

# 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	01/09/2018	01/23/2018	02/13/2018	02/27/2018	03/13/2018	03/27/2018	04/10/2018	04/24/2018	05/08/2018	05/22/2018	06/12/2018	06/26/1208	07/10/2018	07/24/2018	08/14/2018	08/28/2018	09/11/2018						
<b>Dave Goodridge</b>	Mayor/Billings Ward I	1	1	1	1	E	E	-	E	E	E	1	E	1	1	1	-	E						
<b>Matt Macrow</b>	Mayor/Billings Ward II	E	1	1	1	1	1	-	E	1	1	1	1	1	1	E	-	1						
<b>LaVerne Bass</b>	Mayor/Billings Ward III	1	1	1	E	E	E	-	1	E	E	E	A	A	E	1	-	1						
<b>Darell Tunnickliff</b>	Mayor/Billings Ward IV	1	1	1	E	1	E	-	1	1	1	1	1	1	1	1	-	1						
<b>John Thompson</b>	Mayor/Billings Ward V	-	-	-	-	-	-	-	1	1	1	1	1	1	E	1	-	E						
<b>Troy Boucher</b>	YC District 1	1	1	1	1	1		-	E	E	1	1	-	E	A	E	-							
<b>Dennis Cook</b>	YC District 2	1	1	1	1	1	1	-	1	1	1	1	1	1	1	1	-	1						
<b>Vacant</b>	YC District 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
<b>Vacant</b>	YC District 4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
<b>Woody Woods</b>	YC District 5	1	E	1	1	1	1	-	1	1	1	1	1	1	1	1	-	1						
<b>Vacant</b>	YC District 6	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
<b>Vacant</b>	YC District 7	-	1	-	-																			
<b>Jerry Williams</b>	Y County Cons. District	-	1	-	1	1	1	-	1	E	1	1	1	E	E	E	-	1						
<b>Scott Reiter</b>	<b>Ex-Officio SD2</b>	E	A	A	E	A		-	E	E		E	E	A	A	-	-							

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**SEPTEMBER 11, 2018**

*Approved by a motion on September 25, 2018*

### **Call the Meeting to Order**

President Tunnicliff called the meeting to order at 6:00 p.m. on Tuesday, September 11, 2018, 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 Tunnicliff called for introductions of the members of the Planning Board and staff.

**Attending Planning staff members:** Dave Green, Planner II; Tammy Deines, Planning Clerk; Darin Swenson, Yellowstone County Public Works Department

**Others in Attendance:** Landy Leep, Oakland Companies; Mac Fogelsong, Sanderson Stewart; Gary Oakland, Oakland Companies; Levi Britton; Kolten Knatterud; Jim Tuell; Loui Tuell

### **Approval of the September 11, 2018 Agenda**

#### **Motion:**

**Board member Cook made a motion and it was seconded by Board member Bass to approve the September 11, 2018 meeting agenda as submitted. The motion was approved with a unanimous voice vote.**

### **Approval of Minutes: August 14, 2018**

#### **Motion**

**Motion was made by Board member Macrow and seconded by Board member Woods to approve the August 14, 2018 meeting minutes as submitted. The motion carried with a unanimous voice vote.**

**Public Comment:** President Tunnicliff 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 is no public comment.

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**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.

**7. OLD BUSINESS:** There is no Old Business

### **8. NEW BUSINESS**

**8a. Plat Review/Board Discussion. Copper Ridge Subdivision, 8th Filing. Dave Green, Planner II, presenting.**

Dave Green opened this agenda item with a staff presentation.

#### **INTRODUCTION**

On August 1, 2018, Sanderson Stewart, agent for Gary Oakland, applied for preliminary major plat approval for Copper Ridge Subdivision, 8<sup>th</sup> Filing. The proposed subdivision creates 76 new lots for residential development. The subject property is generally located on the north side of Rimrock Road, east of 70<sup>th</sup> Street West, and west of the existing Copper Ridge Subdivision. The property is zoned Residential-5000 (R-50). The Yellowstone County Board of Planning will review the plat at this meeting and conduct a public hearing on September 25, 2018.

#### **RECOMMENDATION**

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Copper Ridge Subdivision, 8<sup>th</sup> 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 protect health and safety of future residents prior to final plat approval the applicant will submit to City Engineering for review and approval of the proposed water, sewer and storm water infrastructure to be used in Copper Ridge 8<sup>th</sup> Filing.
2. To minimize effects on local services and to provide for sidewalks throughout the proposed subdivision prior to final plat approval, the applicant will include an language in the SIA that they will be installing sidewalk along the road along the frontage of Lot 9, Block 3 in the subdivision.
3. To ensure correct procedure for providing a cash in lieu contribution prior to final plat approval, the applicant will follow the Billings Subdivision Regulations

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Reviewed by Planning Staff

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Section 23-1006 to determine the correct procedure and amount of the contribution to the City for park land cash contribution.

4. 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.
5. 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.
6. 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 Tunnicliff asked the members of the Board for questions or discussion. There was none. President Tunnicliff called for presentation by the applicant.

### **Gary Oakland, 175 N 27th Street, Suite 900, Billings, Montana**

Mr. Oakland is the applicant and developer. He thanked Dave Green for his presentation and make himself available to the Board for questions. There were no questions from the members of the Board.

\*\*A public hearing will be held for Copper Ridge Subdivision, 8<sup>th</sup> Filing during the Tuesday, September 25, 2018 Planning Board meeting.

### **8b. Plat Review/Board Discussion. High Sierra Subdivision, `12<sup>th</sup> Filing. Dave Green, Planner II, presenting.**

Dave Green opened this agenda item with a staff presentation.

### **INTRODUCTION**

On August 1, 2010, Sanderson Stewart, agent for High Sierra II, Inc., applied for preliminary major plat approval for High Sierra Subdivision, 12<sup>th</sup> Filing. The proposed subdivision creates 66 lots for residential development on a 12.74-acre parcel of land. This proposal is part of a larger approved master plan of High Sierra Subdivision which includes a total of approximately 1,375 lots platted from 400 acres in multiple filings. The subject property is generally located North of Topanga Avenue in the 11<sup>th</sup> Filing and east of High Sierra Boulevard in the northwest Billings Heights. The property is zoned Residential-7,000-Restricted (R-70-R).

### **RECOMMENDATION**

Staff recommends that the Planning Board recommend conditional approval of the

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preliminary plat of High Sierra Subdivision, 12<sup>th</sup> 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 protect the public health and safety prior to final plat approval the applicant will provide drawings to be reviewed and approved by engineering for the water, septic and storm water systems associated with the subdivision.
2. To provide for the installation of utilities, utility easements shall be shown on the final plat as requested by the affected public and private utility companies.
3. 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.
4. 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 Tunnicliff called for questions and discussion. There was no discussion.

President Tunnicliff called for presentation by the applicant.

### **Gary Oakland, 175 N 27th Street, Suite 900, Billings, Montana**

Mr. Oakland is the applicant and developer for this subdivision. He stated this parcel is part of an approved Master Plan of 400 acres. Mr. Oakland made himself available to the Board for questions. There were no questions from the Board members.

\*\*A public hearing will be held for High Sierra, 12<sup>th</sup> Filing during the Tuesday, September 25, 2018 Planning Board meeting.

### **8c. Plat Review/Board Discussion. Shop World 1 Subdivision. Dave Green, Planner II, presenting.**

Dave Green opened this agenda item with a staff presentation

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### **INTRODUCTION**

On August 1, 2018, the Planning Division received an application for major plat approval for the proposed Shop World Subdivision, 1<sup>st</sup> Filing. The property is generally located on the south west corner of the intersection of King Avenue West and South 80<sup>th</sup> Street West. This subdivision would create 189 lots from a 61.03-acre parcel for private storage garage development and 2 residential lots. The land is currently used for farming; the land is outside of zoning.

### **RECOMMENDATION**

Staff recommends that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Shop World Subdivision, 1<sup>st</sup> Filing and adopt the Findings of Fact as presented in the staff report.

### **VARIANCES REQUESTED**

No variances are requested for this subdivision.

### **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.

- a. To protect public health and safety prior to final plat approval the applicant will receive approval from the MDEQ for the proposed cisterns, septic systems and the proposed storm water management.
- b. To provide for future maintenance of all private roads within Shop World Subdivision, 1<sup>st</sup> Filing prior to final plat approval the applicant will create an HOA for the private road maintenance, define how fees will be assessed and collected.
- c. To provide for the correct documentation of the road easements within the proposed subdivision prior to final plat approval the applicant will provide easement documents with language that states fire, police, emergency vehicles, and maintenance personnel for the dry hydrant system will be allowed access on the roads. Also that the roads can have additional burden placed on them by connecting to the south should the land to the south develop.
- d. To protect public health and safety and to ensure a usable dry hydrant system prior to final plat approval the applicant will provide construction drawings to the Laurel Fire Department for the dry hydrant system and receive approval before construction begins. The system must be tested and approved by the Laurel Fire Department after installation, with a letter to show the approval from the Laurel Fire Department. The applicant will also create an RSID-M for the maintenance of the dry hydrant system.

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- e. To protect public health and safety and to ensure a usable dry hydrant system is available prior to final plat approval the applicant will provide a letter from the Laurel Fire Department stating that there is a dry hydrant system, or approved alternate water source, for fire suppression for proposed Lots 188 and 189.
- f. To ensure the maintenance of existing fire suppression systems and full participation from all benefitted parties prior to final plat approval the applicant will expand an existing RSID for fire suppression for Lots 188 and 189 from Tanglewood Estates, or any RSID that provides maintenance for fire suppression which these two lots benefit.
- g. To minimize the effects on local service prior to final plat approval, the applicant will coordinate with the USPS for locating and providing the correct amount of space for safely delivering the mail to the residents.
- h. To minimize effects on the natural environment, prior to final plat approval a weed management plan and property inspection shall be completed by the County Weed Department.
- i. 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.
- j. 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.
- k. The final plat shall comply with all requirements of the County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County, including laws regarding moving houses onto or off the property, and the laws and Administrative Rules of the State of Montana.

### **Discussion**

President Tunnicliff called for questions and discussion. Board member Bass asked about the number of proposed bathroom facilities, and Planner Dave Green explained that the construction requirements will be dictated within the Covenants and Restrictions for the subdivision. There is no requirement for water and sewer as this is a commercial development. In response to question by Board member Woods, Dave Green stated the County has asked the developer to designate the internal roads as private as the County does not wish to maintain roads with this use.

President Tunnicliff called for presentation by the applicant.

### **Kolten Knatterud, Territorial Land Works, 3333 2nd Ave N Billings, Montana**

Mr. Knatterud represents applicant Levi Britton. He stated the original intent of the developer for this parcel was residential housing but due to the low flows of Canyon

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Creek, and installation of more than ten standard drain fields is not feasible. This proposal will include community restrooms with cistern tanks and drain fields stationed at approved DEQ locations within the subdivision.

### **Levi Britton, 7623 N Leopard Avenue, Billings, Montana**

Mr. Britton is the applicant and developer. He stated the proposal will include three or four full-fledged restroom facilities scattered throughout the subdivision.

\*\*A public hearing will be held for High Sierra Subdivision, 12<sup>th</sup> Filing during the Tuesday, September 25, 2018 Planning Board meeting.

### **9. OTHER BUSINESS**

The next Planning Board meeting will be held on Tuesday, September 25, 2018.

**ADJOURNMENT 6:45 pm**

**APPROVED BY A MOTION ON SEPTEMBER 25, 2018**

