



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



AGENDA

December 13, 2016 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 Board Members and Staff

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- A. **Recognition of Retiring Planning Board members : Lisa Sukut, YC BOCC District 3; Don Reed, BOCC District 5; Clint McFarland, Yellowstone County Conservation District. Certificates presented by Wyeth Friday, Director, Planning & Community Services Department**

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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.

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3. **MOTION. MEETING MINUTES: NOVEMBER 9, 2016, NOVEMBER 22, 2016**

Attachments

2016_11_09_PlnBMinutes_DRAFT

PlnBMinutes_2016_11_22_DRAFT

-
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

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5. **DISCLOSURE OF CONFLICT OF INTEREST**

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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. **Motion. Election of 2017 Planning Board Officers. Planning Board President: Darryl Tunncliff; Planning Board Vice President, Patrick Klugman. Planning Board members.**

8. **NEW BUSINESS:** (Agenda items new to this meeting).

A. **Motion. Planning Board Bicycle and Pedestrian Advisory Committee representative.**

Attachments

Original Application

B. **Plat Review. Sanctuary Canyon Subdivision, 1st Filing. A 20-lot County major subdivision. Dave Green, Planner II, presenting.**

Attachments

Findings of Fact

Lacey Road

Proposed Plat

9. **OTHER BUSINESS:**

A. ANNOUNCEMENT: DUE TO THE CHRISTMAS HOLIDAY, THE PLANNING BOARD MEETING SCHEDULED FOR DECEMBER 28, 2016 IS CANCELED. THE NEXT MEETING WILL BE HELD AS LEGALLY ADVERTISED ON **TUESDAY, JANUARY 10, 2017.**

B. ANNOUNCEMENT: THE PLANNING AND COMMUNITY SERVICE OFFICES WILL BE CLOSED ON MONDAY, DECEMBER 26, 2016 TO OBSERVE THE CHRISTMAS HOLIDAY AND MONDAY, JANUARY 2, 2017 TO OBSERVE THE NEW YEARS DAY HOLIDAY.

a. (Standing Item) Staff and Planning Board Members. Long Range Strategic Issues and an overview of future City and County issues and projects.

10. **ADJOURNMENT**

FUTURE AGENDA ITEMS FOR TUESDAY, JANUARY 10, 2017

A. Public Hearing. Motion/Recommendation. Sanctuary Subdivision, A 20-lot County major subdivision. Dave Green, Planner II, presenting.

B. Plat Review. Cole Creek Subdivision, a 14-lot City major subdivision. Todd Brown, Developer. Performance Engineering, Agent. Dave Green, Planner II presenting.

C. Plat Review. Put It Here Subdivision. A 1-lot, 87 unit condominium storage unit project. EEC, Developer/Engineer. Dave Green, Planner II, presenting.

Planning Board Meeting I (2nd Tuesday)

3.

Meeting Date: 12/13/2016

Information

Subject

MOTION. MEETING MINUTES:NOVEMBER 9, 2016, NOVEMBER 22, 2016

Attachments

2016_11_09_PlnBMinutes_DRAFT

PlnBMinutes_2016_11_22_DRAFT

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. 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)

	Position	01/12/2016	01/26/2016	02/09/2016	02/23/2016	03/08/2016	03/22/2016	04/12/2016	04/26/2016	05/10/2016	05/24/2016	06/14/2016	6/28/2016	07/12/2016	08/09/2016	09/13/16	09/27/16	10/12/16	10/25/16	11/09/16				
Dave Goodridge	Mayor/Billings Ward I	1		E	1	1	E	E	1	1	1	E	1	1	1	-	1	1	1	E				
Vacant	Mayor/Billings Ward II																-	-	-	-				
LaVerne Bass	Mayor/Billings Ward III	-	-	-	-	-	-	-	-	-	-	1	1	1	1	-	E	E	E	1				
Darell Tunnickliff	Mayor/Billings Ward IV	1	1	1	1	1	1	1	1	1	E	1	1	1	1	-	1	1	1	1				
Patrick Klugman	Mayor/Billings Ward V	1	1	1	1	1	1	1	1	1	1	1	1	1	1	-	E	E	1	E				
Troy Boucher	YC District 1	-	1	1	1	1	1	1	1	E	1	1	1	1	1	-	A	A	1	1				
Dennis Cook	YC District 2	1		1	1	1	1	1	1	E	1	E	1	1	1	-	1	1	1	1				
Lisa Sukut	YC District 3	1	E	1	E	1	1	A	E		E	1	E	E	A	-	A	A	A	E				
Vacant	YC District 4															-	-	-	-	-				
Don Reed	YC District 5	E	E	1	1	E	E	1	1		1	E	E	1	A	-	1	1	1	1				
Vacant	YC District 6															-		-	-	-				
Francisco Saldivar	YC District 7	1	1	1	1	E	1	1	1	1	E	1	1	E	1	-	1	1	1	1				
Clint McFarland	Y County Cons. District	1	E	E	E	1	1	A	E	1	A	E	E	E	E	-	A	A	A	1				
Scott Reiter	Ex-Officio SD2	E	1	E	1	E	E		A	A	E	E	1	A	A	-	1	E	E	E				

CITY/COUNTY PLANNING BOARD

"Serving Billings, Broadview and Yellowstone County"

November 9, 2016

To be approved by a motion on December 13, 2016

1. Call the Meeting to Order

President Tunncliff called the meeting to order at 6:00 p.m. on Tuesday, November 9, 2016, in the Miller Building 1st Floor conference room, 2825 3rd 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, Director, Planning & Community Services Department; Dave Green, Planner II, Tammy Deines, Planning Clerk

Board member McFarland announced this will be his last meeting as he is resigning as the Yellowstone County Conservation District representative. He thanked the Board for their cordial reception. The Conservation District Board chose Mr. Clint Peck to be his replacement. The Board thanked Mr. McFarland for his many years of service, his contribution of wisdom and historical information, and commitment to this community.

Board member Reed announced he will be resigning as the representative for Yellowstone County District 5 at the end of this year. His last meeting will be December 13, 2016. The Board thanked Mr. Reed for his years of service as a valued advocate for the Lockwood area; and for sharing his knowledge.

2. Approval of the November 9, 2016 Agenda: President Tunncliff called for approval of the agenda. **Board member Saldivar made a motion and Board member Goodrich seconded the motion to approve the agenda as submitted. The motion carried with a unanimous voice vote.**

3. Approval of Minutes: (due to lack of meeting quorums): July 12, 2016; August 23, 2016; October 12, 2016; October 25, 2016.

Motion

Board member Saldivar made a motion and Board member Cook seconded the motion to approve the minutes listed in this agenda item as submitted. The motion carried with a unanimous voice vote.

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.

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5-6. 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 were no Conflicts of Interest and no Ex Parte Communications.

7. OLD BUSINESS

7a. Public Hearing. Motion/Recommendation to PCC. 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 20th *Recommends Approval*
Planning Board Review – October 25th
Planning Board Action – November 9th
City Council Work Session – November 7th
City Council Meeting – November 28th

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Commissioner Review – November 21st

Commission Action – November 29th

PCC – December 20th

Discussion

Board member Reed noted some of items in the plan may require legislative action. Ms. Mattox explained some of the work on the primary seat belt law will be brought forward by the health and law enforcement agencies in order to point out the economics of loss of life.

Chairman Tunnichliff asked there was anyone present wishing to speak in favor or against the Billings Community Transportation Safety Plan. There was none. Chairman Tunnichliff closed the public hearing and called for a motion.

Motion

Board member Reed made a motion and it was seconded by Board member Bass to forward a recommendation to the Policy Coordinating Committee to approve the Billings Community Transportation Safety Plan as presented by staff. The motion carried with a unanimous voice vote.

8. New Business

8a. Plat Review. Silver Fox Subdivision. County Major, Dave Green, Planner II, presenting.

Planner Green opened this agenda item with a PowerPoint presentation.

INTRODUCTION

On October 3, 2016, the Planning Division received an application for preliminary plat approval for the proposed Silver Fox Subdivision. The property is generally located at 1680 Lockwood Drive on the south side of Lockwood Road. Approximately one mile east of the intersection of Highway 87 East and Lockwood Road. The applicant is proposing to create 5 lots for commercial use. The proposed lots range in size from 2.05 acres to 0.84 acres. This parcel of land is zoned Controlled Industrial and is surrounded by industrial uses. The Planning Board will review the plat at this meeting and a conduct a public hearing on November 22, 2016.

RECOMMENDATION

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

VARIANCE REQUESTED

None

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.

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1. To minimize the effects on the natural environment, prior to final plat approval the applicant will obtain approval from Lockwood Water and Sewer District for their proposed connections to the water and sewer systems. They will also receive approval for the storm water systems from the MDEQ and meet the requirements of Yellowstone County Storm Water Management.
2. To minimize the effects on local services, prior to final plat approval a Rural Special Improvement District (RSID) will be created to provide maintenance of the interior roads of this subdivision.
3. 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 its location for this subdivision.
4. To minimize the effects on the local environment, prior to final plat approval the applicant is required to obtain a weed management plan and a property inspection shall be done by the County Weed Department.
5. 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.
6. 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.
7. 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 questions and discussion. Board member Saldivar asked regarding compliance with the Lockwood Growth Policy. Planner Green explained that this area is required to build a road to a higher standard than what is currently in place, and the developer is doing more than what has historically been done. Board member Reed commend he likes the concept of the infill development and he appreciates the plat design.

9. Other Business

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9a. Motion. Planning Board Nomination Committee for recommendation of 2017 Planning Board officers. Board member Klugman and Board member Goodrich will serve on the Planning Board Nomination Committee.

9b. Announcement: President Tunnicliff announced that following an extensive national applicant search, Wyeth Friday has been awarded the Planning and Community Services Director position. The members of the Board offered their congratulations. Board member McFarland stated the Conservation Board of Supervisors is very pleased with this choice.

9c. Suburban Subdivision Design Standards, Parks Master Plan: Director Friday gave a brief overview of these items and stated they may return to this Board as agenda items in January 2017.

ADJOURNMENT: 6:25 p.m.

To be approved by a motion on December 13, 2016.

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	Position	01/12/2016	01/26/2016	02/09/2016	02/23/2016	03/08/2016	03/22/2016	04/12/2016	04/26/2016	05/10/2016	05/24/2016	06/14/2016	6/28/2016	07/12/2016	08/09/2016	09/13/16	09/27/16	10/12/16	10/25/16	11/09/16	11/22/16			
Dave Goodridge	Mayor/Billings Ward I	1		E	1	1	E	E	1	1	1	E	1	1	1	-	1	1	1	E	1			
Vacant	Mayor/Billings Ward II																-	-	-	-	-			
LaVerne Bass	Mayor/Billings Ward III	-	-	-	-	-	-	-	-	-	-	1	1	1	1	-	E	E	E	1	E			
Darell Tunncliff	Mayor/Billings Ward IV	1	1	1	1	1	1	1	1	1	E	1	1	1	1	-	1	1	1	1	1			
Patrick Klugman	Mayor/Billings Ward V	1	1	1	1	1	1	1	1	1	1	1	1	1	1	-	E	E	1	E	1			
Troy Boucher	YC District 1	-	1	1	1	1	1	1	1	E	1	1	1	1	1	-	A	A	1	1	1			
Dennis Cook	YC District 2	1		1	1	1	1	1	1	E	1	E	1	1	1	-	1	1	1	1	1			
Lisa Sukut	YC District 3	1	E	1	E	1	1	A	E		E	1	E	E	A	-	A	A	A	E	A			
Vacant	YC District 4															-	-	-	-	-	-			
Don Reed	YC District 5	E	E	1	1	E	E	1	1		1	E	E	1	A	-	1	1	1	1	1			
Vacant	YC District 6															-	-	-	-	-	-			
Francisco Saldivar	YC District 7	1	1	1	1	E	1	1	1	1	E	1	1	E	1	-	1	1	1	1	1			
Clint McFarland	Y County Cons. District	1	E	E	E	1	1	A	E	1	A	E	E	E	E	-	A	A	A	1	-	-		
Scott Reiter	Ex-Officio SD2	E	1	E	1	E	E		A	A	E	E	1	A	A	-	1	E	E	E	1			

CITY/COUNTY PLANNING BOARD

"Serving Billings, Broadview and Yellowstone County"

November 22, 2016

To be approved by a motion on December 13, 2016

1. Call the Meeting to Order

President Tunncliff called the meeting to order at 6:00 p.m. on Tuesday, November 22, 2016, in the Miller Building 1st Floor conference room, 2825 3rd 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, Director, Planning & Community Services Department; Dave Green, Planner II, Tammy Deines, Planning Clerk

Others in Attendance: Craig Dalton, Darin Swenson, Yellowstone County Public Works Department; Boyce Smith

Approval of the November 22, 2016 Agenda: President Tunncliff called for approval of the agenda. **Board member Cook made a motion and Board member Saldivar seconded the motion to approve the agenda as submitted. The motion carried with a unanimous voice vote.**

2. Approval of Minutes: The approval of the November 9, 2016 meeting minutes is delayed.

3. 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 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.

7. OLD BUSINESS

7a. Public Hearing. Silver Fox Subdivision. County Major, Dave Green, Planner II, presenting.

Planner Green opened this agenda item with a PowerPoint presentation. He pointed out that water and sewer services are available to this parcel and will include a fire hydrant located at the end of the cul de sac.

INTRODUCTION

On October 3, 2016, the Planning Division received an application for preliminary plat approval for the proposed Silver Fox Subdivision. The property is generally located at

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Reviewed by Planning Staff

CITY/COUNTY PLANNING BOARD

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1680 Lockwood Drive on the south side of Lockwood Road. Approximately one mile east of the intersection of Highway 87 East and Lockwood Road. The applicant is proposing to create 5 lots for commercial use. The proposed lots range in size from 2.05 acres to 0.84 acres. This parcel of land is zoned Controlled Industrial and is surrounded by industrial uses. The Board of County Commissioners will act on the proposal on December 13, 2016.

RECOMMENDATION

Staff recommends that the Planning Board recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Silver Fox Subdivision 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 the natural environment, prior to final plat approval the applicant will obtain approval from Lockwood Water and Sewer District for their proposed connections to the water and sewer systems. They will also receive approval for the storm water systems from the MDEQ and meet the requirements of Yellowstone County Storm Water Management.
2. To minimize the effects on local services, prior to final plat approval a Rural Special Improvement District (RSID) will be created to provide maintenance of the interior roads of this subdivision.
3. 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 its location for this subdivision.
4. To minimize the effects on the local environment, prior to final plat approval the applicant is required to obtain a weed management plan and a property inspection shall be done by the County Weed Department.
5. 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.
6. 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.

CITY/COUNTY PLANNING BOARD

"Serving Billings, Broadview and Yellowstone County"

7. 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 questions and discussion.

Public Hearing

President Tunncliff opened the public hearing and asked if there is anyone present wanting to speak in favor or against the Silver Fox Subdivision.

Craig Dalton, 7100 Commercial Ave., Suite 4, Billings, Montana

Mr. Dalton is the applicant. He thanked staff for their help with this application and offered to answer questions. There was none.

President Tunncliff asked if there is anyone else wanting to speak in favor of the Silver Fox Subdivision. There was none. President Tunncliff closed the public hearing at 6:07 p.m. and called for a motion.

Motion

Board member Reed made a motion and Board member Cook seconded the motion to recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Silver Fox Subdivision and adopt the Findings of Fact as presented in the staff report.

Discussion

Board member Reed asked about the approved storm water treatment plan for this parcel. Planner Dave Green said the storm water will be detained on site as required by DEQ.

The motion carried with a unanimous voice vote.

9. Other Business

9a. Motion. Planning Board Nomination Committee for recommendation of 2017 Planning Board officers. Board member Klugman and Board member Goodrich forwarded a recommendation to the Board to re-elect Board member Darryl Tunncliff to serve as Planning Board President, and to elect Board member Patrick Klugman to serve as Planning Board Vice President for the 2017 term. President Tunncliff called for other nominations from the floor. There was none.

CITY/COUNTY PLANNING BOARD

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Motion

Board member Saldivar made a motion and Board member Cook seconded the motion to close the nominations for the 2017 Planning Board officers. The motion carried with a unanimous voice vote.

Motion

Board member Goodrich made a motion and Board member Reed seconded the motion to re-elect Board member Darryl Tunnicliff to serve as Planning Board President, and to elect Board member Patrick Klugman to serve as Planning Board Vice President for the 2017 term. The motion carried with a unanimous voice vote.

9b. Staff Update: Wyeth Friday, Director, Planning & Community Services

Bicycle Pedestrian Master Plan: A public meeting is scheduled for December 15, 2016 at the Billings Parmlly Library. This public meeting will bring out the initial draft recommendations for this plan for public response. Staff will forward the meeting information to the Board.

Traffic Demand Survey: Staff has sent out RFPs for a consultant to conduct a survey on how the model will be developed. The overall goal is for Billings to have its own traffic modeling system with local input.

Transportation Plan update: Staff will be working on this during the Fall of 2017, and bring it forward for Planning Board review and recommendations. Discussion followed by staff and members of the Board regarding the need for the 27th Street Railroad crossing emergency access. Director Friday offered to have staff bring a recap of the studies to the Board at a future date.

Suburban Subdivision Design Criterion: Director Friday gave a brief update. Staff will give an overview presentation to City Council on Monday, December 5, 2016. Planning Board members are encouraged to attend. Staff projects a February timeframe for a hearing before the Yellowstone County Board of County Commissioners.

Billings Park Master Plan-The consultant plans to speak to the Planning Board in January, 2017.

Good & Welfare: Board member Klugman formally congratulated Wyeth Friday as Planning & Community Services Director and Darryl Tunnicliff as Planning Board President and stated he is excited to be a part of the continued success of this Board.

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President Tunncliff asked Board members to consider future projects that may be integrated with current staff activities and engage the community.

Planning Board Vacancies: Staff will forward an update to the Board for the City and County vacancies along with a description of City and Ward Districts.

Yellowstone County Board of Planning, 15 Members, 7 County, 5 City, 1 Yellowstone Conservation District, Ex-Officio Non-Voting: 1 Billings Public Schools, 1 County Superintendent of Schools

Four vacancies:

- County District 3
- County District 4
- County District 6
- City Ward II

ADJOURNMENT: 6:38 p.m.

To be approved by a motion on December 13, 2016.



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



Planning Board Meeting I (2nd Tuesday)

8. A.

Meeting Date: 12/13/2016

Information

PROBLEM/ISSUE STATEMENT

The Yellowstone County Board of Planning nominates one (1) representative to sit on the Bicycle and Pedestrian Advisory Committee. The current representative, Ed Gulick, will finish his first three-year term on December 31, 2016. He would like to continue serving and has asked to be considered for another term by the Planning Board.

BACKGROUND

Members of the Bicycle and Pedestrian Advisory Committee (BPAC) serve to represent the Planning Board (1), the City of Billings (3) and Yellowstone County (3). The purpose of BPAC is to advise Billings City Council, the Billings Mayor, the Yellowstone County Commissioners, Yellowstone County Board of Planning, and all departments and boards of the City and County about bicycling, walking and other non-motorized transportation issues.

Ed Gulick has served his first three year term and is the Chair of the Committee. He has requested to be renominated by the Planning Board. The Committee currently has two vacant positions to represent the County.

FINANCIAL IMPACT

None.

RECOMMENDATION

Staff recommends approval. The Board may follow staff's recommendation or consider reopening the application process to seek additional applicants for its seat on BPAC.

Attachments

Original Application



BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE
City of Billings & Yellowstone County
APPLICATION FORM



NAME: EO SULICK HOME PHONE: 698-2747
 ADDRESS: 3015 10th AVE. N. WORK PHONE: 896-0250
 CITY: BILLINGS STATE: MT ZIP: 59101
 BUSINESS OR JOB: ARCHITECT
 E-MAIL ADDRESS: esulick@highplainsarchitects.com

***Please describe your experience or background that you believe qualifies you for service on this Committee (See attached information regarding BPAC) (attach additional sheets if needed):

PLEASE SEE ATTACHED.

***Why do you wish to serve on this Committee?

PLEASE SEE ATTACHED.

***Additional information that you feel is pertinent (attach additional sheets if needed):

ES
 Signature

12/22/13
 Date

Return application to:
 City/County Planning Board
 2825 3rd Avenue North, 4th Floor
 Billings, MT 59101
 Fax: 406.657.8327 E-mail: buttsj@ci.billings.mt.us

OFFICE USE ONLY:

APPOINTED: YES NO DATE 1/19/2014

TERM EXPIRATION DATE: 12/31/2016

Circle one: ORIGINAL APPOINTMENT REAPPOINTMENT TERM NO: 1

Experience / Background that qualifies me for service on this committee:

I have first-hand experience with bicycling as my primary form of transportation (aside from one year of car ownership) since I was old enough to take my training wheels off when growing up in Billings. Since then, I have lived in a handful of communities around the country, some with good bicycling infrastructure, some not.

I also am fairly familiar with the evolving literature on how best to support walking and bicycling in communities. In 2007, 2010, and 2012 I co-taught a course at MSU-Billings entitled Urban Ecology, which included walking tours of various parts of Billings, Boulder, CO, and Denver, CO. I have also bicycled in a couple of communities that have taken different approaches to enhancing bicycle safety: Davis, CA's wide streets with bike lanes and Berkeley, CA's bicycle boulevards, which use residential streets with traffic calming to act as bike arterials. I have also participated in the public meetings that Alta Planning provided for the Heritage Trail Plan update.

Why do I wish to serve on this committee?

Public streets are for the use of everyone, not just motorists. There are a number of economic, health, and social benefits that will be realized for both individuals as well as the whole community if our citizens have better, safer opportunities to use our streets for walking and bicycling. I would like to help advise our city and county staff and governing bodies on how we can best use our limited transportation resources to maximize benefit to our community by creating streets that are safe for all users.

Ed Gulick

12/18/13





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



Planning Board Meeting I (2nd Tuesday)

8. B.

Meeting Date: 12/13/2016

Information

INTRODUCTION

On November 1, 2016, the Planning Division received an application for preliminary major plat approval for Sanctuary Canyon Subdivision, 1st Filing. The proposed plat creates 22 lots for residential development and 1 large remaining lot for future development from a 77.91-acre parcel of land. The subject property is generally located in Lockwood on the south side of Trailmaster Drive, east of Hailee Street and east of the Twin Coulee Subdivision. The property is outside of zoning. The Yellowstone County Board of Planning will review the plat at this meeting and conduct a public hearing on Tuesday, January 10, 2017. The Board of County Commissioners will act on the proposal on January 24, 2017.

RECOMMENDATION

Staff recommends that the Planning Board recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Sanctuary Canyon Subdivision, 1st Filing, and adopt the Findings of Fact as presented in the staff report.

PROPOSED CONDITIONS OF APPROVAL

Planning staff recommends the following conditions of approval:

1. To ensure correct location and installation of septic systems in Sanctuary Canyon Subdivision prior to final plat approval, the applicant will submit drawings and obtain approval from MDEQ for their proposed septic systems with the subdivision. Also, all storm drainage must be approved by MDEQ prior to final plat approval and a copy of the approved storm drain plan provided to the Yellowstone County Public Works Department.
2. To minimize effects on local services, prior to final plat approval the applicant will expand existing RSID's on roads that it will connect to in the Twin Coulee Subdivision to the west or create new RSID's for maintenance of roads for this subdivision.
3. To ensure public safety and prevent storm drainage problems prior to final plat approval, the applicant will either increase the '20' wide Park / Trail Easement' on the plat to 45 feet wide, 22.5 feet on each side of the property line, or in the SIA under Conditions that run with the land insert a paragraph requiring that any fences being built must be installed a minimum of 12.5 feet back from the edge of the '20' wide Park / Trail Easement' shown on the plat. Either option would be for Lots 3 and 4 of Block 2, continuing under Sanctuary Canyon Road, then between Lots 6 and 7 of Block 1, and Lots 8 through 11, Block 3, and future lots on the north and south of the drainage in future filings.
4. To minimize the effects on local services, prior to final plat approval the applicant will create a Park Maintenance District for the proposed park land within Sanctuary Canyon Subdivision.
5. To minimize the effects on local service, prior to final plat approval the applicant will coordinate

with the USPS for locating and provided the correct amount of space for safely delivering the mail to the residents.

6. To minimize the effects on the local environment, prior to final plat approval the applicant is required to obtain approval of a weed management plan and complete a property inspection by the County Weed Department.
7. 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.
8. 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

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

PROCEDURAL HISTORY

- A pre-application meeting was held on June 9, 2016 to discuss the proposal.
- The preliminary plat application was submitted to the Planning Division on November 1, 2016.
- A departmental review meeting was conducted on November 17, 2016.
- The preliminary plat was resubmitted with revisions based on department reviews on November 28, 2016.
- The Planning Board will review the plat on December 13, 2016.
- The Planning Board will conduct a public hearing on January 10, 2017, and forward a recommendation to the Board of County Commissioners.
- The Board of County Commission will consider the preliminary plat on January 24, 2017.
- The 60 working-day preliminary plat review period ends February 1, 2017.

PLAT INFORMATION

General location:	Generally located in Lockwood, on the south side of TrailMaster Drive, east of Hailee Street and east of the Twin Coulee Subdivision
Legal Description:	S28, T01 N, R27 E, FRAC N2 (LESS NWSWNE, Emerald Hills 2ND & 3RD & Emerald Hills Westgate 2ND & C/S 2674 AMD & Emerald Hills ACRG TR SUB 5TH)
Subdivider/Owner:	Superior Builders, LLP
Engineer and Surveyor:	Blueline Engineering
Existing Zoning:	Outside of Zoning
Existing land use:	Vacant
Proposed land use:	Single-Family Residential

Gross area:	77.92 acres
Net area:	75.68 acres
Proposed number of lots:	20
Lot size:	Max: 61.022 acres Min.: 0.47 acre
Parkland requirements: actual amount	Parkland dedication is required in the amount of 0.89 acres, being dedicated is 1.289 acres.

Attachments

Findings of Fact
Lacey Road
Proposed Plat

FINDINGS OF FACT

The City/County Planning staff has prepared the Findings of Fact for the Sanctuary Canyon Subdivision, 1st Filing. These findings are based on the preliminary plat application and address the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Yellowstone County Subdivision Regulations (YCSR).

A. What are the effects on agriculture, local services, the natural environment, wildlife, wildlife habitat, and public health and safety (76-3-608(3)(a), MCA) (Section 3.2(H)(2), YCSR)

1. Effect on agriculture and agricultural water users' facilities

The subject property is not currently used for agricultural purposes and does not have water rights. The subdivision should not affect agricultural water users' facilities or take land out of agricultural production.

2. Effect on local services

- a. **Water and Sewer** – Lockwood Water and Sewer District shall be used to supply water to the individual lots. A service line will be extended in Trailmaster Drive to the new road, Sanctuary Canyon Road, within the proposed subdivision. A new 8-inch water line will be installed in Sanctuary Canyon Road to the temporary cul-de-sac end. An additional water line will be installed from the one that ends at the intersection of Hailee Street and Lacey Road from the subdivision to the west, Twin Coulee Subdivision, and continue into the proposed subdivision through Lacey Road. Individual septic systems are proposed for each of the lots. Locations and design of the septic systems will be reviewed and approved by the Montana Department of Environmental Quality (MDEQ) prior to final plat approval. These systems will be constructed as approved by the MDEQ and as shown on approved plans. **(Condition #1)**

- b. **Streets and roads** – The proposed subdivision is located on the south side of Trailmaster Drive and east of Hailee Street in the Twin Coulee Subdivision, a local paved street. One road is proposed to come off of Trailmaster Road and a second road into the subdivision will be the continuation of Lacey Road from Twin Coulee Subdivision to the west. They will be built to a County paved road standards. The streets in this subdivision will be public streets and the applicant will be expanding and creating the needed RSID-M's for the roads to be maintained as outlined in the SIA. **(Condition #2)** There is currently a dispute regarding the continuation of Lacey Road that is being litigated in the County. A resident on the current dead end of Lacey Road contends that it is a permanent cul-de-sac dead end and was never intended to continue onto the neighboring property. They also claim their property wraps around the end of the cul-de-sac therefore it cannot be a road right of way. The following paragraphs are from the County Attorney's office regarding the pending case.

Twin Coulee Subdivision has a number of cul-de-sacs. The only one to not have lots radiating around the entire circumference is the one at the end of Lacey Road. Additionally, the only one that has gravel "half moons" is the one at the

end of Lacey Road. The square footage of the lot on the south at the end of Lacey Road meshes with a property pin that was apparently omitted, leading the owner of the southern lot to believe there is a triangle piece that is a fee interest that is not encompassed by the cul-de-sac. The homeowner seems to ignore clear 60-foot-wide parallel lines on the plat of Twin Coulee Subdivision which indicate a dedication. It is the county's position that there is a "double dedication" that gives the county a use right over the triangle piece.

Additionally, Twin Coulee Estates Subdivision was created in 2008 with Lacey Road being paved all the way to the property line of the current developer's property. The county is in the process of amending its answer in the lawsuit to claim a prescriptive use right over the triangle piece. The situation looks to be a clear surveying error but that is certainly not guaranteed. The county feels confident about winning the suit but will have to wait for the court's decision.

*Dan Schwarz
Deputy County Attorney*

See Attachment 'Lacey Road'

- c. **Fire and Police Services** – The property is within the Lockwood Fire Department's jurisdiction. It is the subdivider's responsibility to ensure provisions of a water source and adequate access to the proposed lots for emergency service's needs. Pressurized fire hydrants shall be installed in Sanctuary Canyon Road and in Lacey Road to meet the requirements for fire suppression water supply specified by the Lockwood Fire Department.

The Yellowstone County Sheriff's Department will provide law enforcement services.

- d. **Solid Waste disposal** – The Billings Landfill has capacity for solid waste disposal. Solid waste will be collected and disposed of by a private garbage collection company. Each lot owner will be responsible for arranging for collection.
- e. **Storm water drainage** – The management of storm water runoff shall be designed to satisfy storm water management requirements and specifications of MDEQ and Yellowstone County. The preliminary plat shows that storm water will be absorbed on-site in the ditches along the paved road and also within two storm retention areas along existing drainages on site. The proposed retention ponds are located on the east edge of Lots 6 & 7 of Block 1 and the second one outside this filing between future lots. All storm water drainage will need to be approved by MDEQ prior to final plat approval. **(Condition #1)**

The topography of this area has some natural drainages in existence. The applicant is proposing to use two existing drainages as the subdivision to the west, Twin Coulee Subdivision, has done. The applicant is showing storm water drainages on the plat as '20' wide Park / Trail Easement'. These run between Lots 3 and 4 of Block 2 continuing

under Sanctuary Canyon Road then between Lots 6 and 7 of Block 1 to the Storm Water Detention and Park. The second natural drainage runs north of Lots 8 through 11, Block 3, and will have other lots on the north and south of the drainage in future filings. If these drainages are to be used as trails to park area, staff is recommending that the easements need to be wider. The drainages in this proposed subdivision are not as wide as the ones in Twin Coulee Subdivision to the west. To address the potential safety of users of these trail/drainage corridors, staff believes they should be wider. Because people may want to fence their yards, these corridors could become a 20-foot-wide water drainage ‘tunnel’ that could be a hazard to users of these trail/drainage corridors. This could present issues with adults walking or children playing in the corridor during a rain storm, or there could be a heavy winter snow and spring runoff. Staff believes the corridor should either be a wider easement, or a restriction of placement of fences along the drainage / ‘Trail Easement’ should be required to prevent too narrow a drainage area that could prevent people from getting out of the water flow areas. **(Condition #3)**

- f. **School facilities** – The proposed subdivision is located in the Lockwood School District for elementary and middle school, and Billings School District #2 for high school (Senior High or Skyview). Lockwood School District responded that they have additional capacity and that there is a bus route in the area that could service this subdivision. Staff did not receive a response from School District #2.
- g. **Parks and recreation** – This subdivision is required to provide parkland dedication for the 20 lots of varying sizes. One lot is under a ½ acre, 18 lots are greater than a ½ acre but not more than 1 acre, and one lot is over 1 acre. The requirements for parkland are split among the three required percentages, 11% for ½ acre or less, 7.5% for ½ acre to 1 acre and 5% for 1 acre but smaller than 3 acres. The total required parkland dedication is 0.89 acres; the applicant is proposing to provide 1.289 acres for parkland. The developer will also be required to create a Park Maintenance District for the parkland dedication prior to final plat approval. The requirement for a Park Maintenance District is noted in the SIA. The 20’ wide Park / Trail Easements are not part of the park land dedication. The applicant will be creating a Park Maintenance District for the proposed parks in the subdivision. **(Condition #4)**
- h. **Historic features** – No known historical or cultural assets exist on the site.
- i. **United States Postal Service** – The USPS responded that they are looking for centralized delivery unit located on the corner of Trailmaster and Sanctuary Canyon Road. **(Condition #5)**

3. Effects on the natural environment

The development will use noxious weed control measures to prevent the spread of noxious weeds to adjacent developed or agricultural land. A weed management plan will be completed and a property inspection done prior to final plat approval. **(Condition #6)**

MDEQ will review and approve the new proposed septic systems and storm water management facilities to ensure any impacts of the development are mitigated.

There are no apparent or known natural hazards on the property.

4. Effects on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. Montana Fish, Wildlife, and Parks (FWP) responded to a request for review and comment on the proposed subdivision. It is suggested that future homeowners should be made aware that unless they take steps to deter animals such as fencing their yards they may experience damage problems. A note to this effect is found within the SIA to help inform future landowners.

5. Effects on public health and safety

Plans and designs for use of the proposed septic systems and public water supply will be reviewed and approved by MDEQ and Lockwood Water District prior to final plat approval. Fire and emergency services are provided for this proposed subdivision. Effects on public health and safety should be minimal.

B. Was an environmental assessment required? If yes, what, if any, significant adverse impacts were identified? (76-3-616, MCA) (Chapter 9, YCSR)

An environmental assessment was required for this subdivision. There has been no agricultural activity on this land and there are no irrigation ditches on the property. The land has been used in the past as dryland pasture. It is noted that the area is known for deer and antelope habitat in the area and occasionally wild turkeys. This subdivision will have quite a lot of open space which will allow for corridors for the area wildlife.

C. Does the subdivision conform to the Yellowstone County-City of Billings 2008 Growth Policy Update, the 2014 Billings Urban Area Long Range Transportation Plan, and the Billings Area Bikeway and Trail Master Plan? (Section 3.2 (H)(4), YCSR)

1. **2016 Lockwood Growth Policy** – The proposed subdivision is in an area of Lockwood that is not zoned but surrounding property is developed for residential uses. The Preferred Future Land Use Map for the Lockwood Area in the 2016 Growth Policy shows the area where this subdivision is proposed as Agricultural Suburban in the future.

- **Growth Guideline:** Consider connectivity and convenient access for all users when designing future road network.

This subdivision will create 20 lots for single family residences, consistent with the immediately surrounding neighborhood. It will be connecting to the neighboring subdivision to the west providing connectivity and continuity of streets.

2. **2014 Billings Urban Area Long Range Transportation Plan**

The subject property is outside the boundary of the study area of the Transportation Plan. New lots will be served by internal local streets; the appropriate amount of right-of-way is being provided with this plat.

3. **Billings Area Bikeway and Trail Master Plan (BABTMP)**

The subject property is not within the jurisdiction of the BABTMP.

D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? [76-3-608(3)(b), MCA and Section 3.2(3)(a), YCSR]

The proposed subdivision meets the requirements of the MSPA and the YCSR. The subdivider and the local government have complied with the subdivision review and approval procedures that are set forth by local and state subdivision regulations.

E. Does the subdivision conform to sanitary requirements? [Section 4.8(C) and 4.9 (C), YCSR]

The subdivider shall receive approval from MDEQ for the proposal to make use of the public water and individual septic systems for the new lots.

F. Does the proposed subdivision meet any applicable Zoning Requirements? [Section 3.2(H)(3)(e), YCSR]

The subdivision is outside the County's zoning jurisdiction; therefore, no zoning requirements exist.

G. Does the subdivision provide for necessary planned utilities? [76-3-608(3)(c), MCA and Section 3.2 (H)(3)(b), YCSR]

Utility easements shall appear on the face of the final plat as requested by private utility companies. The submitted plat shows 8-foot utility easements along both sides of the proposed roads within the subdivision. Those easements will meet the requirements of both MDU and Northwest Energy. Northwestern Energy comments included the caution that there are existing overhead electric lines across the site. If the developer needs to relocate them there would be substantial costs involved.

H. Does the proposed subdivision provide for legal and physical access to all lots? [76-3-608 (3)(d), MCA and Section 3.2 (H)(3)(c)(d), YCSR]

Legal and physical access will be provided for the proposed lots from Sanctuary Canyon Road and Lacey Road.

CONCLUSIONS OF FINDINGS OF FACT

- The Sanctuary Canyon Subdivision, 1st Filing does not create adverse impacts that warrant denial of the subdivision.
- Impacts to agriculture, agriculture water user facilities, local services, public health and safety, the natural environment, and wildlife should be minimal. Impacts identified can be mitigated by reasonable conditions of final plat approval.
- The subdivision conforms to a goal of the 2016 Lockwood Growth Policy but does not meet others.

- The applicant has complied with the MSPA and YCSR processes and the subdivision conforms to the law requirements.

RECOMMENDATION

Staff recommends that the Planning Board recommend to the Board of County Commissioners conditional approval of the preliminary plat of Sanctuary Canyon Subdivision, 1st Filing and adoption of the Findings of Fact as presented in the staff report.

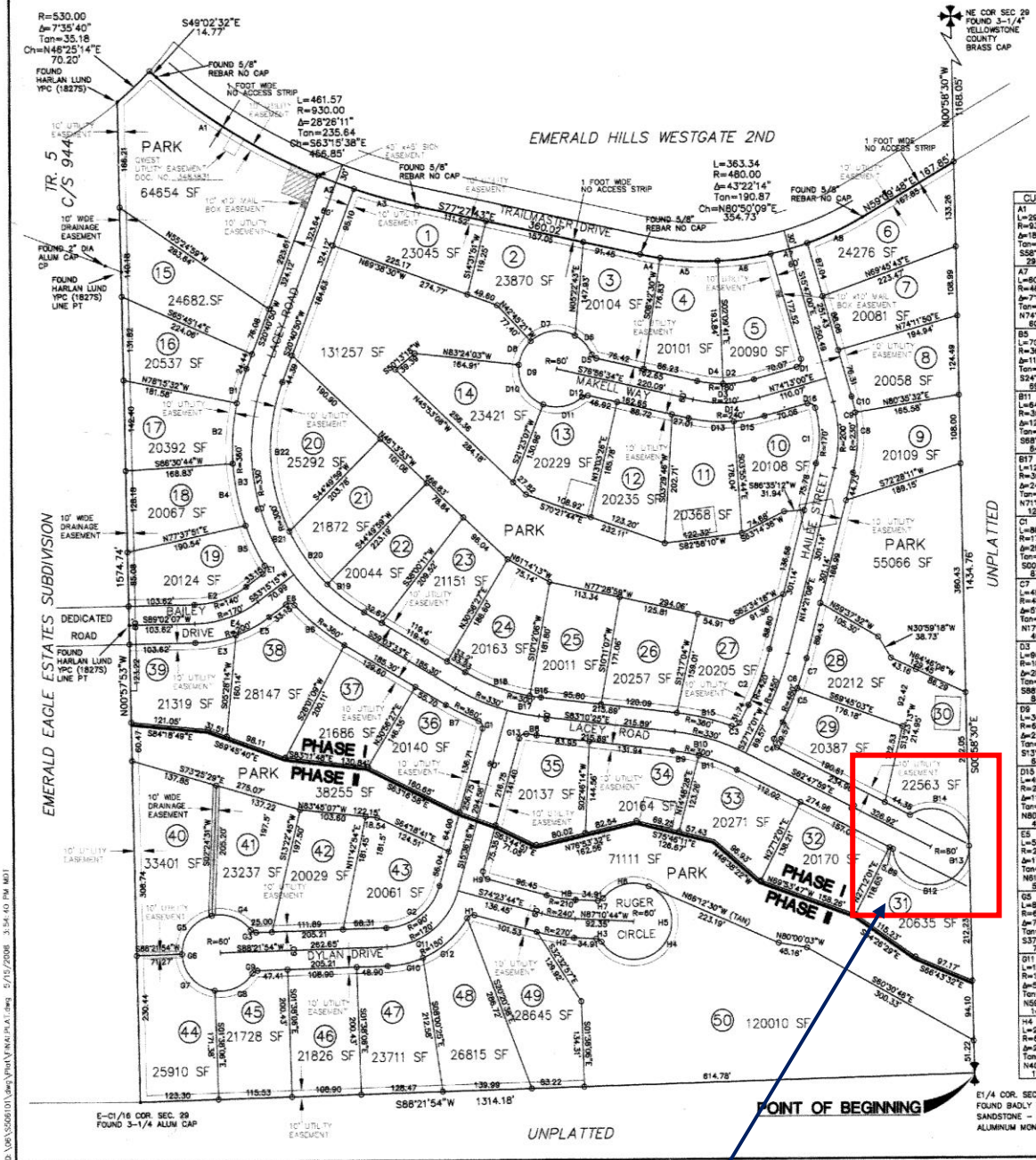
PLAT OF TWIN COULEE ESTATES SUBDIVISION

BEING A TRACT OF LAND SITUATED IN THE NE1/4 OF SECTION 29, T. 1 N, R. 27 E, P.M.M.,
YELLOWSTONE COUNTY, MONTANA

FOR: SUNMONTANA LLC

BY: HKM ENGINEERING INC.
P.O. BOX 31318
BILLINGS, MT 59107

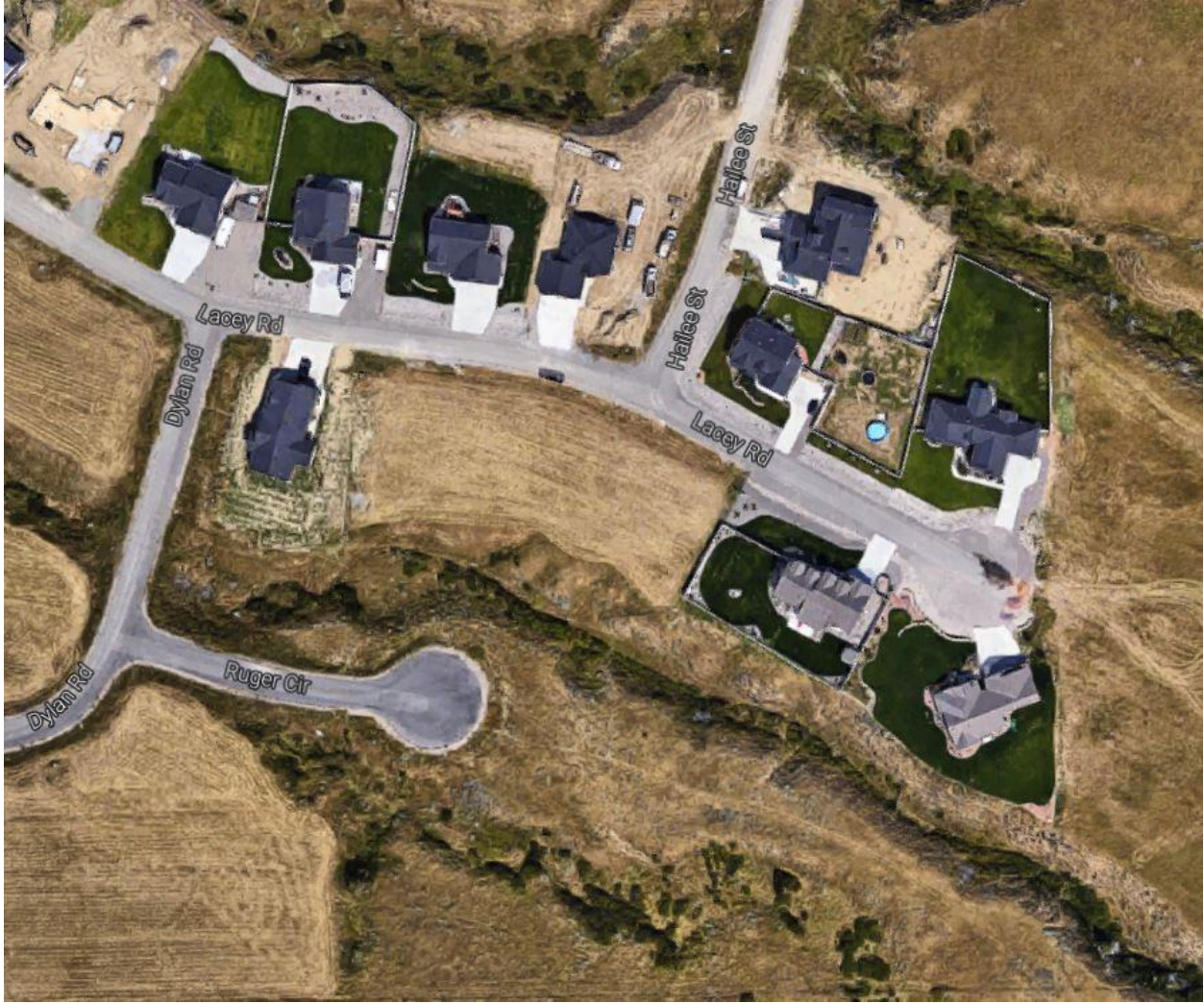
DATE: AUGUST 2008



Lacey Road end in question.



Google image of end of Lacey Road

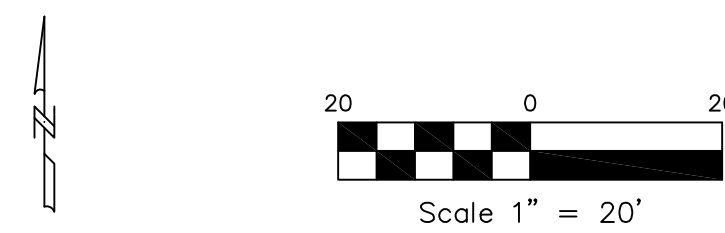


Aerial Image of a portion of Twin Coulee Subdivision

PRELIMINARY PLAT OF SANCTUARY CANYON SUBDIVISION, 1st FILING

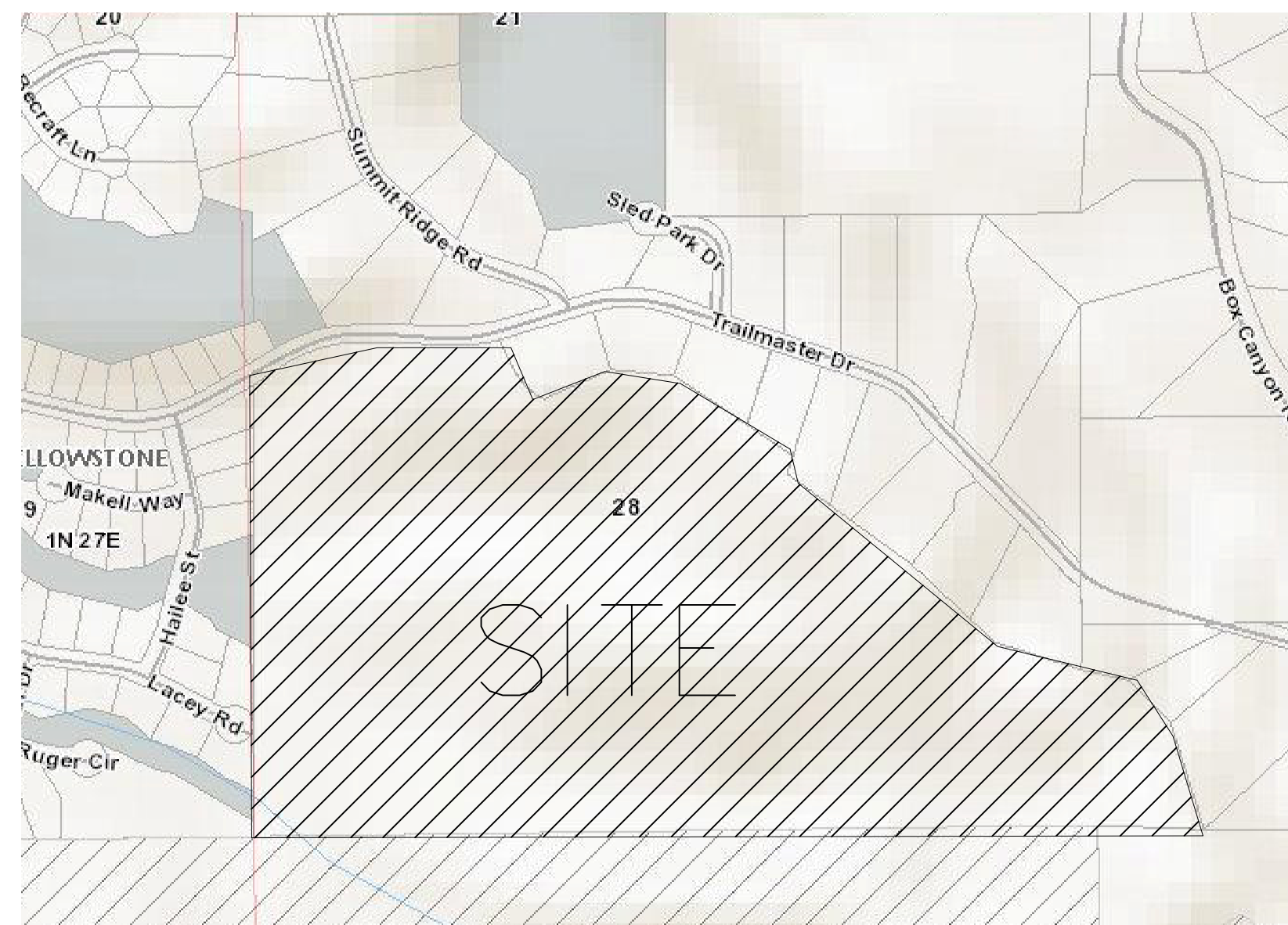
S28, T01 N, R27 E, FRAC N2 (LESS NWSWNE, EMERALD HILLS 2ND & 3RD &
EMERALD HILLS WESTGATE 2ND &
C/S 2674 AMD & EMERALD HILLS ACRG TR SUB 5TH), P.M.M.
YELLOWSTONE COUNTY, MONTANA

PREPARED FOR: SUPERIOR CONSTRUCTION
SURVEYOR: NORTH STAR LAND SERVICES, P.C.
ENGINEER: BLUELINE ENGINEERING LLC
NOVEMBER, 2016
BILLINGS, MONTANA



SUBDIVISION DETAILS:

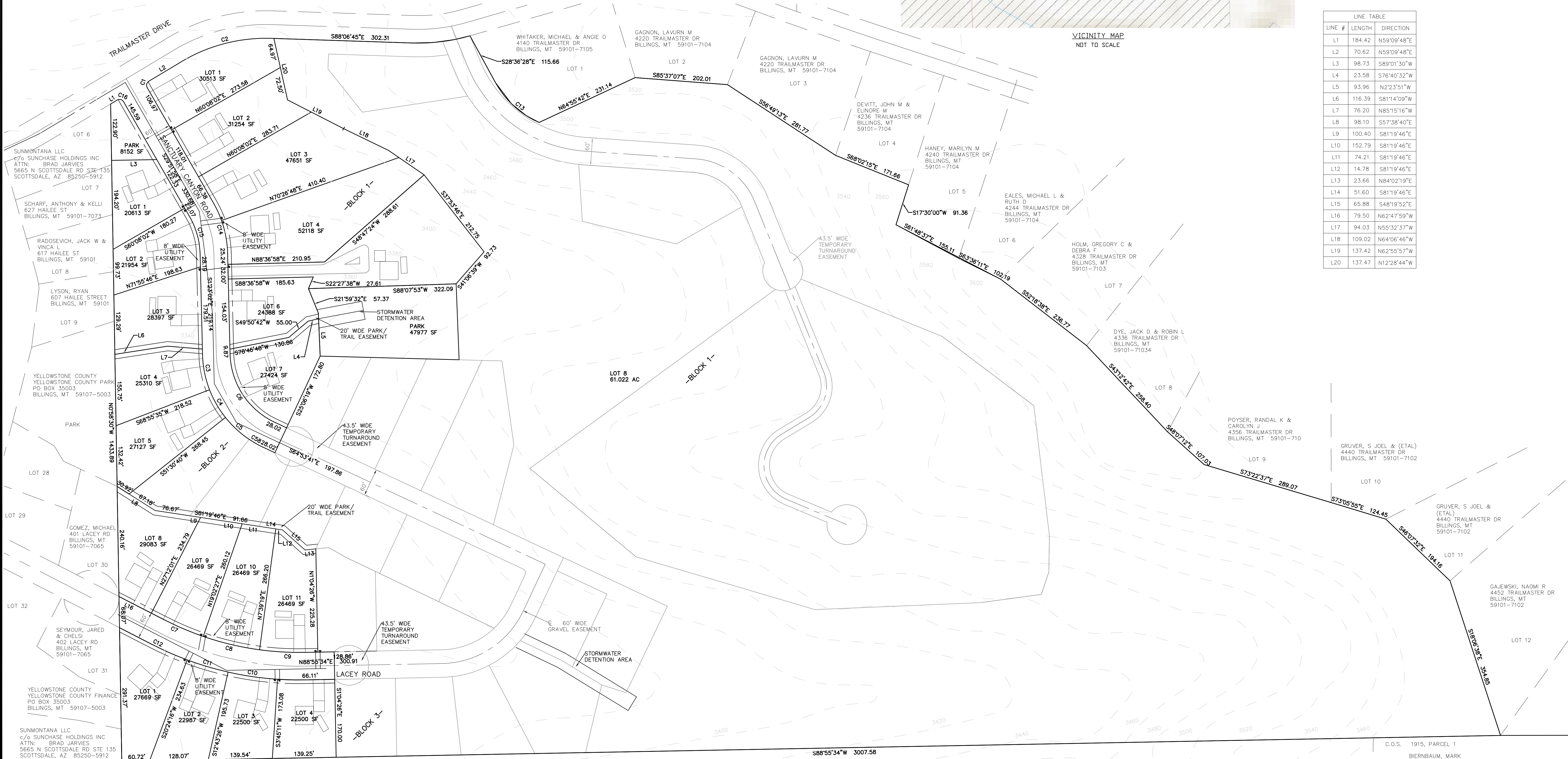
GROSS AREA	=	77.917 ACRES
NET AREA	=	74.955 ACRES
ROAD AREA	=	1.673 ACRES
PARK AREA	=	1.289 ACRES
NUMBER OF LOTS	=	20
MINIMUM LOT SIZE	=	0.517 ACRES
MAXIMUM LOT SIZE	=	61.022 ACRES
EXISTING ZONING	=	NONE
SURROUNDING ZONING	=	NONE
NORTH	=	NONE
SOUTH	=	NONE
EAST	=	NONE
WEST	=	NONE
EXISTING LAND USE	=	VACANT
PROPOSED LAND USE	=	RESIDENTIAL



VICINITY MAP
NOT TO SCALE

CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	15.54	10.00	89°01'46"	S14°38'55"W	14.02
C2	223.43	359.25	35°38'06"	S74°55'59"W	219.85
C3	79.04	230.00	19°41'24"	N111°3'43"W	78.65
C4	69.91	230.00	17°24'55"	N29°46'53"W	69.64
C5	70.71	230.00	17°36'51"	N47°17'46"W	70.43
C6	188.44	170.00	63°30'39"	S33°08'21"E	178.94
C7	90.57	636.00	8°09'35"	N66°52'46"W	90.50
C8	126.38	636.00	11°23'07"	N76°39'07"W	126.17
C9	96.90	636.00	8°43'45"	N86°42'33"W	96.80
C10	108.97	696.00	8°58'15"	S81°45'41"E	108.86
C11	93.30	696.00	7°40'49"	S73°26'09"E	93.23
C12	82.55	696.00	6°47'45"	S66°11'51"E	82.50
C13	131.85	200.00	37°46'22"	S47°29'39"E	129.48
C14	72.94	230.00	18°10'10"	N10°28'07"W	72.63
C15	84.51	170.00	28°28'56"	N15°37'30"W	83.64
C16	15.88	10.00	90°58'14"	N75°21'05"W	14.26

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	184.42	N59°09'48"E
L2	70.62	N59°09'48"E
L3	98.73	S89°01'30"W
L4	23.58	S76°40'32"W
L5	93.96	N22°33'51"W
L6	116.39	S81°14'09"W
L7	76.20	N85°15'16"W
L8	98.10	S57°38'40"E
L9	100.40	S81°19'46"E
L10	152.79	S81°19'46"E
L11	74.21	S81°19'46"E
L12	14.78	S81°19'46"E
L13	23.66	N84°02'19"E
L14	51.60	S81°19'46"E
L15	65.88	S48°19'52"E
L16	79.50	N62°47'59"W
L17	94.03	N55°32'37"W
L18	109.02	N64°06'46"W
L19	137.42	N62°55'57"W
L20	137.47	N12°28'44"W



C.O.S. 1915, PARCEL 1
BIERNBAUM, MARK
14700 SAWYER RANCH RD
DRIPPING SPGS, TX
78620-3998

FIRST PRESBYTERIAN CHURCH
2420 13TH ST W
BILLINGS, MT 59102-2428

C.O.S. 2827, PARCEL 1b