# 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 | 1 | E | E | E | | | | | | | | | | | | | | | | |
| Matt Macrow | Mayor/Billings Ward II | 1 | 1 | 1 | 1 | 1 | E | 1 | | | | | | | | | | | | | | | | |
| **Eric Wallace** | Mayor/Billings Ward III | 1 | 1 | 1 | E | E | E | 1 | | | | | | | | | | | | | | | | |
| **Darell Tunnicliff** | Mayor/Billings Ward IV | 1 | 1 | 1 | E | 1 | 1 | E | | | | | | | | | | | | | | | | |
| **Jon Thompson** | Mayor/Billings Ward V | 1 | E | 1 | E | 1 | 1 | 1 | | | | | | | | | | | | | | | | |
| **Troy Boucher** | YC District 1 | 1 | E | E | 1 | 1 | 1 | 1 | | | | | | | | | | | | | | | | |
| **Dennis Cook** | YC District 2 | 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 | | | | | | | | | | | | | | | | |
| **Vacant** | YC District 6 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| **Jarett Hillius** | YC District 7 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | | | | | | | | | | | | | | | | |
| **Jerry Williams** | Y County Cons. District | 1 | 1 | | 1 | 1 | 1 | 1 | | | | | | | | | | | | | | | | |
| **Scott Reiter** | **Ex-Officio SD2** | A | A | A | A | A | A | A | | | | | | | | | | | | | | | | |

**April 9, 2019**

*DRAFT- To be approved by a motion on April 23, 2019*

**Call the Meeting to Order**
Vice President Woody Woods called the meeting to order at 6:00 p.m. on Tuesday, April 9, 2019 in the Miller Building 1st Floor Conference Room, 2825 3rd Avenue North, Billings, Montana.

**Introduction of Planning Board Members and Planning Department Staff**
Vice President Woody Woods 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

**In Attendance:** Craig Dalton, Performance Engineering.

**Approval of the April 9, 2019 Agenda**
**Motion:**
**Board member Cook made a motion and it was seconded by Board member Boucher to approve the April 9, 2019 meeting agenda. The motion was approved with a unanimous voice vote.**

**Approval of Minutes: March 26, 2019**
**Motion, Correction-Matt Macrow was absent on March 26, 2019.**
**Motion was made by Board member Boucher and seconded by Board member Williams to approve the March 26, 2019 meeting minutes as corrected. The motion carried with a unanimous voice vote.**
**Public Comment:** Vice President Woody Woods 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. There were as no public comments.

**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. Discussion. Bar 11 Estates Subdivision, County Major Subdivision, Production Consulting, LLC, owner. Performance Engineering, Agent. Dave Green, Planner II.**
Dave Green introduced this agenda item and gave a brief presentation.

**INTRODUCTION**

On March 1, 2019, the Planning Division received an application for major plat approval for the proposed Bar Eleven Estates Subdivision. The property is generally located on the South side of Plateau Road approximately .25 miles west of Bitterroot Drive. This subdivision would create 7 lots from a 17.55-acre parcel of land. Lots 5 and 6 are proposed to be developed as a condominium type development, multiple single family dwelling units on a single lot. The proposed lots will be developed as single family residential. The land is currently dry land grass and is zoned Residential 9600 (R-96).

**RECOMMENDATION**

Staff recommends that the Yellowstone County Planning Board recommend to the Board of County Commissioners to conditionally approve the preliminary plat of Bar Eleven Estates Subdivision 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**
Staff recommends the following conditions of approval:

**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.

1. To protect public health and safety, prior to final plat approval the applicant will receive approval from the MDEQ for the proposed water systems, septic systems and the proposed storm water management.

2. To ensure compliance with requirements of subdivision regulations, prior to final plat

approval the applicant will add a paragraph in the SIA under the heading Conditions That Run With The Land to notify future homeowners of their responsibility to install sidewalk along their street frontage.

3. To ensure access to the public to the public park within the subdivision, prior to final plat approval the applicant will provide easement documents that allow the public to drive up the access along the eastern edge of the public park at Lot 7.

4. To minimize the effects on local services, 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.

5. 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.

6. 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.

7. 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.

8. 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**

Vice President Woody Woods called for questions and discussion from the members of the Board. Board member Thompson asked about the easement to the parkland and if it will be improved? Dave Green referred to the posted map and clarified the location of the easement. He explained that this land is dedicated to the County as parkland and a Parkland Maintenance District, (PMD), will be created. Board member Thompson asked if the parkland would be accessible. He stated would like to ensure it is useable parkland and not a drain field. Vice Chairman Woods concurred and said it seems there is an opportunity to use the land for actual parkland instead of a drain field.

Vice President Woods called for presentation by the applicant.

**Applicant**

**Craig Dalton, Performance Engineering (no address given)**
Mr. Dalton is the agent for applicant/owner, Production Consulting. Mr. Dalton addressed the board and clarified questions about the proposed parkland. He pointed out where the proposed septic system will be located within the parkland and explained why it would be located in the park. Board members raised concerns about the use of parkland for septic systems for the subdivision. It was felt the septic system should be separate from the parkland with an HOA to maintain the septic system. Board member Thompson asked when the easement for the parkland access would be built. Mr. Dalton answered that it will be built when the main paved road is built. There were no further questions from the Planning Board.

**A public hearing for Bar 11 Estates Subdivision will be held during the April 23, 2019 Planning Board meeting.

9. **OTHER BUSINESS**

- ➔ **Transportation Updates:** Director Friday said staff would give a presentation and updates on transportation projects and activities during the April 23, 2019 Planning Board meeting.

- ➔ **Project ReCode Update**: Vice President Woods gave an update on the County Landscape Code (YC ZC#693), and stated the County Zoning Commission held a public hearing and forwarded a recommendation to the Board of County Commissioners on April 23, 2019. Citizens voiced concerns with the requirement for a landscape profession for landscaping plans over an acre, the point system, and opportunities for substitutions of plant materials if needed. Board member Thompson commented on the need to clearly define the term "landscape professional".

- ➔ **Lockwood TEDD:** Director Friday gave some background information on the service providers and stated the Lockwood Water and Sewer District is a standalone system; and the sewer system is connected to the City of Billings Treatment Plant. The TEDD is not in the service area or under the agreement for sewer treatment service. This consideration was brought forward to City Council during Monday's work session. Discussion was held to consider annexation of the TEDD area if sewer service is provided. City Council asked staff to look at

issues and options and to return with more information. Director Friday's involvement is to remind Council of past planning efforts and annexation consideration status, and transportation projects including the Billings Bypass. He stated he has contacted Janet Cornish for input. Vice President Woods commented Council requested an update within 90-days. He said the primary issue with the TEDD area is the sewer services. Lockwood's sewer agreement with the City is for treatment and the volume is paid for by Lockwood residents. He said a piggyback agreement would be needed with Lockwood to get services for the TEDD area. He said a simple solution is to amend the agreement with Lockwood to send the sewage to the City for treatment and let the TEDD move forwarded. He pointed out the TEDD area is part of Lockwood proper. A meeting is scheduled on April 14, 2019 with the City Administrator, and the landowners at BSEDA.

➔ The next meeting will be held as legally advertised on Tuesday, April 23. 2019, 6:00 PM in the Miller Building 1st Floor Conference Room, 2825 3rd Ave. North.

ADJOURNMENT: **6:42 P.M**.

**Future Agenda Items: Tuesday April 23, 2019**

A. **Public Hearing. Motion/Recommendation. Bar 11 Estates Subdivision**, County major, Production Consulting LLC owner. Performance Engineering, agent. Dave Green Planner II, presenting.

B. **MPO Updates. Planning Board Discussion**. Scott Walker Transportation Coordinator

**DRAFT-TO BE APPROVED BY A MOTION ON APRIL 9, 2019**

*--Tamara L. Deines, Planning Clerk*