



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



AGENDA

February 26, 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 -Woody Woods, Planning Board Vice 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:** FEBRUARY 12, 2019
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**
 - a. **MOTION. PLANNING BOARD FORMAL INITIATION OF REGULATIONS IN RELATION TO THE COUNTY LANDSCAPING CODE. (PROJECT RECODE). DAVE GREEN, PLANNER II, PRESENTING.**
8. **NEW BUSINESS:** There is no New Business.

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, MARCH 12, 2019

- a. PLAT REVIEW: ANNAFELD SUBDIVISION, 2ND FILING, CITY MAJOR, DAVE GREEN, PLANNER II, PRESENTING.
- b. PLAT REVIEW: ANNAFELD SUBDIVISION, 3RD FILING, CITY MAJOR, DAVE GREEN, PLANNER II, PRESENTING.

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: 02/26/2019

Information

Subject

MOTION. MEETING MINUTES: FEBRUARY 12, 2019

Attachments

PlnBMinutes_2019_02_12_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	1																				
Matt Macrow	Mayor/Billings Ward II	1	1	1																				
Eric Wallace	Mayor/Billings Ward III	1	1	1																				
Darell Tunnickliff	Mayor/Billings Ward IV	1	1	1																				
Jon Thompson	Mayor/Billings Ward V	1	E	1																				
Troy Boucher	YC District 1	1	E	E																				
Dennis Cook	YC District 2	1	1	1																				
Vacant	YC District 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Vacant	YC District 4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Woody Woods	YC District 5	1	1	1																				
Vacant	YC District 6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Jarett Hillius	YC District 7	1	1	1																				
Jerry Williams	Y County Cons. District	1	1																					
Scott Reiter	Ex-Officio SD2	A	A	A																				

CITY/COUNTY PLANNING BOARD

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FEBRUARY 12, 2019

Approved by a motion on February 26, 2019

Call the Meeting to Order

President Tunnicliff called the meeting to order at 6:00 p.m. on Tuesday, February 12, 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

Approval of the February 12, 2019 Agenda

Motion:

Board member Cook made a motion and it was seconded by Board member Macrow to approve the February 12, 2019 meeting agenda. The motion was approved with a unanimous voice vote.

Approval of Minutes: January 22, 2019

Motion

Motion was made by Board member Woods and seconded by Board member Hillius to approve the January 22, 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 Macrow said he was selected to be a part of the RFP Committee for the Inner Belt Loop Corridor Study. He will provide updates to the Board as the selection and study move forward.

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

8. NEW BUSINESS

8a. Discussion. Planning Board formal initiation of regulations in relation to the County landscaping code. (Project ReCode), Dave Green, Planner II.

Dave Green introduced this agenda item and explained per Sec. 27-1502, below, these language changes must be initiated by the Board of Planning, the County Zoning Commission or the Board of Commissioners. He continued and gave the Highlights of the proposed County Amendment for Landscaping Code changes and followed with the review timeline. The Landscaping Working Group will be working through the DRAFT copies of the Code and this item will return for a motion during the February 26, 2019 Planning Board meeting. The draft version will be available to the public online on March 5, 2019.

Sec. 27-1502. - Amendments to chapter

(a) *General.* This chapter, including the official zoning map, may be amended only by the Board of County Commissioners (BOCC) but no amendment shall be finally approved by the BOCC unless it has been submitted to the County Zoning Commission for review and recommendation. Proposals to amend this chapter, including the official zoning map, may be initiated by the BOCC or by the Board of Planning. Proposals to amend this chapter, except for the official zoning map, may also be initiated by the County Zoning Commission

Highlights of County Amendment for Landscaping code changes

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

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 amendment to County Zoning Regulations
- February 27, 2019 – LSWG finalizes consensus on final content of revised County Landscaping code

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- 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 changes
- May 28, 2019 – BOCC adopts final resolution amending Landscaping

Discussion

President Tunnicliff called for questions and discussion from the members of the Board. He explained the review process and commented on the initiation of the Steering Committee and subcommittees for Project ReCode. The Landscaping Working Group will only deal with County landscaping. Additional work will be done with the landscaping language for the City as the project moves forward. He said the portion of the code dealing with County landscaping regulations is moving at an expedited rate per the request of the Board of County Commissioners. It will be encased and fit within the complete zoning package when it is available. He said the Commissioners feel the new verbiage will help them address landscaping within the County. President Tunnicliff stated the objective is to use flexible language so changes can be addressed in the future. He stated the County section of code would be vetted and approved by the County Commissioners. He commented that the Consulting Team is very skilled at revisions to make the code more user friendly for citizens and staff. He stressed the importance of timeliness to reach completion of this task.

In response to question by Board member Woods, Division Manager Plecker said a draft document would be available to the committee by the end of this week. She reported that the Landscaping Working Group is comfortable with this schedule, and will go through the draft language during the February 20th and February 27th sessions. Ms. Plecker said staff provide updates to the Board. She encouraged Planning Board members to stay active in order to feel the draft code has met the guidance given by the Board per the motion for initiation. The County Zoning Commission will consider the draft document during the April 8, 2019 County Zoning Commission meeting and forward recommendations to Board of County Commissioners. President Tunnicliff concurred with Ms. Plecker’s comments regarding the need for the Planning Board’s engagement through this process. Ms. Plecker said the Tuesday, February 12, 2019 BOCC discussion meeting at 2:00 PM will be an opportunity for the Landscape Working Group and the County Issues Working Group to meet with the Commissioners and provide a recap.

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Board member Hillius asked President Tunnickliff to summarize the larger issues encountered by the Landscape Working Group. President Tunnickliff stated the group considered the requirements for plantings and trees and the need to maintain visual access to the interstate highway. The goal is to have a code that consistently works for all zoning districts. Enforcement will be reactive on a complaint basis. He said the group has quality participants from professional and private sectors. Discussion followed on following a question as to whether the Code will apply to residential zones. It was noted the County does not require building permits and there is little or no oversight available to staff to ensure the requirements are met. Board member Goodridge asked if there has been discussions between the Landscaping Working Group and the Sign Code Working Group. Staff stated a joint meeting with the two groups has not been coordinated at this time.

9. OTHER BUSINESS

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

→**One Big Sky Project.** Director Friday said the City Council voted to approve the design plan for the One Big Sky project. The next phase is working at the legislative level for a tool to ensure the financial aspect will work. The bill has been drafted and will go to committee in the next few weeks.

→ **Application for Planning Board County District 3.** Director Friday said staff is reviewing an application for County District 3 to determine if the applicant resides in the district. If this is verified, staff will bring the application forward for the Board’s recommendation during the next meeting.

FUTURE AGENDA ITEMS FOR TUESDAY, FEBRUARY 26, 2019

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