

CITY/COUNTY PLANNING BOARD

"Serving Billings, Broadview and Yellowstone County"

APRIL 24, 2018

DRAFT-To be approved by a motion on May 8, 2018

1. Call the Meeting to Order

President Tunnickliff called the meeting to order at 6:00 p.m. on Tuesday, April 24, 2018, in the Miller Building 1st Floor Conference Room, 2825 3rd Avenue North, Billings, Montana.

Introduction of Planning Board Members and Planning Department Staff

President Tunnickliff called for introductions of the members of the Planning Board and staff. He welcomed Jon Thompson, Planning Board Representative Ward V. A brief orientation session was held prior to this meeting.

Attending Planning staff members: Wyeth Friday, Director, Planning & Community Services; Monica Plecker, Planning Division Manager; Scott Walker, Transportation Coordinator; Darin Swenson, YC Public Works Department; Tammy Deines, Planning Clerk

Others in Attendance: City Councilperson Denise Joy, Ward 5

Approval of the April 24, 2018 Agenda

Motion:

Board member Woods made a motion and it was seconded by Board member Cook to approve the April 24, 2018 meeting agenda as submitted. The agenda was approved with a unanimous voice vote.

Approval of Minutes: March 27, 2018. (The April 10, 2018 meeting was canceled due to a lack of agenda items).

Motion

Board member Cook made a motion and Board member Woods seconded the motion to approve the March 27, 2018 meeting minutes as corrected with an updated to the attendance to include Wyeth Friday.. The motion carried with a unanimous voice vote.

3. **Public Comment:** President Tunnickliff 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.

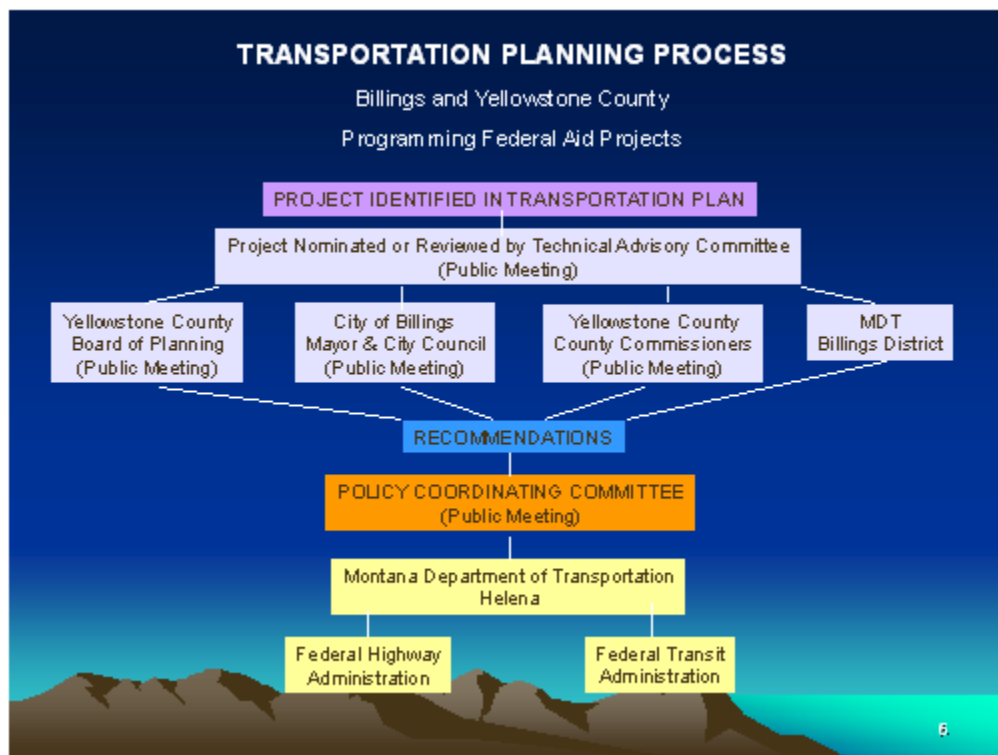
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7. OLD BUSINESS

8a. Motion/Recommendation to PCC. Memorandum of Agreement-Billings Metropolitan Transportation Planning Process. Scott Walker, Transportation Coordinator, presenting.

Scott Walker stated this item will be heard by the Policy Coordinating Committee,(PCC), on May 22, 2018. The agreement sets the stage for the MPO, (Metropolitan Planning Organization), which is established in order for the community to expend Federal funds for projects. The Planning Board is the MPO for the Billings Urban Area. He reviewed the graphic below and explained that this is a federal document designating the MPO and PCC as the governing body of the MPO. It also designates transit operations; the makeup of the Transportation Advisory Committee, (TAC); and establishes the Billings Urban Area Unified Work Program, (UPWP). The MOU ensures all corresponding documents and budgets are current. This agreement was first executed on March 25, 1954. This is the 10th version of this document which was last updated in 2009. The updates include job titles and references to current highway bills.



Discussion

President Tunnicliff called for discussion and questions from the members of the Board. Board member Woods asked regarding the agreement timeframe, and Scott Walker stated major changes trigger an update of the document. In response to question by Board

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member Thompson, Scott Walker gave the membership composition of TAC and PCC. Board member Williams asked how projects are identified. Scott Walker said projects are generally identified from the Long Range Transportation Plan, which overreaches throughout the organized area. He used the Shiloh Road project and the identification of funding sources as an example.

Motion

Board member Woods made a motion and Board member Cook seconded the motion to forward a recommendation to PCC of approval of the 2018 Memorandum of Agreement for the Billings Metropolitan Planning Process.

The motion carried with a unanimous voice vote.

8b. Motion/Recommendation to PCC. Memorandum of Agreement for Cooperative Performance Based Planning. Scott Walker, Transportation Coordinator, presenting.

Scott Walker stated this item will be heard by the Policy Coordinating Committee on May 22, 2018. This is a new agreement required by FWHA between MDT, the Billings Urban Area MPO; and the City of Billings Aviation and Transit Departments. The Federal highway bill requires adherence to all Federal regulations to provide quantification of safety measures. Signatories include the City/County Planning Board as the MPO, the State of Montana, and the City Administrator.

Discussion

President Tunnicliff called for discussion and questions from the members of the Board. Scott Walker responded to question by Board member Thompson and stated Thompson this is an agreement between the MPO and the Department of Transportation to ensure the goals in the Transportation Plan are reasonable

Motion

Board member Cook made a motion and Board member Thompson seconded the motion to forward a recommendation to PCC of approval of the Memorandum of Agreement for Cooperative Performance Based Planning.

The motion carried with a unanimous voice vote.

9. OTHER BUSINESS/ANNOUNCEMENTS

9a. Presentation/Discussion. Subdivision 101-Review Process and Procedures.

Monica Plecker, Planning Division Manager, presenting. Ms. Plecker stated this presentation is in response to a request by a Planning Board member. She followed with a review and explanation of the outline below. This presentation will be e-mailed to the Board members after this meeting.

SUBDIVISION REVIEW & PROCESS

Yellowstone County Board of Planning

April 24, 2018

Overview

SUBDIVISION 101-WHAT IS A SUBDIVISION?

Subdivision – a land division that:

- Creates one or more parcels for conveyance
- Parcels are less than 160 acres
- Parcels cannot be described as a ¼ aliquot part of a US government section

Certificate of survey

- drawing of a field survey that discloses facts about property boundary locations (done when a survey is exempt from subdivision review)

SUBDIVISION 101-THE LINGO

Subdivision: First Minor, Major, Subsequent Minor, Expedited, Amended

STATUTORY AUTHORITY

State: MCA 76-3-101 through 76-3-625

- Requires local governments to adopt subdivision regulations
- Sets procedures and content of regulations
- Establishes local review criteria
- Presumes land may be divided unless negative impacts cannot be mitigated

City Regulations

County Regulations

SUBDIVISION 101-PURPOSE

- Promote public health, safety and welfare
- Promote orderly growth and development
- Prevent overcrowding and street congestion
- Provide public improvements
- Promote preservation of open space

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- Protect private property interests
- Establish uniform monumentation and land transfers

SUBDIVISION 101-REVIEW CRITERIA

Effects on:

- Agriculture and Ag. water user facilities
- the natural environment
- wildlife and wildlife habitat
- public health and safety
- local services

Compliance with:

- Survey requirements outlined in MCA 76-3-401 et seq.
- Local subdivision regulations and local review process
- Local zoning regulations

Provision of easements for utilities

Provision of legal and physical access to each parcel

Consistency with adopted plans and policies

PROCESS-PRELIMINARY PLAT PROCESS

PROCESS PRELIMINARY PLAT				
	FIRST MINOR AMENDED	MAJOR	SUBSEQUENT MINOR	EXPEDITED
LOTS	Up to 5	6 +	Up to 5*	1-2
ACCEPTANCE	1st and 15th	1st	1st and 15th	Any day
PreApplication Meeting	Yes	Yes	Yes	Yes
COMPLETENESS & SUFFICIENCY	Yes	Yes	Yes	CHECKPRINT REVIEW
DEPARTMENTAL REVIEW MEETING	No	Yes	Yes	N/A
APPLICANT RESUBMITTAL	If Required	If Required	If Required	If Required
PLANNING BOARD PLAT REVIEW	No	Yes	County Yes, City No	No
PLANNING BOARD PUBLIC HEARING	No	Yes	County Yes, City No	No
GOVERNING BODY ACTION	35 WORKING DAYS	60-80 WORKING DAYS		

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PRELIMINARY PLAT PROCESS: PRE APPLICATION

WHO: City or County Departments, Applicant and Applicant’s Agent

Planning, Engineering, Public Works, Legal, RiverStone Health, Fire, Other

WHEN: Thursday afternoons

WHERE: Miller Building, 1st Floor Conference Room

WHY: Applicants and their agents present concept to staff to determine project feasibility, opportunities, constraints and process to proceed.

PROCESS: COMPLETENESS/SUFFICIENCY

Also known as a “Pre Submittal”

- More information than Pre Application
- Includes draft supplemental documents: Traffic Improvement Study ,(TIS), Environmental Assessment, (EA); Sanitation Information

Typically submitted 3 weeks prior to “formal submittal”

- Documents provided to staff for initial review and comments. Staff works with Agent to identify issues or required changes prior to Formal submittal.

PROCESS: FORMAL SUBMITTAL

- Major & County Subsequent Minor applications accepted 1st day of each month
- Minor and Amended applications accepted 1st and 15th day of each month
- Expedited plats accepted at any time
- Submittal includes any remaining documents and includes changes required during completeness and sufficiency

PROCESS: DEPARTMENTAL REVIEW MEETING

WHO: City or County Departments, Applicant and Applicant’s Agent
Planning, Engineering, Public Works, Legal, RiverStone Health, Fire

- WHEN:** Thursday afternoons
- WHERE:** Miller Building, 1st Floor Conference Room
- WHY:** Opportunity for staff and agent to work out any remaining items that have remained unresolved through previous review cycles.

PROCESS: APPLICANT RESUBMITTAL

- Applicants can resubmit, if required, 1 week following Departmental Review Meeting.
Upon resubmittal, plat is scheduled for governing body review.
Majors/County Subsequent Minor: Planning Board Plat Review > Planning Board Public Hearing;>Governing Body Approval
Minors: Staff Memo/Recommendation > Governing Body Approval

PUBLIC NOTIFICATION: SURROUNDING PROPERTY OWNER NOTICE

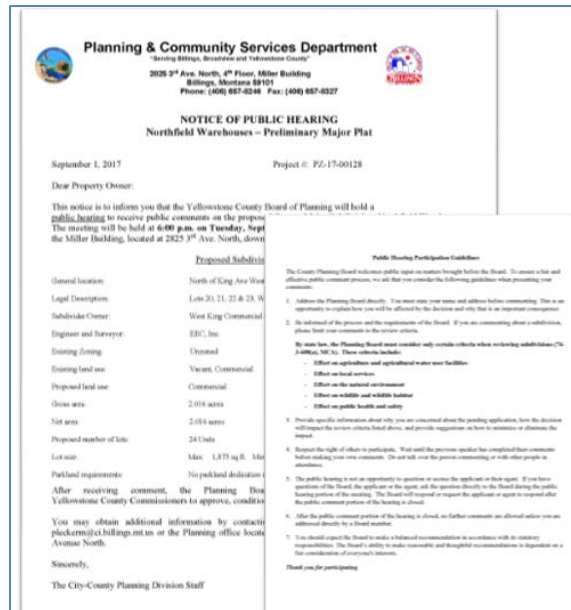
- Major/County Subsequent Minor Surrounding property owners noticed by mail
Legal ad in newspaper of general circulation

PROCESS: NOTICE CONTENTS

- Purpose of notice
Time, location & date of Public Hearing
How to obtain more information
Public hearing procedure
Criteria for determination
Property/Subdivision Information
Location
Proposed lots
Owner
Proposed land use
Lot size
Zoning

Discussion

President Tunnicliff called for discussion and questions from the members of the Board. Board member Woods asked about the notification area and Ms. Plecker stated all Districts, entities, and parties applicable to the subdivision are notified. Board member Williams complemented staff for the practice of communication throughout the review process. Ms. Plecker said communication is a huge factor to the success of subdivision development to provide



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more predictability and mitigation of issues. President Tunncliff said this presentation is a good use of the Board’s time as it helps the Board to gain an understanding of the preliminary work conducted by Staff prior to reaching the Planning Board. He stated the Board is blessed to have a staff who works diligently behind the scenes to give the Board confidence in decision making. Board member Cook agreed and said this information is especially helpful for new applicants. Ms. Plecker said it is available as a handout. It is also posted on the City of Billings website: <http://ci.billings.mt.us/2428/Submittal-Requirements>

Board member Cook asked what is done to notify and include the necessary citizens of an application. Ms. Plecker said surrounding property owners are notified of preliminary plat applications. She explained that zoning applications use a radius and the subdivision regulations require notification of adjacent property owners. She pointed out that in the case of a zoning application, the Zoning Coordinator may identify a larger notification area if warranted. Director Friday said a wider notification radius can be challenging as it consumes additional mailing, and printing costs and staff time resources. He said staff is exploring using other means of noticing including social media. Ms. Plecker commented the recent citizen complaints related to notification were more related to zoning applications than subdivision applications. In response to question by Board member Thompson, Ms. Plecker stated minor subdivision review, exempt plat review, and expedited subdivision review does not require public notice. She stated that public interest is often based on the scale of impact.

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

1. Project ReCode Director Friday said City Council approved the consultant contract with “Safe Built Studios” for Project ReCode. A kick-off meeting will be held in May and the consultant will begin with an audit of the existing zoning code and the guiding principles developed by the steering committee.

ADJOURNMENT: 7:30 p.m.

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