

# 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)

1	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	E	E	-	E	1	-	-	E								
Vacant	Mayor/Billings Ward II	-	-	-	-	-	-	-	-	-	-	-	-	-	-									
LaVerne Bass	Mayor/Billings Ward III	1	1	1	1	-	1	1	1	E	-	1	1	-	-	1								
Darell Tunnickliff	Mayor/Billings Ward IV	1	1	1	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	E	-	-	E								
Troy Boucher	YC District 1	-	1	E	E	E	E	1	1	1	-	1	1	-	-	E								
Dennis Cook	YC District 2	-	1	1	1	1	1	1	1	1	-	1	1	-	-	1								
Vacant	YC District 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-									
Vacant	YC District 4	-	-	-	-	-	-	-	-	-	-	-	-	-	-									
Woody Woods	YC District 5	-	-	-	-	-	-	1	1	1	-	1	1	-	-	1								
Vacant	YC District 6	-	-	-	-	-	-	-	-	-	-	-	-	-	-									
Francisco Saldivar	YC District 7	1	1	1	1	1	1	1	1	E	-	1	1	-	-	E								
Clint Peck	Y County Cons. District	1	E	E	E	1	1	1	1	E	-	1	1	-	-	E								
Scott Reiter	Ex-Officio SD2		E	E	E	E	1	E	1	A	-	1	E	-	-	1								

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**August 8, 2017**

*Draft-To be Approved by a motion on August 22, 2017*

## **1. Call the Meeting to Order**

President Tunncliff called the meeting to order at 6:00 p.m. on Tuesday, August 8, 2017, 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.

Introduction of Monica Plecker, Planning Division Manager

Attending Planning staff member: Wyeth Friday, Director, Planning & Community Services; Dave Green, Planner II; Scott Walker, Transportation Planning Coordinator; Jeannette Vieg, Planning

## **Others in Attendance:**

**Nicole Costello, Duane Van Arsdale, Sarah VanArsdale**

## **Approval of the August 8, 2017 Agenda**

### **Motion**

**Board member Dennis Cook made a motion and Board member Woody Woods seconded the motion to approve the August 8, 2017 agenda. The motion carried with a unanimous voice vote.**

- 3. Approval of Minutes: June 27, 2017. (The July 11, 2017 and July 25, 2017 meetings were cancelled).**

### **Motion**

**Board member \*\* made a motion and Board member \*\* seconded the motion to approve the meeting minutes of June 27, 2017 as submitted. There was not a quorum to approve the minutes.**

- 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.

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**7. OLD BUSINESS:** There is no old business.

### **8. NEW BUSINESS**

**8a. Plat Review/Discussion. Van Arsdale Subdivision, Dave Green, Planner II, presenting.**

Dave Green opened this agenda item with the staff report and a PowerPoint presentation.

### **INTRODUCTION**

On July 3, 2017, the Planning Division received an application for preliminary major plat approval for Van Arsdale Subdivision. The proposed plat creates 9 lots for residential development. The subject property is generally located south of Lewis Avenue on the east side of 48th Street West. The property is zoned Residential 15000 (R-150). The Yellowstone County Board of Planning will review the plat at this meeting and conduct a public hearing on Tuesday, August 22, 2017. The Board of County Commissioners will act on the proposal on September 12, 2017.

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

Planning staff recommends the following conditions of approval:

1. To minimize the effects on the natural environment, prior to final plat approval the applicant will obtain approval from the MDEQ for the proposed wells, septic systems and storm water management and meet the requirements of Yellowstone County Storm Water Management requirements.
2. To mitigate impacts to local services and ensure maintenance of the private internal road, prior to final plat approval the applicant will provide HOA documents outlining each property owners' responsibility for road maintenance.
3. To ensure correct language is included in the SIA and to mitigate impact to public health and safety, prior to final plat approval the applicant will add in the SIA under Emergency Services the following paragraph, "In lieu of a 30,000 gallon dry-hydrant system, the public fire hydrant located at the intersection of Grand Avenue and 48th Street West is within ½ road mile and is considered an approved alternative method of water supply by the Billings Fire Department."
4. To ensure correct procedure for providing a cash in lieu contribution for park land, prior to final plat approval the applicant will follow the YCSR Section 10.6 to determine the correct amount of the cash contribution to the County in lieu of park land.
5. To minimize the effects on local service, prior to final plat approval the applicant will coordinate with the USPS for locating mail boxes and providing 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 a weed management plan and a property inspection shall

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be done by the County Weed Department.

7. To ensure compliance with County zoning regulations, prior to final plat approval the applicant will add a paragraph in the SIA under Conditions That Run With The Land stating that lot owners will obtain a Zoning Compliance Permit prior to any construction on individual lots

8. To ensure the placement of easements for private utility providers, prior to final plat approval the applicant will coordinate with private utility companies to provide needed easements within the proposed subdivision.

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.

### **VARIANCES REQUESTED**

No variances from the City Subdivision Regulations have been requested.

### **Discussion**

President Tunnickliff asked the Board for questions and discussion.

Discussion regarding the sidewalk proposed on the private road versus on Lewis Ave itself. The three ditches mentioned are identified as irrigation and drainage ditches located in the existing in the right-of-way.

President Tunnickliff called for presentation by the applicant.  
Mr. VanArsdale has nothing to add.

**\*\*A public hearing for Van Arsdale Subdivision will be held during the August 22, 2017 Planning Board meeting.**

**8a. Plat Review/Discussion. EcoBuilt Subdivision, Dave Green, Planner II, presenting.**

Dave Green opened this agenda item with the staff report and a PowerPoint presentation.

### **INTRODUCTION**

On July 3, 2017, the Planning Division received an application for preliminary major plat approval for Eco Built Subdivision, 2nd Filing. The proposed plat is for condominium development with a possibility of 80 residential units on a single lot of 14.12 acres. The subject property is generally located east of Emerald Hills Drive on the south side of Old Hardin Road. 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,

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August 22, 2017. The Board of County Commissioners will act on the proposal on September 12, 2017.

### **RECOMMENDATION**

Staff recommends the Planning Board recommend the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Eco Built Subdivision, 2nd Filing, anticipating condominium development, and adopt the Findings of Fact as presented in the staff report.

1. To ensure correct maintenance of septic systems and water cisterns, prior to final plat approval the applicant in the condominium documents and the HOA documents will specifically define which units are using the same septic systems and water cisterns, and the unit owners' obligation to maintain these systems.
2. To ensure proper construction of roads and for public health and safety, prior to final plat approval the applicant in the SIA under III Transportation, A. Streets, will add language that outlines that the internal private roads will be built to County gravel surface road standards.
3. To ensure maintenance of the internal private roads, prior to final plat approval the applicant will specifically outline in the HOA documents each unit owners' responsibility to maintain the roads within this development.
4. To ensure proper road surfacing and to provide public safety for drivers in the area, prior to final plat approval the applicant will provide a Road Evaluation Study for Unpaved Roads as outlined in Section 4.6.C.4 in the YCSR for Old Hardin Road and the associated intersections with Old Hardin Road from the subdivision and provide that report to Yellowstone County Public Works for review and approval.
4. To ensure public safety and prevent septic system, water supply and storm drainage problems, prior to final plat approval the applicant will obtain approval from MDEQ for the proposed septic systems, water supply systems, and storm water management plan within the proposed development.
6. To ensure compliance with Yellowstone County Subdivision Regulations and minimize effects on local services, prior to final plat approval the applicant will contact the County Parks Board and obtain its approval in writing of the park land being privately owned and maintained.

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7. To minimize the effects on local service, prior to final plat approval the applicant will coordinate with the USPS for locating mail delivery boxes and provided the correct amount of space for safely delivering the mail to the residents.
8. To minimize the effects on provision of private utilities, and to ensure public safety, prior to final plat approval the applicant will coordinate the location of the required easements for private utility companies and provide 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 asked the Board for questions and discussion.

Discussion ensued regarding the type of tiny homes to be built, how the HOA will maintain the roads, septic and cistern. They will be sold as condominiums with the land the home sits on owned by individuals and the rest held as common ground. Regarding wildlife impact and flow of water in this area, it was shown the condominiums will not impact wildlife nor the drainage.

The drainage is shown as parkland and will contain the runoff. The applicant has more detailed information, but DEQ will have to determine if the current drainage is an allowed use. The drainage shown takes into consideration the drainage from existing property owners.

President Tunncliff called for presentation by the applicant.

### **Ed Trout,**

Mr. Trout is the owner/subdivider. Mr. Trout 4563 Coulee Dr. The drainage swales are quite large, about 30 feet across. In the 30 years I have lived here there has never been water in the drainage. The majority will be site built and approx. 700 to 800 sq. ft., smaller and affordable housing.

**\*\*A public hearing for EcoBuilt Subdivision will be held during the August 22, 2017 Planning Board hearing.**

**8c. Presentation/Discussion. 2018 Draft Unified Planning Work Program, (UPWP), Scott Walker, Transportation Coordinator, presenting.**

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Scott Walker opened this agenda item with the staff report and a PowerPoint presentation.

### **INTRODUCTION**

The City-County Planning Division is presenting the Draft 2018 Unified Planning Work Program (UPWP) for the Billings Metropolitan Planning Organization (MPO) for Planning Board review and recommendation to the Policy Coordinating Committee (PCC). The UPWP is primarily for the purpose of programming the federal dollars that Billings receives from the Federal Highway Administration (FHWA) for transportation planning, and the Federal Transit Administration (FTA) for transit funding. These funds are passed through the Montana Department of Transportation (MDT). All transportation planning activities are included in the UPWP so that it represents a comprehensive document for the urban transportation planning program. This UPWP proposes planning activities for Federal Fiscal Year 2018, which runs from October 1, 2017, through September 30, 2018.

This UPWP corresponds directly with the Planning Division’s annual work plan. The significant changes in this year’s program include completing the Billings MPO Area TransCad Model (A Multi-Modal Transportation Model), completion of the 2018 Transportation Plan Update and Public Participation Plan, and completing the Downtown Area Traffic Circulation and Safety Study. The Transit section is Chapter II of the UPWP. The document is consistent with past programs in its content and format.

### **RECOMMENDATION**

The Technical Advisory Committee recommends that the Planning Board approve the 2018 UPWP and instruct President Darell Tunnicliff to carry the recommendation to the PCC meeting on September 12th.

### **Discussion**

President Tunnicliff asked the Board for questions and discussion.

Discussion regarding how the funds are dispersed, all funds are 100 % transportation related. There will be a substantial update on the transportation plan in 2018. Discussion on how the constringency fund is used, we use it for people or a transportation study. The MPO controls the use of the fund /reserve. We would like to fill the Bike/Ped. coordinator and a Planner I position.

Discussion on working with Public Works to revamp the downtown traffic flow study which will include parking and safe movement for bikes and pedestrians. MDT is

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undertaking a substantial study to look at the 27<sup>th</sup> Street issue. We are looking at some of goals and objectives for the county in the urban areas, more with the rural areas within the incorporated areas. Working with the Commissioners regarding expectations in those areas. Discussion on time lines for upcoming meetings and deadlines.

**\*\*The Board will forward a recommendation on the 2018 UPWP to the Policy Coordinating Committee on August 4, 2017.**

### **9. OTHER BUSINESS**

**9a. Staff Update/Planning Board Discussion: City/County Zoning code Update Status Report.** Wyeth Friday, Director, Planning & Community Services.

We are in the mist of the city/county zoning code separation with no changes. We will be going to City Council on August 14, 2017 and to the County Commissioners on September 19, 2017. Have had no issues regarding public input regarding this separation. Discussion that the code should remain separate. Finalizing the main steering committee to meet at the end of August.

I was approached by the Park Department; they are getting ready to bring back the final draft of their park master plan. They would like to have a joint meeting with this board and the park board to discuss and review the final draft and make recommendation to the City Council. They would like a lunch meeting at 11:30 at the Park Department office on September 6<sup>th</sup>, which is a Wednesday. Please let me know soon and I will get in touch with the rest of the board to set it up.

**9b. (Standing Item) Long Range Strategic Issues and an overview of future City and County issues and projects.**

**9c. Announcement:** The next meeting will be held on Tuesday, August 22, 2017

ADJOURNMENT: 7:05 p.m.

DRAFT-To be Approved by a motion on August 22, 2017