



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



AGENDA

February 12, 2019 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: JANUARY 22, 2019**

Attachments

PlnBMinutes_2019_01_22_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. **OLD BUSINESS** There is no Old Business.
8. **NEW BUSINESS:** (Agenda items new to this meeting).

- a. Discussion. Planning Board formal initiation of regulations in relation to the County landscaping code. (Project ReCode),
Dave Green, Planner II.

9. **OTHER BUSINESS**

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

10. **ADJOURNMENT**

FUTURE AGENDA ITEMS FOR TUESDAY, FEBRUARY 26, 2019

- a. Motion. Planning Board formal initiation of zoning regulations in relation to the County landscaping code. (Project ReCode)
Dave Green, Planner II, presenting.

Planning Board Meeting I (2nd Tuesday)

3.

Meeting Date: 02/12/2019

Information

Subject

MOTION. MEETING MINUTES: JANUARY 22, 2019

Attachments

PlnBMinutes_2019_01_22_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 | 01/08/2019 | 01/22/2019 | 02/12/2019 | 02/26/2019 | 03/12/2019 | 03/26/2019 | 04/09/2019 | 04/23/2019 | 05/14/2019 | ** 05/29/2019 | 06/11/2019 | 06/25/2019 | 07/09/2019 | 07/23/2019 | 08/13/2019 | 08/27/2019 | 09/10/2019 | 09/29/2019 | 10/08/2019 | 10/22/2019 | 11/12/2019 | 11/26/2019 | 12/10/2019 |
|---------------------------|-------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|---------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Dave Goodridge | Mayor/Billings Ward I | E | 1 | | | | | | | | | | | | | | | | | | | | | |
| Matt Macrow | Mayor/Billings Ward II | 1 | 1 | | | | | | | | | | | | | | | | | | | | | |
| Eric Wallace | Mayor/Billings Ward III | 1 | 1 | | | | | | | | | | | | | | | | | | | | | |
| Darell Tunnickliff | Mayor/Billings Ward IV | 1 | 1 | | | | | | | | | | | | | | | | | | | | | |
| John Thompson | Mayor/Billings Ward V | 1 | E | | | | | | | | | | | | | | | | | | | | | |
| Troy Boucher | YC District 1 | 1 | E | | | | | | | | | | | | | | | | | | | | | |
| Dennis Cook | YC District 2 | 1 | 1 | | | | | | | | | | | | | | | | | | | | | |
| Vacant | YC District 3 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Vacant | YC District 4 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Woody Woods | YC District 5 | 1 | 1 | | | | | | | | | | | | | | | | | | | | | |
| Vacant | YC District 6 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Jarett Hillius | YC District 7 | 1 | 1 | | | | | | | | | | | | | | | | | | | | | |
| Jerry Williams | Y County Cons. District | 1 | 1 | | | | | | | | | | | | | | | | | | | | | |
| Scott Reiter | Ex-Officio SD2 | A | A | | | | | | | | | | | | | | | | | | | | | |

CITY/COUNTY PLANNING BOARD

"Serving Billings, Broadview and Yellowstone County"

JANUARY 8, 2019

DRAFT-To be approved by a motion on January 22, 2019

Call the Meeting to Order

President Tunnicliff called the meeting to order at 6:00 p.m. on Tuesday, January 22, 2019 in the Miller Building 1st Floor Conference Room, 2825 3rd 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: Wyeth Friday, Director, Planning & Community Services Department; Monica Plecker, Planning Division Manager; Dave Green, Planner II; Tammy Deines, Planning Clerk

Others in Attendance: Karen Tait; Bill Morgan, Sanderson Stewart; Leo Vonne, Jim Woolyhand, Habitat for Humanity

Approval of the January 22, 2019 Agenda

Motion:

Board member Cook made a motion and it was seconded by Board member Macrow to approve the January 22, 2019 meeting agenda. The motion was approved with a unanimous voice vote.

Approval of Minutes: January 8, 2019

Motion

Motion was made by Board member Woods and seconded by Board member Hillius to approve the January 8, 2019 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 might 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.

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. Board member Goodridge disclosed a conflict of interest on agenda item #7a.

CITY/COUNTY PLANNING BOARD

“Serving Billings, Broadview and Yellowstone County”

Founders Park Subdivision as he works with Habitat for Humanity. President Tunncliff said he attended the West End Task Force meeting and Project ReCode was discussed.

7. OLD BUSINESS

8a. Public Hearing. Motion/Recommendation. Founders Park Subdivision. Dave Green, Planner II, presenting.

Planner Dave Green opened this agenda items with an overview of the parcel and gave the presentation below.

INTRODUCTION

On December 1, 2018, Sanderson Stewart, agent for Habitat for Humanity, applied for preliminary major plat approval for Founders Park Subdivision. The proposed subdivision creates 22 lots for residential development on a 5-acre parcel of land. The subject property is generally located approximately 340 feet south of Wicks Lane and on the east side of Hawthorne Lane in the Billings Heights. The property is zoned Residential-7,000 (R-70).

RECOMMENDATION

Staff recommends the Planning Board recommend conditional approval of the preliminary plat of Founders Park Subdivision 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 provide for the safe delivery of mail to the subdivision, prior to final plat approval the applicant will provide a letter from the USPS to show they have coordinated with the USPS and provided the correct and safe mail delivery system.
2. 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.
3. 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 questions and discussion from the members of the Board. Board member Cook asked if the intersection alignment on Hawthorne and Wicks Lane has been considered for improvements and Planner Dave Green explained the traffic study results did not trigger improvements for the intersection.

President Tunncliff called for presentation by the Applicant

CITY/COUNTY PLANNING BOARD

"Serving Billings, Broadview and Yellowstone County"

Jim Woolyhand, Executive Director, Habitat for Humanity, (no address given)

Mr. Woolyhand said Habitat for Humanity has been active in Yellowstone County since 1992 and has constructed 81 homes. He said he is excited to start a new subdivision and give families hope for the future while living in a safe environment. Applicants must pass criminal background checks, and qualify for 30-year loans for the purchase of their home. He estimates seven years of building at the rate of three homes per year. In response to Board member Woods, Mr. Woolyhand stated sidewalks would be financed and installed by the property owners.

Bill Morgan, Sanderson Stewart, 1300 N Transtech Way, Billings, Montana 59102

Mr. Morgan stated the sidewalks would be constructed at the time of the building permit. The upfront private contractor will install the sidewalk along Hawthorne Lane along with the wrap around on Lot 1.

Public Hearing

At 6:14 p.m., President Tunnickliff opened the public hearing and asked for anyone wishing to speak in favor or against Founders Park Subdivision.

Karen Tait, 1526 Hawthorne Lane, Billings, Montana 59105

Ms. Tait asked if there would be street development. Bill Morgan said development would take place on the side of the subdivision. No sidewalk will be constructed from Wicks Lane to Victory as it is not under this plan.

At 6:16 p.m., President Tunnickliff asked if there is anyone else wishing to speak in favor or against Founders Park Subdivision. There was none. President Tunnickliff closed the Public Hearing and called for a motion.

Motion

Board member Woods made a motion and Board member Macrow seconded the motion conditional approval of the preliminary plat of Founders Park Subdivision to the City Council, and adopt the Findings of Fact as presented in the staff report. The motion carried with a unanimous voice vote.

8. NEW BUSINESS: There is no New Business.

9. OTHER BUSINESS

9b. Standing Item. Long Range Strategic Issues and an overview of future City and county issues and projects.

CITY/COUNTY PLANNING BOARD

"Serving Billings, Broadview and Yellowstone County"

→ **Project Recode Cochairman Appointment.** President Tunnicliff announced he is appointing Board member Woods to serve as Cochairman of the Project ReCode Committee as Board member Goodridge has resigned due to scheduling conflicts.

→ **Project ReCode County Zoning Landscaping Regulations.** Division Manager Plecker announced a Planning Board agenda item on February 12, 2019 to discuss the Planning Board formally initiating regulations in relation to the County landscaping code. This will be followed on February 26, 2019 with a Planning Board motion and recommendation for formal initiation with the intent of Board of County Commissioners consideration and approval in April. She explained the thought is to ensure the ideas for revisions are included at 70% and then seeing if revisions are needed with more discussion. Ms. Plecker stated the consultants feel tomorrow's meeting will provide consensus on outstanding issues. A draft will be available for the Working Group to comment and submit revisions during the week of February 16, 2019. The County Zoning Commission will consider the draft document during the April 8, 2019 Zoning Commission meeting and forward recommendations to Board of County Commissioners.

Board member Goodridge voiced concern with the need for additional public outreach and input on landscaping issues and stressed the importance of this taking place prior to adoption of the regulation amendments.

Director Friday said a working session in front of the Commissioners will take place but it is not scheduled yet. He said Staff is hearing from the Commissioners of the need to bring this forward and keep it on schedule. Board member Goodridge suggested meeting with engineering companies and stated he is concerned with public relations if the outreach is not done. President Tunnicliff respectfully disagreed with Board member Goodridge. He stated there has been some outreach and he has confidence the consultants will provide the document. Board member Woods commented there is concern with the intermingling of signage and landscaping and there have been no conversations regarding this. Director Friday spoke to the opportunities for public outreach in the County and commented on challenges in the interface area. He said when there may be some adjustments when the City addresses their landscape process. He noted that trying to keep the broader view is a challenge and there are tenuous issues with corridors and entryways. Staff is trying to move forward without having to fix language later. President Tunnicliff spoke to the need for enforcement. Board member Goodridge stated staff should move it forward if it is ready but if there are undecideds, it is harmful to the entire project if it is moved forward "just because".

CITY/COUNTY PLANNING BOARD

"Serving Billings, Broadview and Yellowstone County"

→**One Big Sky Project.** Director Friday said the expectation is later this week the development plan for the One Big Sky project will be brought out for the public and City Council. The roadmap Staff will provide information to the Board as it becomes available.

ANNOUNCEMENTS: The next Planning Board meeting is scheduled for **Tuesday, February 12, 2019, 6:00 pm in the Miller Building 1st Floor Conference Room.**

ADJOURNMENT 6:36 PM

DRAFT- TO APPROVED BY A MOTION ON FEBRUARY 12, 2019



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



Planning Board Meeting I (2nd Tuesday)

8. a.

Meeting Date: 02/12/2019

Information

PROBLEM/ISSUE STATEMENT

The City/County Planning Division in cooperation with the Project Re: Code Steering Committee and Working Groups has been working diligently for more than a year on the comprehensive revision of the City and County Zoning code, which was initiated by the Yellowstone County Board of Planning in 2017. The goals of the code revisions should follow the guiding principles as developed by the Project Re:Code Steering Committee. As a next step, and to follow the current regulation amendment process, staff is requesting the Planning Board initiate the process to amend the County Landscaping Code. The request comes as part of the on-going discussion with the Board of County Commissioners (BOCC) to have an accelerated review schedule for the County Landscaping Regulations. This staff report includes a proposed schedule for the review and adoption of the County Landscape Code and provides guidance for the scope of the forthcoming amendments.

BACKGROUND

The BOCC is interested in adopting revised Landscaping Regulations into the existing County Zoning Regulations in the first part of 2019. The following time line and highlights of the code amendment is provided as a framework to complete this early amendment. The proposed schedule is as follows:

- January 23, 2019 - Landscaping Working Group (LSWG) Meeting – WG reaches consensus on primary content of revised County (only) Landscaping Code
- February 12, 2019 – Planning Board considers and discusses initiation of County Landscaping Code Amendment
- February 26, 2019 – Planning Board votes to initiate Landscaping Code Amendment to County Zoning Regulations
- February 27, 2019 – LSWG finalizes consensus on final content of revised County Landscaping code
- March 4, 2019 – Planning Staff advertises County Zoning Commission hearing on April 8, 2019 and BOCC hearing on April 23, 2019 (45 day lead time for BOCC required)
- April 8, 2019 – County Zoning Commission Hearing
- April 23, 2019 – BOCC hearing – Resolution to Adopt Landscaping Code Amendments
- May 28, 2019 – BOCC adopts final resolution amending Landscaping Code

Guidance for County amendments:

- Deletion of Landscaping Section from Entryway/Interchange code (27-1006)
- Deletion of “standard” Landscaping code at 27-1100 and replacement with new Landscaping code
- New code will apply everywhere except Residential zones and Agricultural zones
- New code may include guidance and criteria for Zoning Coordinator to grant Administrative Relief (de minimus variations from numerical standards)

- New code to include enforcement procedures to ensure long-term maintenance of installed landscaping

FINANCIAL IMPACT

Not Applicable

RECOMMENDATION

Staff recommends the Planning Board discuss the initiation at this meeting and take action at its February 26 meeting.

Attachments

No file(s) attached.
