



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



AGENDA

May 9, 2017 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. **MOTION. MEETING MINUTES:** APRIL 25, 2017

Attachments

PlnBMinutes_2017_04_25_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**
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. **NEW BUSINESS:** (Agenda items new to this meeting).
 - a. **Discussion. City and County Zoning Code Update.** Wyeth Friday, Director, Planning & Community Services Department

Attachments

BOCC_Discussion_Memo_4_24_17

Zoning_Amendment_Introduction_CC_Work_Session_4_3_17

8. **OTHER BUSINESS:**

- a. **Apple Ipad Training Session:** Touch ID; Bookmarks; Pdf Reader download; Agenda Quick Overview.
Planning Board, Planning Staff, and Damon Combs, City of Billings IT Department.
- b. **(Standing Item) Long Range Strategic Issues and an overview of future City and County issues and projects.**

9. **ADJOURNMENT**

FUTURE AGENDA ITEMS FOR TUESDAY, MAY 23, 2017

- a. **LOCKWOOD TRANSPORTATION UPDATE AND DISCUSSION.** Scott Walker,
Transportation Coordinator, Planning Board

Planning Board Meeting I (2nd Tuesday)

3.

Meeting Date: 05/09/2017

Information

Subject

MOTION. MEETING MINUTES:APRIL 25, 2017

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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	01/10/2017	01/24/2017	02/14/2017	02/28/2017	03/14/2017	03/28/2017	04/11/2017	04/25/2017	05/09/2017	05/23/2017	06/13/2017	6/27/2017	07/11/2017	7/25/2017	08/08/17	08/22/17	09/12/17	09/26/17	10/10/17	10/24/17	11/14/17	11/28/17	12/12/17
Dave Goodridge	Mayor/Billings Ward I	1		1	1	E	1	1	A															
Vacant	Mayor/Billings Ward II	-	-	-	-	-	-	-	-															
LaVerne Bass	Mayor/Billings Ward III	1	1	1	1	-	1	1	1															
Darell Tunnickliff	Mayor/Billings Ward IV	1	1	1	1	1	1	1	1															
Patrick Klugman	Mayor/Billings Ward V	1	1	1	1	1	1	1	1															
Troy Boucher	YC District 1	-	1	E	E	E	E	1	1															
Dennis Cook	YC District 2	-	1	1	1	1	1	1	1															
Vacant	YC District 3	-	-	-	-	-	-	-	-															
Vacant	YC District 4	-	-	-	-	-	-	-	-															
Woody Woods	YC District 5	-	-	-	-	-	-	1	1															
Vacant	YC District 6	-	-	-	-	-	-	-	-															
Francisco Saldivar	YC District 7	1	1	1	1	1	1	1	1															
Clint Peck	Y County Cons. District	1	E	E	E	1	1	1	1															
Scott Reiter	Ex-Officio SD2		E	E	E	E	1	E	1															

CITY/COUNTY PLANNING BOARD

"Serving Billings, Broadview and Yellowstone County"

April 25, 2017

To be approved by a motion on May 9, 2017

1. Call the Meeting to Order

President Tunncliff called the meeting to order at 6:00 p.m. on Tuesday, April 25, 2017, 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 member: Lora Mattox, Transportation Planner

Others in Attendance: Bruce Lackman, Jolene Rieck, Peaks to Plains Design; Bill Cole

2. Approval of the April 25, 2017 Agenda: President Tunncliff called for approval of the agenda. **Board member Klugman made a motion and Board member Boucher seconded the motion to approve the April 25, 2017 agenda. The motion carried with a unanimous voice vote.**

3. Approval of Minutes: April 11, 2017

Motion

Board member Bass made a motion and Board member Saldivar seconded the motion to approve the meeting minutes for April 11, 2017 as submitted.

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 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 reported by the Board.

7. OLD BUSINESS

7a1. Continued Public Hearing. Presentation/Discussion. Billings Bikeway and Trail Master Plan. Lora Mattox, Transportation Planner. presenting

Ms. Mattox opened this agenda item and stated Joe Gilpin, Alta Planning & Design, gave a comprehensive presentation on the Billings Bikeway and Trail Master Plan during the April 11, 2017 Planning Board meeting. She reviewed the schedule below and stated Staff is requesting a recommendation from this Board this evening.

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Planning Board #2	Recommendation/Action - Tuesday, April 25th
Council Work Session	Presentation - Monday, April 17th at 5:30 p.m. - Items to Wynnette Thursday 4/12
Council Meeting	Action - Monday, May 8th at 6:30 p.m. - memo by Thursday 4/20 - Both meeting held in the City Council Chambers, 2nd Floor City Hall
County Discussion	Discussion - Monday, May 1st at 2:00 p.m. – Memo week before
Commissioner Meeting	Presentation/Action - Tuesday May 2 nd or 9 th at 9:30 a.m.- Both meetings held in the County Commissioners Board Room, 4th Floor, County Courthouse
PCC	Final Action – Tuesday, May 16th at 12:00 p.m. - 4th Floor County Courthouse, Commissioner Board Room

Discussion

President Tunncliff called for questions and discussion from the members of the Board. There was none. The public hearing for this agenda item was closed on April 11, 2017. President Tunncliff called for a motion.

Motion

Board member Bass made a motion and it was seconded by Board member Klugman to forward a recommendation to PCC to approve the Billings Bikeway and Trail Master Plan as submitted and presented by staff. The motion carried with a unanimous voice vote.

9a. Standing Item. Long range Strategic Issues and an overview of future City and County issues and projects.

- Future Discussion: Lockwood Transportation Issues: Wyeth Friday, Director, Planning & Community Services Department-There have been four different planning efforts for the Lockwood area: the Lockwood community Plan; the Lockwood Transportation Study; the Lockwood Non-motorized Plan, and the Lockwood Growth Policy. Board member Woods noted the 2008 Lockwood Transportation Plan and said the Lockwood Steering Committee is considering an update due to the 10-year

CITY/COUNTY PLANNING BOARD

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time span and recent changes, including the TEDD and the sewer system. The Board concurred a discussion on infrastructure priorities, and looking into terms of accomplishments and what can be done in the future will be helpful.

- County Subdivision Regulations: Hard copies requested by President Tunncliff, and Bill Cole. Electronic versions of the regulations are to be provided to Board members Saldivar and Klugman.
- Future Discussion Item: Budget Overview, Director Friday.
- Addressing Littering Issues in Yellowstone County-President Tunncliff commented on the importance of public safety and public awareness. He asked if the Board is interested in considering ways to address the safety hazards and costs of cleaning up litter in Yellowstone County; and possibly creating an informational public service announcement. Board member Saldivar participates in MDT’s adopt a highway program. Board member Peck commented it will be interesting to find out how many citations if any have been written. Director Friday suggested contacting community groups such as “Adopt a Highway” and “Bright and Beautiful” and coordinating a discussion time. Bill Cole and Board member Klugman suggested “Billings Now” and the “Trail and Hospitality Corridor Committee” chaired by Steve Arveschough. Board member Saldivar stated the message should abbreviation of litter regardless of jurisdiction in order to benefit the greater community. Future agenda item: Letter of support to call to action or a public service announcement possibly through Community 7.

8. NEW BUSINESS

- A. PLANNING BOARD APPLE IPADS-**Acceptable Use Acknowledgment and tablet distributions. Attending Board members received a tablet and completed the corresponding Acceptable Use Acknowledgements. Staff worked with Board members to assign their e-mail addresses. A training session will be provided at the May 9, 2017 meeting to download a pdf reader, bookmarks, and review how to access the Agenda Quick Meeting Packets.

ADJOURNMENT: 7:20 p.m.

DRAFT. To be approved by a motion on May 9, 2017

Planning Board Meeting I (2nd Tuesday)

7. a.

Meeting Date: 05/09/2017

Information

Subject

Discussion. City and County Zoning Code Update. Wyeth Friday, Director, Planning & Community Services Department

Attachments

BOCC_Discussion_Memo_4_24_17

Zoning_Amendment_Introduction_CC_Work_Session_4_3_17

B.O.C.C Monday Discussion

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Meeting Date: 04/24/2017

Title: Unified Zoning Regulation Revisions

Submitted For: Wyeth Friday

Submitted By: Wyeth Friday

TOPIC:

The current zoning regulations adopted for Yellowstone County date from May of 1972 – 45 years ago. Over the past several decades, the code has been amended, added to, and merged with the City’s zoning regulations. The document now spans more than 450 pages. Over the decades, the policies and goals of the County and City have changed considerably but the essential tools the County uses to implement new goals and policies have remained essentially un-changed. It is time to address revising the zoning code to reflect where Yellowstone County and Billings is now and where it is going. Staff believes this entire code update process will take between 1.5 years and 2.5 years to be completed.

BACKGROUND:

There are many challenges that residents, developers, boards and commissions, and staff encounter applying the current zoning code in 2017. These range from lack of consistency with signage regulations across County and City areas that may both be commercially developed; inconsistent landscaping requirements across commercial districts that leads to uneven landscaping in commercial areas, along major transportation corridors, and claims of unequal treatment of development in these various areas; numerous residential districts that are very similar in unit and lot size allowances that could be consolidated and also able to address areas like Lockwood that have water and sewer services available.

The 2016 Lockwood Growth Policy has goals, and guidelines on how the Lockwood area of the County wants and needs to grow over the next 20 years. Further, the County will be updating its 2008 Growth Policy for the remaining areas of the County starting this year and the City of Billings 2016 Growth Policy has goals and guidelines on how the City wants and needs to grow in the next few decades. The main tools communities use to implement growth and development goals and objectives are zoning, subdivision rules, and other land use development regulations. A revised zoning code would be a significant step for the County and City in these efforts.

RECOMMENDED ACTION:

FIRST STEPS

Code Separation: After preliminary review and discussion, staff recommends the first step in this multi-year project is for the City and County to seriously consider separating the City zoning code from the County zoning code. Twenty years ago (1997), the City and County merged the codes to ease implementation. Even 20 years ago, this was a year-long effort to ensure the code was properly drafted and revisions were acceptable to

both governing bodies. Changes to the code over the last 20 years have fractured this “unified” code so now it is difficult to determine what code does or does not apply inside or outside the City limits. The County and City also have some areas where they have diverged in their approach to land use regulations and it may be time to separate portions of these codes again. This is not intended to create a disparity in the quality of new development but to recognize the real differences in development challenges between the City and County. It is also not to say that there may be areas of code overlap that the City and County may establish as the revised codes are developed. The City Council has already expressed an interest in working more closely with the County in this effort, and others, going forward to ensure the overall urban area of Yellowstone County enjoys coordinated development and land use planning in the future.

Establishing Process Oversight: The Yellowstone County Board of Planning is a willing and logical partner for the City and County in assisting in the oversight of the zoning code rewrite process. The Board has already expressed an interest in facilitating appointment of a steering committee to help guide the community through the code revisions. Staff also expects that it will be necessary to engage the services of a consultant to help in these revisions. The consultant would also provide support for community outreach and education during the revision process, work through the steering committee, and keep the Commissioners and Council advised as progress is made. It is expected that several specialized sub-committees may be needed as well to address specific code areas like landscaping, signage, or design elements.

Funding Approach: A dashboard review of recent RFPs for zoning code updates for communities of varying sizes across the country shows a wide range of costs depending on the complexity of requested code revisions. For example, Albuquerque, NM (population 500K) engaged a consultant to revise its land use development code for \$900K, while the city of Sebastopol, CA (population 7K) engaged a consultant for \$108K for the same sort of revisions.

Staff recommends starting with an RFQ process based on a scope of the code revisions developed through the steering committee. It is anticipated that the entire code revision process might be accomplished in several stages, with consultant support at key points, resulting in a reasonable total cost to the community. The Planning Division has identified an initial \$35K of its own reserves for this project but anticipates a total of \$60K per year for Fiscal Year 2018 and Fiscal Year 2019 (\$120K total) may be needed to cover potential consultant costs. The City Council will be considering making a contribution to this funding effort during its FY18 Budget process in May/June.

COMMISSION DIRECTION

Staff is seeking Commissioner direction at this time on the following items:

- Proceed with concept of separating the City and County zoning codes
 - Support Yellowstone County Board of Planning formation of a Steering Committee
 - Consider contributing some County funds beyond the Planning Mill Levy toward the code revision process in FY18 and FY19
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CITY COUNCIL WORK SESSION ITEM
CITY OF BILLINGS, MONTANA
Monday, April 3, 2017

TITLE: Unified Zoning Regulation Revisions
DEPARTMENT: Planning and Community Services
PRESENTED BY: Wyeth Friday, AICP, Director
Nicole Cromwell, AICP, Zoning Coordinator

PURPOSE

The current zoning regulations adopted for the City date from May of 1972 – 45 years ago. Over the past several decades, the code has been amended, added to, and merged with the County’s zoning regulations. The document now spans more than 450 pages and represents volume-wise at least 1/3 of the entire current City Code. Over the decades, the policies and goals of the City and County have changed considerably but the essential tools the Council and community use to implement new goals and policies have remained essentially un-changed. It is time to address revising the zoning code to reflect where Billings is now and where it is going. Staff believes this entire code update process will take between 1.5 years and 2.5 years to be completed.

BACKGROUND

There are many challenges that residents, developers, boards and commissions, and staff encounter applying the current zoning code to Billings in 2017. These range from lot size, lot coverage, and setback requirements that have resulted many variances for existing development in some of the most stable neighborhoods in Billings, to almost no way to address aesthetic and architectural elements of residential and commercial construction to support infill and new development that fits into existing neighborhoods.

The City’s 2016 Growth Policy – Billings Beyond – has goals, and guidelines on how the City wants and needs to grow over the next 20 years. The main tools cities use to implement community growth and development goals and objectives are zoning, subdivision rules, and other land use development regulations. A revised zoning code would be a significant step for the community in these efforts.

FIRST STEPS

Code Separation: After preliminary review and discussion, staff recommends the first step in this multi-year project is for the City and County to seriously consider separating the City zoning code from the County zoning code. Twenty years ago (1997), the City and County merged the codes to ease implementation. Even 20 years ago, this was a year-long effort to ensure the code

was properly drafted and revisions were acceptable to both governing bodies. Changes to the code over the last 20 years have fractured this “unified” code so now it is difficult to determine what code does or does not apply inside or outside the City limits. The City and County also have diverged in some areas of their approach to land use regulations and it may be time to separate these codes again. This is not intended to create a disparity in the quality of new development but to recognize the real differences in development challenges between the City and County. It is also not to say that there may be areas of code overlap that the City and County may establish as the revised codes are developed.

Establishing Process Oversight: The Yellowstone County Board of Planning is a willing and logical partner for the City and County in assisting in the oversight of the zoning code rewrite process. The Board has already expressed an interest in facilitating appointment of a steering committee to help guide the community through the code revisions. Staff also expects that it will be necessary to engage the services of a consultant to help in these revisions. The consultant would also provide support for community outreach and education during the revision process, work through the steering committee, and keep the Council and Commissioners advised as progress is made. It is expected that several specialized sub-committees may be needed as well to address specific code areas like landscaping, signage, or design elements.

Funding Approach: A dashboard review of recent RFPs for zoning code updates for communities of varying sizes across the country shows a wide range of costs depending on the complexity of requested code revisions. For example, Albuquerque, NM (population 500K) engaged a consultant to revise its land use development code for \$900K, while the city of Sebastopol, CA (population 7K) engaged a consultant for \$108K for the same sort of revisions.

Staff recommends starting with an RFQ process based on a scope of the code revisions developed through the steering committee. It is anticipated that the entire code revision process might be accomplished in several stages, with consultant support at key points, resulting in a reasonable total cost to the community. The Planning Division has identified an initial \$35K of its own reserves for this project but anticipates a total of \$60K per year for Fiscal Year 2018 and Fiscal Year 2019 may be needed to cover potential consultant costs.

COUNCIL DIRECTION

Staff is seeking City Council direction on the following items:

- Proceed with concept of separating the City and County zoning codes
- Support Yellowstone County Board of Planning formation of a Steering Committee
- Consider contributing City funds toward the code revision process in FY18 and FY19