montana, the perimeter boundary of which is described as follows:
That part of the SW1/4 of Section 24, T.1S., R.24E., P.M.M., Yellowstone County, Montana, described as Lot 1, Block 1, of Holly's Subdivision, on file in the office of the Clerk and Recorder of Yellowstone County under Document No. 3700826. Containing 25.25 acres more or less and all according to the attached plat. Subject to easements and/or rights-of-way of record, apparent on the ground, and/or reserved per this survey.

Holly D. Huennekens - Trustee of the Holly D. Huennekens Trust Dated October 10, 1991

STATE OF MONTANA)
)ss
County of Yellowstone)

This instrument was acknowledged before me this _____ day of _____, 2015
by Holly D. Huennekens - Trustee of the Holly D. Huennekens Trust Dated October 10, 1991

Residing at _____
Notary Public for the State of Montana

My Commission Expires _____
(Print notary name)

CERTIFICATE OF APPROVAL BY COUNTY COMMISSIONERS:

We hereby certify that we have examined the annexed and foregoing Plat of Amended Plat of Lot 1, Block 1 of Holly's Subdivision, and find that said plat conforms with the requirements of the laws of the State of Montana, it is therefore approved and accepted.

IN WITNESS WHEREOF, We have executed this CERTIFICATE OF APPROVAL

this _____ day of _____, 2015.

BOARD OF COMMISSIONERS:

Commissioner _____ Commissioner _____

Commissioner _____

ATTEST: _____
County Clerk & Recorder

SURVEYOR'S CERTIFICATION:

I hereby certify that the hereto annexed plat is a true representation of a survey performed by me or under my direct supervision.

Dated this _____ day of _____, 2015
William H. Karas, PLS
Montana Reg Number 13602 LS

STATE OF MONTANA)
)ss
County of Carbon)

This instrument was acknowledged before me this _____ day of _____, 2015
by William H. Karas.

Notary Public for the State of Montana

CERTIFICATE OF COUNTY ATTORNEY:

This document has been reviewed by the County Attorney's office and is acceptable as to form.

Reviewed By _____

Dated this _____ day of _____, 2015

COUNTY TREASURER'S OFFICE:

I hereby certify that all real property taxes and special assessments have been paid per Montana Code Annotated 76-3-611(1)(b) / 76-3-207(3).

Dated this _____ day of _____, 2015:

Yellowstone County Treasurer by: _____
Deputy

YELLOWSTONE COUNTY PLANNING BOARD:

This Plat has been approved for filing by the Yellowstone County Board of Planning and conforms to the recommendations of this board.

Dated this _____ day of _____, 2015

President _____ Executive Secretary _____

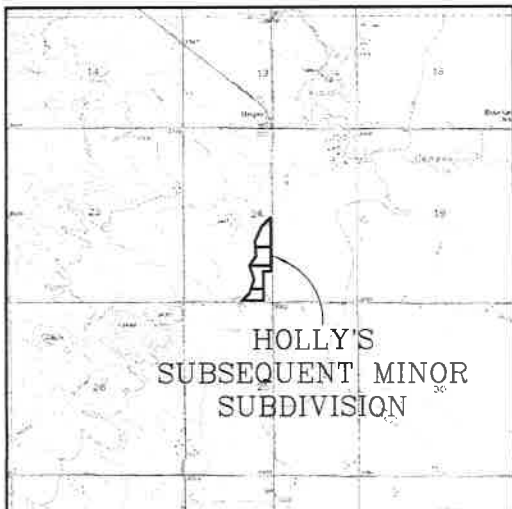
CERTIFICATE OF RIVERSTONE HEALTH:

This Certificate of Survey has been reviewed and approved by RiverStone Health

Representative for RiverStone Health _____

Dated this _____ day of _____, 2015

VICINITY MAP



SCALE 1"=3000'

NOTE: THE BIG DITCH IS COVERED BY A WORKING EASEMENT TO PROPERLY MAINTAIN THE DITCH. THE DITCH SUPERINTENDENT STATES THEY NEED APPROXIMATELY 50 FEET ON THE LOW SIDE (EAST SIDE) AND 45 FEET ON THE HIGH SIDE (WEST SIDE) FROM THE DITCH CENTERLINE FOR PROPER MAINTENANCE

R=200.00'
A=61.30'
CD=61.06'
CB=N6°34'07"E
D=17°33'37"

CORNER OF
SECTIONS 23, 24, 25 & 26
FOUND YPC
VIA SANDERSON STEWART

TRACT 2
C.O.S. NO. 2190
ROBERT B. AND PHYLLIS D. WALTER
2405 S 64TH ST W
BILLINGS, MT 59106

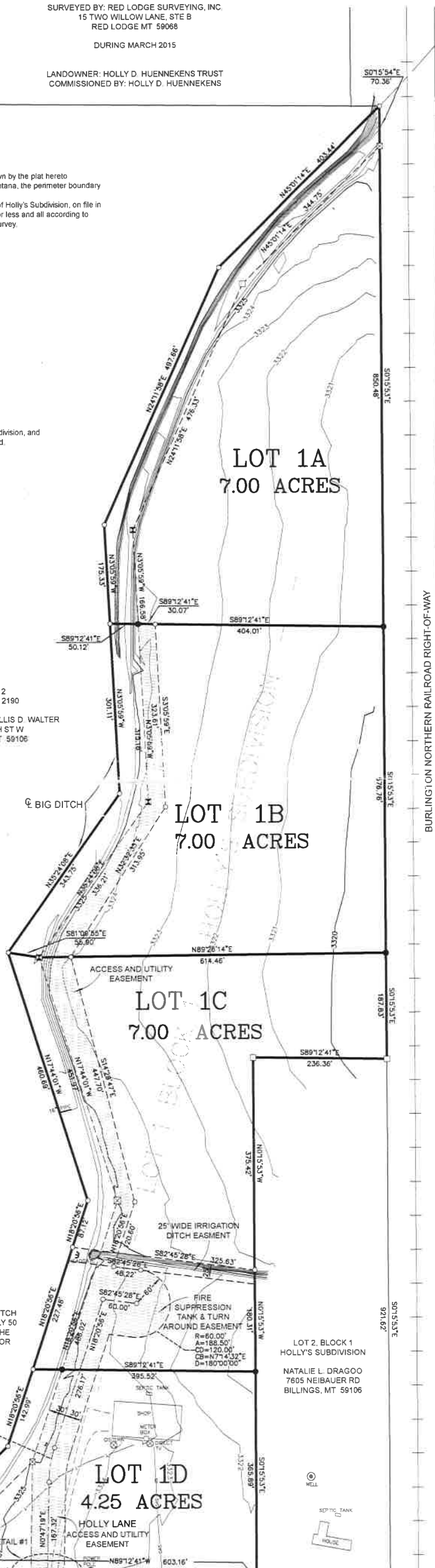
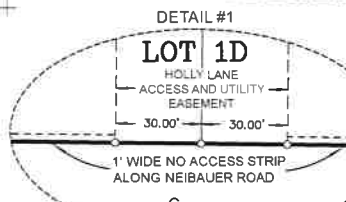
TRACT 2
C.O.S. NO. 2144
ROBERT J. ROBERTS
7700 NEIBAUBER RD
BILLINGS, MT 59106

TRACT 1
AMENDED C.O.S. NO. 2144

LOT 1, BLOCK 1
GREENWOOD SUBDIVISION
BRIAN KELLEHER
7604 1/2 NEIBAUBER RD
BILLINGS, MT 59106

TRACT A-1
C.O.S. NO. 617 AMENDED
ROBERT J. AND MARY JANE MILLER
2344 S 72ND ST W
BILLINGS, MT 59106

LOT 2, BLOCK 1
HOLLY'S SUBDIVISION
NATALIE L. DRAGOO
7605 NEIBAUBER RD
BILLINGS, MT 59106



LEGEND

- SET 1-1/4" GREEN PLASTIC VIA RED LODGE SURVEYING AND UNDERSIGNED PLS
- FOUND YELLOW PLASTIC VIA SCHWARTZ 9756 LS
- ⊗ FOUND 1-1/2" ALUMINUM CAP VIA SANDERSON STEWART
- ⊗ FOUND 2" ALUMINUM CAP VIA SANDERSON STEWART
- NO MONUMENT SET OR FOUND
- ⊕ SECTION AND QUARTER CORNER
- ⊕ VERTICAL DATUM ASSUMED
- CONTOUR INTERVAL = 1'

TRACT B
C.O.S. NO. 617

MILLER REVOCABLE TRUST
1120 CHERRY HILLS DR.
LAUREL, MT 59044

BURLINGTON NORTHERN RAILROAD RIGHT-OF-WAY

DETAIL #1

LOT 1D
HOLLY LANE
ACCESS AND UTILITY
EASEMENT
30.00' 30.00'
1' WIDE NO ACCESS STRIP
ALONG NEIBAUBER ROAD