



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



AGENDA

October 24, 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. APPROVAL MEETING MINUTES:OCTOBER 11, 2017**
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. **OLD BUSINESS** (Agenda items that were not discussed or not completed in a previous meeting or items requiring action).
 - a. **PUBLIC HEARINGS/PUBLIC HEARING PARTICIPATION GUIDELINES.** The County Planning Board welcomes public input on matters brought before the Board. To ensure a fair and effective public comment process, we ask that you consider the following guidelines when presenting your comments: Address the Planning Board directly. You must state your name and address before commenting. This is an opportunity to explain how you will be affected by the decision and why that is an important consequence. By state law, the Planning Board must consider only certain criteria when reviewing subdivisions (76-3-608(a), MCA). Please see the attached guidelines for the criterion. Thank you for participating!

1. **Public Hearing. Motion/Recommendation. Copper Ridge Subdivision, 7th Filing.** City Major Subdivision. Gary Oakland and Marvin Hessler, owners. Dave Green, Planner II, presenting.

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

9. **OTHER BUSINESS:**
 - a. **Discussion. 2018 Board Openings and Appointments:** The Planning Board positions below are open or up for reappointment for 2018. Board members are encouraged to submit their applications to reapply for the next term.
City Ward II-Vacant; City Ward V; (Patrick Klugman partial term), BOCC District 3-Vacant; BOCC District 4-Vacant; BOCC District 5, Woody Woods; BOCC District 7, Francisco Saldivar; YC Conservation District, Clint Peck

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

10. **ADJOURNMENT**

FUTURE AGENDA ITEMS FOR TUESDAY, NOVEMBER 14, 2017

- a. **Motion. Planning Board Nominating Committee for 2018 Officers**
Planning Board Bylaws, Section 1. Committees
The President shall at the first regular meeting in November appoint three (3) members who will present their recommendations for new officers at the first meeting in December as the first order of business following the approval of the minutes. Nominations from the floor may be made at this time. The President shall not be a member of the Nominating Committee.
Planning Board Bylaws, Article VII, Board Officer, Terms, and Duties: Section 2.
Election of Officers
The President and Vice President shall be elected by a majority of the Board members present and voting at the first regular scheduled meeting in January. The terms of office of the President and Vice President shall commence on February.

Public Hearing Participation Guidelines

The County Planning Board welcomes public input on matters brought before the Board. To ensure a fair and effective public comment process, we ask that you consider the following guidelines when presenting your comments: **Address the Planning Board directly. You must state your name and address before commenting.** This is an opportunity to explain how you will be affected by the decision and why that is an important consequence.

1. Be informed of the process and the requirements of the Board. If you are commenting about a subdivision, please limit your comments to the review criteria.

By state law, the Planning Board must consider only certain criteria when reviewing subdivisions (76-3-608(a), MCA). These criteria include:

- Effect on agriculture and agricultural water user facilities
- Effect on local services
- Effect on the natural environment
- Effect on wildlife and wildlife habitat
- Effect on public health and safety

2. Provide specific information about why you are concerned about the pending application, how the decision will impact the review criteria listed above, and provide suggestions on how to minimize or eliminate the impact.
3. Respect the right of others to participate. Wait until the previous speaker has completed their comments before making your own comments. Do not talk over the person commenting or with other people in attendance.
4. The public hearing is not an opportunity to question or accuse the applicant or their agent. If you have questions of the Board, the applicant or the agent, ask the question directly to the Board during the public hearing portion of the meeting. The Board will respond or request the applicant or agent to respond after the public comment portion of the hearing is closed.
5. After the public comment portion of the hearing is closed, no further comments are allowed unless you are addressed directly by a Board member.
6. You should expect the Board to make a balanced recommendation in accordance with its statutory responsibilities. The Board's ability to make reasonable and thoughtful recommendations is dependent on a fair consideration of everyone's interests.

Thank you for participating.

Planning Board Meeting 2 (4th Tuesday)

Meeting Date: 10/24/2017

Information

Subject

MOTION. APPROVAL MEETING MINUTES:OCTOBER 11, 2017

Attachments

PlnBMinutes_2017_10_11_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	01/10/2017	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	10/11/17	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	1	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	1	1	A	1				
Darell Tunnickliff	Mayor/Billings Ward IV	1	1	1	1	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	1	1	1	1				
Troy Boucher	YC District 1	-	1	E	E	E	E	1	1	1	-	1	1	-	-	E	1	E	1	E				
Dennis Cook	YC District 2	-	1	1	1	1	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	1	E	1	1				
Vacant	YC District 6	-	-	-	-	-	-	-	-	-	-	-	-	-	-		-	-	-	-				
Francisco Saldivar	YC District 7	1	1	1	1	1	1	1	1	E	-	1	1	-	-	E	E	1	1	1				
Clint Peck	Y County Cons. District	1	E	E	E	1	1	1	1	E	-	1	1	-	-	E	1	E	E	1				
Scott Reiter	Ex-Officio SD2		E	E	E	E	1	E	1	A	-	1	E	-	-	1	E	E	1	E				

CITY/COUNTY PLANNING BOARD

"Serving Billings, Broadview and Yellowstone County"

OCTOBER 11, 2017

DRAFT-To be approved by a motion on October 24, 2017

1. Call the Meeting to Order

President Tunncliff called the meeting to order at 6:00 p.m. on Wednesday, October 11, 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 members: Wyeth Friday, Director, Planning & Community Services; Monica Plecker, Planning Division Manager; Dave Green, Planner II; Tammy Deines, Planning Clerk

Others in Attendance: Landy Leep, Oakland Companies; Mac Fogelsong, Sanderson Stewart; Gary Owen, Sanderson Stewart;

Approval of the October 11, 2017 Agenda

Motion

Board member Cook made a motion and Board member Klugman seconded the motion to approve the October 11, 2017 agenda. The motion carried with a unanimous voice vote.

3. Approval of Minutes: September 26, 2017

Motion

Board member Klugman made a motion and Board member Saldivar seconded the motion to approve the September 26, 2017 meeting minutes 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.

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:

7b. Plat Review Copper Ridge Subdivision, 7th Filing. County Major. Dave Green, Planner II, presenting.

Planner Dave Green opened this agenda item with presentation of the staff report.

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INTRODUCTION

On August 1, 2017, Sanderson Stewart, agent for Gary Oakland and Marvin Hessler, owners, applied for preliminary major plat approval for Copper Ridge Subdivision, 7th Filing. The proposed subdivision creates 58 new lots for single-family residential development. The subject property is generally located on the north side of Rimrock Road, east of 70th Street West, and west of the existing Copper Ridge Subdivision. Four large parcels of this filing are west of 70th Street West. The property is zoned Residential-7000 (R-70) and Residential-5000 (R-50).

At the September 26 Public Hearing the applicant asked for a 30-day delay. The applicant wishes to add more lots with this filing.

The Yellowstone County Board of Planning will review the plat at this meeting and conduct a public hearing on October 24, 2017.

RECOMMENDATION

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Copper Ridge Subdivision, 7th Filing to the City Council, and adopt the Findings of Fact as presented in the staff report.

VARIANCES REQUESTED

No variances from the City Subdivision Regulations have been requested.

PROPOSED CONDITIONS OF APPROVAL

Planning staff recommends the following conditions of approval:

- 1. To minimize the effects on local services and ensure public safety prior to final plat approval the applicant will submit an updated storm water report to City Engineering for review and approval.*
- 2. To minimize effects on local services and to ensure understanding of the use of an easement prior to final plat approval, the applicant will include an easement document for the temporary cul-de-sac at the north end of 70th Street west as shown on the proposed plat.*
- 3. To ensure public safety for fire suppression and access for the City Fire Department prior to final plat approval, the applicant will include language in the SIA regarding construction of the temporary road to be able to support a 40-ton truck in all weather conditions and that the temporary road will be maintained by the developer until the temporary road is replaced with a hard surface paved road.*
- 4. To ensure public safety and that roads are built to handle increased traffic prior to final plat approval, the applicant will submit an update SIA to City Engineering for review and approval.*
- 5. To ensure correct procedure for providing a cash in lieu contribution prior to final plat approval, the applicant will follow the Billings Subdivision Regulations Section 23-1006 to*

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determine the correct procedure and amount of the contribution to the City for park land cash contribution.

- 6. To minimize the effects on local service prior to final plat approval, the applicant will coordinate with the USPS to determine what type of deliver system is preferred and to locate and provide the correct amount of space for safely delivering the mail to the residents.*
- 7. 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.*
- 8. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.*
- 9. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.*

Discussion

President Tunncliff called for discussion and questions from the members of the Board. Staff gave a brief presentation to the Planning Board and noted there is school bus service to this subdivision. Board President Darrel Tunncliff asked if there were any question for staff. Board member Klugman asked if the parkland requirement increases with the additional lots for this filing. Staff responded that the parkland amount did increase to include the additional lots for this filing. There were no other questions from the board. The owners’ representative, Landy Leep stood to answer any questions the board may have, there were none.

Landy Leep, 127 N 27th Street, Billings, Montana

Mr. Leep thanked the Board and Staff and offered to answer questions. There were no questions for Mr. Leep.

8. NEW BUSINESS: There is no new business.

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9. OTHER BUSINESS/ANNOUNCEMENTS

- **Recognition for MAP Award for the YC Subdivision Regulations**
Amendment project: This will be continued to the next Planning Board meeting on October 24, 2017.
- **Re-scheduled Special Joint meeting with Parks Board Wednesday, October 18, 2017. Draft Comprehensive Parks Plan. 11:00 a.m. at the City Parks Department conference room.** Wyeth Friday clarified the meeting procedures for this meeting.
- **Special Meeting. Ethics Training for Boards and Commissions. Wednesday, October 18, 2017, 4:00-6:00 pm Billings Community Center** This is a training session for members of City and County Board and Commission members. City Council members and the YC Commissioners will be invited to attend. The Local Government Center will be presenting along with City and County Legal staff.
- **Announcement:** Board member Klugman announced that he will be resigning from the Board as City Ward 5 as he is moving. His last meeting will be on October 25, 2017.

ADJOURNMENT: 6:25 p.m.

DRAFT-To be approved by a motion on October 24, 2017



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



Planning Board Meeting 2 (4th Tuesday)

Meeting Date: 10/24/2017

Information

INTRODUCTION

On August 1, 2017, Sanderson Stewart, agent for Gary Oakland and Marvin Hessler, owners, applied for preliminary major plat approval for Copper Ridge Subdivision, 7th Filing. The proposed subdivision creates 86 new buildable lots for single-family residential development and 6 lots for future development or storm water management. The subject property is generally located on the north side of Rimrock Road, east of 70th Street West, and west of the existing Copper Ridge Subdivision. Four large parcels of this filing are west of 70th Street West. The property is zoned Residential-7000 (R-70) and Residential-5000 (R-50).

At the September 26 Public Hearing for the preliminary plat, the applicant asked for a 30-day delay. The applicants indicated to the Yellowstone County Board of Planning at the meeting that they would like to add more lots within this filing. This type of change to the preliminary plat necessitates a re-review of the proposal and a new plat review and public hearing before the Board of Planning. The Board conducted a second plat review at its October 11 meeting and the Board will conduct a public hearing at this meeting.

RECOMMENDATION

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Copper Ridge Subdivision, 7th Filing to the City Council, 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 minimize the effects on local services and ensure public safety, prior to final plat approval the applicant will submit an updated stormwater report to City Engineering for review and approval.
2. To minimize effects on local services and to ensure understanding of the use of an easement for access, prior to final plat approval the applicant will include an easement document for the temporary cul-de-sac at the north end of 70th Street west as shown on the proposed plat.
3. To ensure public safety for fire suppression and access for the City Fire Department, prior to final plat approval the applicant will include language in the SIA regarding construction of the temporary fire access road that will support a 40 ton truck in all weather conditions, and that it will be maintained by the developer until the temporary road is replaced with a hard surface paved road.

4. To ensure public safety and that roads are built to handle increased traffic, prior to final plat approval the applicant will submit an updated SIA to City Engineering for review and approval.
5. To ensure correct procedure for providing a cash in lieu contribution for park land, prior to final plat approval the applicant will follow the Billings Subdivision Regulations Section 23-1006 in determining the correct amount of the contribution to the City in lieu of park land.
6. To minimize the effects on local service, prior to final plat approval the applicant will coordinate with the USPS to determine what type of deliver system is preferred and to locate and provide the correct amount of space for safely delivering the mail to the residents.
7. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal 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 City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

VARIANCES REQUESTED

No variance has been requested.

DISCUSSION/STAKEHOLDERS

During the plat review on October 11th, staff gave a brief presentation to the Planning Board. Board President Darell Tunnicliff asked if there were any questions for staff. One question was asked about whether the parkland requirement would increase with the additional lots for this filing? Staff responded that the parkland amount did increase to include the additional lots for this filing. There were no other questions from the board. The owners representative, Landy Leep, stood to answer any questions the board might have, but there were none.

Attachments

Findings of Fact
Proposed Plat

FINDINGS OF FACT

The Planning staff has prepared the Findings of Fact for the preliminary plat of Copper Ridge Subdivision, 7th Filing and has provided them for review by the Planning Board, as follows:

A. What are the effects on agriculture, local services, the natural environment, wildlife, wildlife habitat, and public health, safety and welfare? [MCA 76-3-608 (3) (a) and BMCC 23-302.H.2.]

1. Effect on agriculture and agricultural water user facilities

The subject property is currently used for agricultural purposes and about 25.5 acres of agricultural land would be taken out of production with this subdivision filing proposal. Perimeter ditches and drains shall remain in place and not be altered by the subdivider or subsequent owners. The subdivision should not affect agricultural water users' facilities but it will take land out of agricultural production.

2. Effect on local services

- a. **Utilities** – Water service will be provided by the City of Billings. The developer will install new water mains in all of the new local streets, new individual services to all of the lots, and new fire hydrants in accordance with design standards, specifications, rules and regulations of the City of Billings Public Works Department, Fire Department and the Montana Department of Environmental Quality (MDEQ). The water service will be provided by an existing 12-inch water line that is in Rimrock Road and also a 12-inch line stub from Copper Bluffs Circle. The extension of these lines will provide a looped system in the new filing.

Sanitary sewer service will be provided by connecting to the existing City of Billings' sewer mains. There is an existing 8-inch sanitary sewer stub located in Copper Bluffs Circle and also an 18-inch sanitary sewer main located in Rimrock Road. The subdivider shall extend the existing 18-inch sanitary sewer in Rimrock Road west to approximately 70th Street West. The subdivider will install new sewer mains in the local streets and individual services for each lot in accordance with design standards, specifications, rules and regulations of the City of Billings Public Works Department and MDEQ.

A cash-in-lieu contribution for a 12-inch water line and two fire hydrants was made by the subdivider with the Fifth Filing to extend a water main from the existing terminus to the western boundary of Copper Ridge subdivision 5th filing, approximately 860 feet. This contribution will be applied toward the construction of the 12-inch water main to the 7th filing, within Rimrock Road, or be refunded to the developer and the developer will install the water main.

MDU will provide gas services and Yellowstone Valley Electric Cooperative will provide electric services to the subdivision. Easements have been shown on the face of the plat that are acceptable to these utility providers.

Stormwater – Stormwater drainage for the public streets is proposed to be provided by curb and gutters that discharge into storm water pipes and eventually to retention areas in the proposed detention basins along Rimrock Road. These and all other drainage improvements shall satisfy the criteria set forth by the *City of Billings Stormwater Management Manual* and will be subject to review and approval by the City Engineering Department. The developer is proposing to construct 3 large detention basins along the southern boundary of the subdivision. Two of those detention basins will be built with this filing and the other one with future filings. An updated Stormwater Report will be submitted and approved by City Engineering before final plat. **(Condition #1)**

The subdivider may direct runoff from this filings and future filings to the City of Billings storm water detention facility proposed to be built on property at the intersection of Rimrock Road and 62nd Street West. The subdivider shall make a cash contribution to the City of Billings for the stormwater management facility based on a square foot of net residential lot area. The contribution will be worked out between the subdivider and the City of Billings engineering division as outlined in the SIA under Storm Drainage B ii.

- b. **Solid waste** – The City of Billings will provide solid waste collection and disposal. The City’s landfill has adequate capacity for this waste.
- c. **Streets** – Rimrock Road is identified as a collector street at the location of this filing. The applicant will be providing additional right of way for Rimrock Road to meet the required 74-foot-wide right of way, it is currently a 60 foot right of way. Rimrock Road will be completed with a pavement width of 26 feet with borrow ditch swales from the current terminus of pavement to the western boundary of the 7th Filing. The applicant will be making a cash in lieu contribution for the future curb and gutter.

The lots within the subdivision will be served by the construction of Copper View Way, Copper Bluffs Circle and Copper Sunset Drive with two streets west of 70th Street West. They shall all be 34 feet back of curb to back of curb and shall be built to City of Billings street standards. They shall be built to grade with a satisfactory subbase, base course, curb and gutter with asphalt surface. 70th Street West shall be 30 feet of asphalt with a curb and gutter. The curb and gutter will be constructed on the east side of the street at this time. A temporary gravel surface turn around easement will be provided at the northern end of 70th Street West. The applicant will need to submit an easement document with the associated call out on the plat. **(Condition #2)**

The two streets on the west side of 70th Street West will be connected by a temporary gravel surface road way built to support a 40-ton vehicle in all weather conditions. It will be maintained by the developer until it is replaced by permanent paved road surface. **(Condition #3)**

The streets are proposed to be built to City standards by providing a 34-foot width, curb/gutters, and boulevard sidewalks. Typically, the sidewalks are installed by the home builder on a lot-by-lot basis, as lots develop. However, boulevard sidewalk along the frontage of Lot 19, Block 1 shall be constructed with the private contract for the subdivision. The boulevard sidewalk along the right of way frontage between Lots 18 and 19, Block 2 shall also be built with the private contract with this subdivision. The developer will also install all ADA required ramps at the intersections within the proposed subdivision. This information is included in Transportation 3.B. of the SIA.

A Traffic Impact Study (TIS) was completed with this filing in order to evaluate the subdivision's impact on the street network in the surrounding area. An updated SIA will be submitted before final plat approval. **(Condition #4)** Cash contributions will be made for future intersection improvements identified in the SIA under Transportation D. Traffic Control Devices. A proportionate contribution will be made for this 7th filing as described in the SIA.

- d. **Emergency services** – The Billings Police and Fire Departments will respond to emergencies within the proposed subdivision. The nearest fire station is located at 54th St. West and Grand Ave. (Station #7). The subdivision is located within the ambulance service area of American Medical Response (AMR).
- e. **Schools** – School District #2 provides educational services to elementary through high school students. Schools serving these students are Arrowhead Elementary, Will James Middle School, and West High School. At the time of the writing of this staff report there was no response from the schools or district. At the time of the 6th filing Arrowhead Elementary was over capacity, while the other schools were below, but near capacity. Also, the subdivision is currently on a bus route.
- f. **Parks and Recreation** – Residential subdivisions creating lots with housing densities less than one dwelling unit per ½-acre are required by State and local laws to dedicate 11% of the net land area (or provide an equivalent cash contribution) for parkland. With 86 residential lots being created with this filing the required parkland acreage would be 1.7319 acres. The applicant is proposing to provide a cash in lieu contribution. **(Condition #5)**
- g. **Mail Delivery** - The United States Postal Service will provide postal service to the subdivision and has indicated that centralized mailbox units will be required as were installed for the previous filings of this subdivision. The developer will need to coordinate mailbox locations with the postal service. **(Condition #6)**

3. Effect on the natural environment

The subject property is currently farmland slightly sloping to the south toward Rimrock Road from the rimrocks near Phipps Park. The property of the 7th Filing is not located within any floodplain. A flood plain from Little Cove Creek touches the extreme south

western tip of Lot 4, Block 3, one of the 25-acre future filings but does not go onto the land to be developed in the future. During development, storm water pollution prevention best management practices are required to be used and monitored to prevent erosion on exposed ground. Overall, the effect on the natural environment should be minimal.

4. Effect on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. There is a note in the SIA that warns future lot owners of the presence of deer in the area, which may cause damage to their landscaping. This subdivision should have a minimal effect on wildlife and wildlife habitat.

5. Effect on the public health, safety and welfare

There will be no impacts to public health, safety and welfare as a result of this subdivision.

B. Was an Environmental Assessment required? [(MCA 76-3-616 and BMCC 23-302.H.1.)]

The proposed subdivision is exempt from the requirement for an Environmental Assessment pursuant to Section 76-3-616, MCA.

C. Does the subdivision conform to the City of Billings 2016 Growth Policy, the 2014 Transportation Plan, and the Billings Area Bikeway and Trail Master Plan? [BMCC 23-302.H.4.]

1. City of Billings 2016 Growth Policy

The proposed subdivision is consistent with the following goals of the Growth Policy:

Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods): Neighborhoods that are safe and attractive and provide essential services are much desired (p.8). Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels. (p.8)

Home Base (healthy, safe and diverse housing options) A mix of housing types that meet the needs of a diverse population is important. (p.9) Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings.

2. Urban Area Transportation Plan 2014 Update

The proposed subdivision adheres to the goals and objectives of the 2014 Transportation Plan and preserves the street network and street hierarchy specified in the plan.

3. Billings Area Bikeways and Trail Master Plan

The proposed subdivision lies within the jurisdiction of the Billings Area Bikeways and Trail Master Plan. A trail corridor exists within parkland dedicated to the City in the

previous filings of this subdivision. This trail network will eventually connect the subdivision to a future trail identified in the plan along Cove Ditch to the south and east. There is a short term bike lane identified along Rimrock Road but this subdivision is not required to construct any trails.

D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? [MCA 76-3-608 (3) (b) and BMCC 23-302.H.3.a.]

The proposed subdivision satisfies the requirements of the Montana Subdivision and Platting Act and to the design standards specified in the local subdivision regulations. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local and state subdivision regulations.

E. Does the proposed subdivision conform to all requirements of the zoning in effect? [BMCC 23-302.H.3.e.]

The subject property is located within R-70 and R-50 zoning. The lot sizes conform to the requirements of this zone. Other building setbacks and structure specific requirements will be reviewed for compliance at the time of building permit review.

F. Does the proposed plat provide easements for the location and installation of any utilities? [MCA 76-3-608 (3) (c) and BMCC 23-302.H.3.b.]

The subdivider has provided utility easements as requested by MDU and YVEC on the face of the plat.

G. Does the proposed plat provide legal and physical access to each parcel within the subdivision and notation of that access on the plat? [MCA 76-3-608 (3) (d) and BMCC 23-302.H.3.c.]

Legal and physical access is provided to the proposed lots from Copper Sunset Drive, Copper View Way and Copper Bluffs.

CONCLUSIONS OF FINDINGS OF FACT

- The preliminary plat of Copper Ridge Subdivision, 7th Filing does not create any adverse impacts that warrant denial of the subdivision.
- The proposed subdivision conforms to several of the goals and policies of the 2016 Growth Policy and does not conflict with the Transportation or Bikeway/Trail Plans.
- The proposed subdivision complies with state and local subdivision regulations, local zoning, and sanitary requirements and provides legal and physical access to each lot.
- Any potential negative or adverse impacts will be mitigated with the proposed conditions of approval.

RECOMMENDATION

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Copper Ridge Subdivision, 7th Filing to the City Council, and adopt the Findings of Fact as presented in the staff report.

