

CITY/COUNTY PLANNING BOARD

“Serving Billings, Broadview and Yellowstone County”

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 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |

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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.

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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

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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.

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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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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