



# CITY/COUNTY PLANNING BOARD

*"Serving Billings, Broadview and Yellowstone County"*

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October 25, 2016

*Approved by a motion on November 9, 2016*

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## 1. Call the Meeting to Order

President Tunncliff called the meeting to order at 6:00 p.m. on Tuesday, October 25, 2016, in the Miller Building 1<sup>st</sup> Floor conference room, 2825 3<sup>rd</sup> Avenue North, Billings, Montana.

## Introduction of Planning Board Members and Planning Department Staff

President Tunncliff called for introductions of the members of the Planning Board and staff. Attending Planning staff members were: Wyeth Friday, Interim Director, Planning & Community Services Department; Dave Green, Planner II, Tammy Deines, Planning Clerk, Lora Mattox, Transportation Planner, Elyse Monat, Planning Intern

**Others in attendance:** Katy Easton, Big Sky Economic Development; Martin M. Robinson, Traci Lienemann, Darin Swenson, Yellowstone County Public Works Department; Dianne Lehm, Big Sky Economic Development Authority; Kurt Velman, Tom & Diane Fischer, John K. Cross, Toni Brady, Bob Riehl, Woody Woods, Robert Neihart, Diane Burreght, Peter Freivalds, Jerry Morrell, Mary Olson, Craig Wahl, Michael Sanderson, Sanderson Stewart.

**2. Approval of the October 25, 2016 Agenda:** President Tunncliff called for approval of the agenda. **Board member Goodridge made a motion and it was seconded by Board member Saldivar to approved the agenda as submitted. The motion carried with a unanimous voice vote.**

**3. Approval of the September 27, 2016 meeting minutes (The October 12, 2016 meeting minutes are delayed).**

\*\*The November 9, 2016 will include several sets of minutes that were unable to be approved due to lack of quorums.

**4. Public Comment:** President Tunncliff 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.

**5-6. Disclosure of Conflict of Interest – Board members and Planning Staff** –Board members Klugman and Goodridge will abstain from agenda item 7a3. Public Hearing. Motion/Recommendation. Lockwood Targeted Economic Development District, (TEDD), Comprehensive Development Plan.

**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 were no Conflicts of Interest and no Ex Parte Communications.

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### 7. OLD BUSINESS

#### **7a1. Presentation/Discussion. Billings Community Transportation Safety Plan. Lora Mattox, Transportation Planner, presenting.**

Ms. Mattox opened this agenda items and said this item was initiated last year in consideration of obtaining safety funds from MDT to look at a local Community Transportation Safety Plan.

#### **Local Transportation Safety Plan**

- Community led with MDT support
- Determine transportation safety issues in Billings using a data-driven approach
- Transportation safety from the 4E’s approach:
  - Education
  - Enforcement
  - Engineering
  - Emergency Medical Services

#### **Billings CTSP History-Applied/Received MDT assistance in 2015**

Dowl selected as Consulting team, under MDT contract  
Transportation Safety Advisory Committee developed  
Crash data reviewed/Emphasis Areas Developed  
Community Safety Summit – May  
Review/Adoption

#### **Vision Statement and Emphasis Areas**

*Vision: “The Billings community will achieve zero fatalities and serious injuries through a culture of safety for all travelers.”*

#### **Emphasis Areas**

Speed and Inattentive Driving  
Unrestrained Occupants  
Impaired Driving

#### **Billings CTSP Review Schedule**

TAC – October 20<sup>th</sup>     *Recommends Approval*  
Planning Board Review – October 25<sup>th</sup>  
Planning Board Action – November 9<sup>th</sup>  
City Council Work Session – November 7<sup>th</sup>  
City Council Meeting – November 28<sup>th</sup>  
Commissioner Review – November 21<sup>st</sup>  
Commission Action – November 29<sup>th</sup>  
PCC – December 20<sup>th</sup>

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### Discussion

Board member Klugman asked if this plan includes alternative modes of transportation. Ms. Mattox said the bike and pedestrian crash data was considered the determining factors fall on driving statistics. In response to a question by Board member Bass, Ms. Mattox clarified the crash statistics and said the 2014 data will be incorporated. The decrease in numbers for that time period may be related to weather factors. Board member Goodridge asked if the vision statement is achievable. Ms. Mattox said the vision is 0 fatalities but the goal is a 20% reduction in fatalities within the MPO. President Tunnick thanked Ms. Mattox for her efforts with this project.

**\*\*A public hearing for the Billings Community Transportation Safety Plan will be held during the November 9, 2017 Planning Board meeting.**

**7a2. Public Hearing. Motion/Recommendation Barr 11 Subdivision. County Major, Dave Green, Planner II, presenting.**

### INTRODUCTION

On September 1, 2016 Performance Engineering and Consulting for Production Consulting, LLC, applied for preliminary major plat approval for Bar 11 Subdivision. The proposed plat creates 162 lots for single-family residences on approximately 206.22-acres of land. The subject property is generally located approximately .25 miles west of Bitterroot Drive, north of Highway 312 approximately .96 miles, north of Billings Heights. The property is zoned Residential 9600. The Yellowstone County Board of Planning will conduct a public hearing at this meeting. The proposal will go to the Board of County Commissioners for action on November 15, 2016.

### RECOMMENDATION

Staff recommends that the Planning Board recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Bar 11 Subdivision and adopt the Findings of Fact as presented in the staff report.

### VARIANCES REQUESTED

No variances have been requested from the Yellowstone County Subdivision Regulations for this proposal.

### PROPOSED CONDITIONS OF APPROVAL

Planning staff recommends the following conditions of approval:

1. To provide for the correct installation of water lines, before final plat approval the applicant will provide a signed letter from the Heights Water District office that they have met all the requirements of the Heights Water District for installation of water lines for the proposed subdivision.
2. To minimize the effects on the natural environment, prior to final plat approval the applicant will obtain approval from the MDEQ for their proposed septic system placement. They will also receive approval for the storm water systems

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from the MDEQ and meet the requirements of Yellowstone County Storm Water Management.

3. To mitigate impacts on local services, prior to final plat approval the subdivider shall create a Rural Special Improvement District – Maintenance (RSID-M) for future maintenance of the new roads.
4. To provide proper documentation and creation of roads outside the subdivision, before final plat approval the applicant will provide all documents for the required road rights of way for Plateau Road, Bull Park and Hawthorn Lane that extend outside of the subdivision but will provide service to and for the subdivision.
5. To mitigate impact to the parks used in the subdivision and to ensure park land is able to be maintained, prior to final plat approval the applicant will create a Parks Maintenance District to provide for the maintenance of new parks in the subdivision.
6. To minimize the effects on local services, prior to final plat approval the subdivider shall provide written verification that the US Postal Service has approved the mail facilities and their location for this subdivision.
7. 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.
8. To provide for the installation of the needed private utilities within the subdivision, prior to final plat approval the applicant will coordinate with private utility companies and provide easements on the plat, if needed, and easement documents for those easements.
9. 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.
10. 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 Tunncliff called for discussion by the members of the Board. There was none.

### **Public Hearing**

President Tunncliff opened the public hearing for Bar 11 Subdivision and asked if there was anyone wishing to speak in favor or against this agenda item.

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### **Jerry Morrell, 1438 Plateau Drive, Billings, Montana**

Mr. Morrell is the owner of Production Consulting LLC. He made himself available for questions.

### **Mark M. Robinson, 1481 Rawhide Strip, Billings, Montana**

Mr. Robinson voiced concern with Rawhide Strip's ability to handle heavy traffic as the chip sealed road has no subsurface. He pointed out the lack of water as the original wells have dried up and the water supply is maintained with cisterns. Mr. Robinson commented he had tried to get a connection to the property from Heights Water but it was cost prohibitive. He asked if it is possible to get water service to Rawhide Strip through the pump station installed for this subdivision.

### **Traci Lienemann, 1415 Rawhide Strip, Billings, Montana**

Ms. Lienemann asked about the access points to Hawthorne Lane and US Highway 87 for this subdivision.

### **Tony Brady, 1420 Plateau Road, Billings, Montana**

Mr. Brady asked if the roads will be widened and if there will be access to the subdivision from US Highway 87.

### **Diane Burreght, 1010 Cedar Hill Place, Billings, Montana**

Ms. Burreght asked regarding the impacts of this subdivision on Independent School.

### **Rebuttal**

### **Robert Niehart, 5454 Cornerstone, Billings, Montana, Performance Engineering**

Mr. Niehart said there is a proposed pumping station to serve the subdivision and fill the existing Heights water reservoir. As to the potential for an extension to the homes on Rawhide Strip, he said the property owners will need to negotiate with the Heights Water District. Due to the topography, there will not be a connection from Bar 11 Subdivision to Highway 87. The connections will be made via Hawthorne Lane and Plateau Road. A traffic impact study was conducted and a Level of Service B will be maintained. The proposed subdivision will have 162 lots, a parkland dedication, trails, and sidewalks. The proposed trail system will be located along the internal streets. Dave Green noted the comments received from Independent School and School District 2 stating they have additional capacity. Independent School stated the proposed subdivision is not on an existing bus route, and there are no plans to establish one.

President Tunncliff closed the public hearing and called for a motion.

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## Motion

Board member Goodridge made a motion and Board member Bass seconded the motion to recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Bar 11 Subdivision and adopt the Findings of Fact as presented in the staff report.

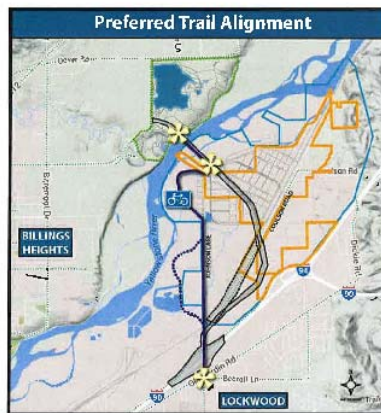
Discussion There was none.

The motion carried with a unanimous voice vote.

**7a3. Public Hearing. Motion/Recommendation. Lockwood Targeted Economic Development District, (TEDD), Comprehensive Development Plan, Diane Lehm, Steve Arveschough, Big Sky Economic Development Authority, Michael Sanderson, Sanderson Stewart, presenting.** Dianne Lehm introduced this agenda item. Lockwood TEDD comprehensive Development Plan. Michael Sanderson, Sanderson Stewart opened with a PowerPoint presentation.



Study Area: 1,850 acres  
 Total Area: 570 acres  
 Gross Development Area: 293 acres  
 Net Development Area: 219 acres



### Next Steps

- County Planning Board recommendation to the Board of County Commissioners
- Presentation of the Comprehensive Development Plan and Strategic Plan to the BOCC
- Public Hearing and Adoption of Ordinance by BOCC
- Ordinance and TEDD Documentation to the Department of Revenue

### Lockwood TEDD Public Meeting Schedule

October 26, 2016, 6:00pm	City/County Planning Board Public Hearing	Miller Building, 1 <sup>st</sup> floor board room 2825 3rd Ave N, Billings
November 8, 2016, 6:00pm	Lockwood School Board Presentation	Lockwood School 1932 Hwy 87 E, Lockwood
November 22, 2016, 9:30am	Yellowstone Board of County Commissioners – First Reading	Yellowstone County Courthouse Rm. 403, 217 N 27th St, Billings
November 29, 2016, 9:30am	Yellowstone Board of County Commissioners – Second Reading	Yellowstone County Courthouse Rm. 403, 217 N 27th St, Billings

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### **Discussion**

Per request of Board member Bass, Michael Sanderson explained how the district’s boundaries are defined: requirements for a contiguous area; identification of willing landowners; parcel by parcel evaluation; and economic analysis of the absorption rate of industrial properties within the lifespan of the TEDD. President Tunncliff commended the efforts to protect the Yellowstone River.

### **Public Hearing**

President Tunncliff opened the public hearing at 7:00 p.m. and asked if there is anyone wishing to speak in favor of the Lockwood TEDD Comprehensive Plan.

### **Peter Freivalds, 1022 Noblewood Drive, Billings, Montana**

Mr. Freivalds asked if there is a setback from the TEDD area to allow for reasonable retail growth. He stressed the need for retail services along the TEDD. Board member Reed noted the TEDD is zoned industrial but per the Lockwood Growth Policy, commercial uses may be allowed in this area. Wyeth Friday clarified and read aloud the statement below from the Lockwood Growth Policy, Chapter 2, “Growth Policy Statement and Guidelines.”

Commercial retail and services *may* be considered appropriate in areas designated for industrial land uses along principal and minor arterials in addition to areas designated for commercial land uses

President Tunncliff asked if anyone else would like to speak in favor or against the Lockwood TEDD Comprehensive Plan. There was none. President Tunncliff closed the Public Hearing at 7:10 p.m. and called for a motion.

### **Motion**

**Board member Reed made a motion and Board member Bass seconded the motion to forward a recommendation of approval of the Lockwood Targeted Economic Development District, (TEDD), Comprehensive Development Plan as presented.**

### **Discussion**

Board members discussed the limitations and expectations for the TEDD Board. Michael Sanderson pointed out the next phase includes administration and will be adopted in the next phase of the plan. At this point the determination is whether the Comprehensive Development Plan is in compliance with the Lockwood Growth Policy. The rest of these answers have yet to be determined. President Tunncliff thanked the BSEDA staff and Sanderson Stewart for their professional presentation.

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The motion carried with Board members Klugman and Goodridge abstaining due to conflict of interest.

### 8. NEW BUSINESS

#### **8b. Discussion. Suburban Subdivision Design Standards. Wyeth Friday, Interim Planning Director**

Wyeth Friday said the committee has received comments from developers and Engineering regarding challenges with retrofitting to meet storm water management requirements. Due to the need to retooling this cross section of the Suburban Subdivision Design Standards, the committee has decided to back off the current review schedule, and restart the review process with the corrected language. The feedback has been generally supportive and positive. Woody Woods commented on the need to involve the Public Works Department prior to moving forward. Discussion followed how to address sidewalk easements.

**8b. Nominating Committee:** The Board will consider members for the Nominating Committee at the November 9, 2016 Planning Board meeting. The Nominating Committee will forward a recommendation for the 2017 Planning Board officers in December.

**ADJOURNMENT: 7:50 p.m.**

Approved by a motion on November 9, 2016.

