

# 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	01/14/2020	01/28/2020	02/11/2020	02/25/2020	03/10/2020	03/24/2020	04/14/2020	04/28/2020	05/12/2020	** 05/27/2020	06/09/2020	06/23/2020	07/14/2020	07/28/2020	08/11/2020	08/25/2020	09/09/2020	09/22/2020	**10/14/2020	10/27/2020	11/10/2020	11/24/2020	12/08/2020
<b>Dave Goodridge</b>	Mayor/Billings Ward I	1	1	E																				
<b>Vacant</b>	Mayor/Billings Ward II	-	-	-																				
<b>Eric Wallace</b>	Mayor/Billings Ward III	1	1	1																				
<b>Darell Tunnickliff</b>	Mayor/Billings Ward IV	1	1	1																				
<b>Jon Thompson</b>	Mayor/Billings Ward V	1	E	1																				
<b>Troy Boucher</b>	YC District 1	1	E	1																				
<b>Dennis Cook</b>	YC District 2	1	1	1																				
<b>Vacant</b>	YC District 3	-	-	-																				
<b>Vacant</b>	YC District 4	-	-	-																				
<b>Woody Woods</b>	YC District 5	1	1	1																				
<b>Vacant</b>	YC District 6	-	-	-																				
<b>Jarett Hillius</b>	YC District 7	1	1	1																				
<b>Vacant</b>	Y County Cons. District	-	-	-																				
<b>Scott Reiter</b>	Ex-Officio SD2		1	E																				

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**February 11, 2020**

*Approved by a motion on February 25, 2020*

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

President Woods called the meeting to order at 6:00 p.m. on Tuesday, February 11, 2020 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 Woods called for introductions of the members of the Planning Board and staff.

**Attending Planning staff members:** Wyeth Friday, Director, Planning & Community Services; Dave Green, Planner II; Tammy Deines, Planning Clerk

**In Attendance:** Landy Leep, High Sierra II; Mac Fogelson, Sanderson Stewart; Gary Owen, Sanderson Stewart; Gary Oakland, High Sierra II; Charles Felton; Felton & Associates; Amy Darling, Northern Engineering and Associates

**Approval of the February 11, 2020 Agenda** A motion was made by Board member Tunncliff and seconded by Board member Cook to approve the February 11, 2020 meeting agenda as submitted. The motion carried with a unanimous voice vote.

### **Approval of Minutes: January 28, 2020**

President Woods called for corrections to the January 28, 2020 as Board members Tunncliff, Wallace, and Cook need to marked "present" on the attendance roster. President Woods clarified the section on page 6: *"Mayor Cole asked Board member Woods if any portion of the existing TEDD as it was created was in the Lockwood Sewer District when the TEDD expanded. Board member Woods replied it was not. Board member Woods stated the existing TEDD does not have sewer service."*

### **Motion**

**Board member Thompson made a motion and Board member Hillius seconded the motion to approve the January 28, 2020 and meeting minutes with corrections. The motion carried with a unanimous voice vote.**

**Public Comment:** President 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 no public comments.

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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. There were no declarations of ex parte communications or conflicts of interest.

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

**8. NEW BUSINESS:**

**8a. Plat Review/Discussion. Emma Jean Heights Subdivision, 4th Filing. Felton Associates, applicant. Dave Green, Planner II, presenting.**

**INTRODUCTION**

On January 2, 2020, Northern Engineering and Consulting Inc., agent for Felton Associates, Inc., applied for preliminary major plat approval for Emma Jean Heights Subdivision, 4<sup>th</sup> Filing. The proposed subdivision creates 43 lots for single-family residential development. This proposal is the forth filing of a master planned subdivision that was originally reviewed in 2006. The subject property is generally located on the west side of Bitterroot Drive, south of Wicks Lane in the northeast Billings Heights. The property is zoned Residential-7000 (R-70).

**RECOMMENDATION**

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Emma Jean Heights Subdivision, 4<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 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.
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 Woods called for questions and discussion from the member of the Board. Board member Thompson asked regarding the storm water retention and noted is currently located on private lots. Planner Green stated this is contingent on the City Public Works Department construction of a storm water detention facility.

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President Woods called for presentation by the applicant.

### **Charles Felton, PO Box 598, Frenchtown, Montana**

Mr. Felton said the construction of the City storm water facility is scheduled for 2024. Board member Thompson asked the owner will construct an extension to the trail once the subdivision is built out. Mr. Felton said at this point the trail will go to Anchor, and will be built to Hawthorne during the next filing. In response to question by Board member Tunncliff, Mr. Felton stated he is currently maintaining the trails but in the future, there will be an HOA to handle the trail maintenance. Board member Thompson pointed out the 20-ft easement dedicated as parkland and said he assumes maintenance will be the City's responsibility. Mr. Felton clarified and said a cash-in-lieu dedication was given in the 2nd filing for parkland and there will be a Parkland Maintenance District managed by the City.

\*\* A public hearing for Emma Jean Heights Subdivision, 4<sup>th</sup> Filing will be held during the Tuesday, February 25, 2020 Planning Board meeting.

**8b. Plat Review/Discussion. High Sierra II Subdivision, 10th Filing, City Major Subdivision. Gary Oakland, High Sierra II Inc., Owner/Developer; Gary Owen, Sanderson Stewart, agent. Dave Green, Planner II, presenting.**

### **INTRODUCTION**

On January 2, 2020, High Sierra II, Inc., applied for preliminary major plat approval for High Sierra Subdivision, 10<sup>th</sup> Filing. The proposed subdivision creates 37 lots for single-family residences. The subject property is generally located north of Annandale Road and west of Greenbriar Road 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 preliminary plat of High Sierra Subdivision, 10<sup>th</sup> Filing, to the City Council, and adopt the Findings of Fact as presented in the staff report.

### **VARIANCES REQUESTED**

No variances have been requested from the City Subdivision Regulations.

### **PROPOSED CONDITIONS OF APPROVAL**

Planning staff recommends the following conditions of approval:

1. To provide for the installation of utilities and mitigate impacts on local services, prior to final plat approval, recordable easement documents shall be provided with the final documents for the temporary turnaround at the end of Chino Circle.
2. To provide for the proper location and installation of a Central Box Unit (CBU), prior to final plat approval, the applicant will coordinate where a CBU would be best for deliveries from the USPS.

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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 Woods called for questions and discussion from the members of the Board. There was none.

President Woods called for presentation by the applicant.

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

Mr. Oakland is the developer. He explained that this parcel is the 10th filing of the High Sierra Subdivision, and a component of the previously approved High Sierra Subdivision Master Plan. This is the southeast corner of the overall 400 acres. He pointed out the connections to the adjacent proposed filings. There were no questions for Mr. Oakland.

\*\* A public hearing for will be held during the Tuesday, February 25, 2020 Planning Board meeting.

### **8c. Plat Review/Discussion. High Sierra II Subdivision, 14<sup>th</sup>, 15<sup>th</sup>, 16<sup>th</sup> Filings, Dave Green, Planner II.**

\*\*Dave Green gave the staff presentation below on High Sierra II Subdivision, 14<sup>th</sup>, 15<sup>th</sup>, and 16<sup>th</sup> Filings.

**High Sierra II Subdivision, 14th Filing, City Major Subdivision. Gary Oakland, High Sierra II Inc., Owner/Developer; Gary Owen, Sanderson Stewart, agent. Dave Green, Planner II, presenting.**

**INTRODUCTION** On January 1, 2020, Sanderson Stewart, agent for High Sierra II, Inc., applied for preliminary major plat approval for High Sierra Subdivision, 14<sup>th</sup> Filing. The proposed subdivision creates 90 lots for residential development on a 37.3-acre parcel of land. This proposal is part of a larger approved master plan of High Sierra Subdivision. The subject property is generally located north of west of Gleneagles Boulevard and north of Matador Avenue 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 preliminary plat of High Sierra Subdivision, 14<sup>th</sup> Filing to the City Council, and adopt the Findings of Fact as presented in the staff report.

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### **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 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
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.

**Plat Review/Discussion. High Sierra II Subdivision, 15th Filing, City Major Subdivision. Gary Oakland, High Sierra II Inc., Owner/Developer; Gary Owen, Sanderson Stewart, agent. Dave Green, Planner II, presenting.**

### **INTRODUCTION**

On January 1, 2020, Sanderson Stewart, agent for High Sierra II, Inc., applied for preliminary major plat approval for High Sierra Subdivision, 15<sup>th</sup> Filing. The proposed subdivision creates 27 lots for residential development on a 7.058-acre parcel of land. This proposal is part of a larger approved master plan of High Sierra Subdivision. The subject property is generally located north of west of Gleneagles Boulevard and north of Matador Avenue 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 preliminary plat of High Sierra Subdivision, 15<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 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
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.

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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.

**Plat Review/Discussion. High Sierra II Subdivision, 16th Filing, City Major Subdivision. Gary Oakland, High Sierra II Inc., Owner/Developer; Gary Owen, Sanderson Stewart, agent. Dave Green, Planner II, presenting.**

### **INTRODUCTION**

On January 1, 2020, Sanderson Stewart, agent for High Sierra II, Inc., applied for preliminary major plat approval for High Sierra Subdivision, 16<sup>th</sup> Filing. The proposed subdivision creates 14 lots for residential development on a 2.425-acre parcel of land. This proposal is part of a larger approved master plan of High Sierra Subdivision. The subject property is generally located north of west of Gleneagles Boulevard and north of Matador Avenue 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 preliminary plat of High Sierra Subdivision, 16<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 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.
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 Woods called for presentation by the applicant.

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

Mr. Oakland stated he feels Planner Green has covered this application with the staff presentation.

President Woods called for questions and discussion from the member of the Board.

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Per request of President Woods, Dave Green clarified and stated that with this filing, Mission Oaks Drive will be built to 30' wide on the north side. The schedule is unknown for the school owned parcel dedicated to construction of a school. President Woods called for presentation by the applicant. Board member Tunncliff applauded Mr. Oakland's efforts with his developments throughout the City of Billings. He asked Mr. Oakland if he has had any reservations with development of adjacent property to un-zoned County properties. Mr. Oakland said it has not been a problem in the past and noted the Dover Ranch is located outside of the master plan for these parcels. President Woods spoke to issues with City and County subdivision regulations and the zoning jurisdictional boundary overlap. He stated there is a need for consideration of extension of the jurisdictional zoning boundary and Mr. Oakland concurred.

\*\* A public hearing for will be held during the Tuesday, February 25, 2020 Planning Board meeting

### 9. OTHER BUSINESS

#### 9b. Long Range Strategic Issues and an overview of future City and County issues and projects.

**1. Ward 2 Planning Board Seat (Heights)** Pending approval during the February 24, 2020 City Council meeting, Ms. Heidi Jensen-Christison will be appointed to serve as the Planning Board Ward II representative.

**2. City Council Strategic Planning Meeting Director** Friday stated the City Council Strategic Planning Meeting was held on Saturday, February 1st, from 8:00 AM until Noon in the City Council Chambers. The public was invited to attend and there were opportunities for public comment. Council members identified 43 items ranked in order based on Council members' voting and they will be grouped into topic areas. A few of the priorities include Public Safety; Downtown Revitalization Safe Routes to School; Inner Belt Loop Project; Marathon Loop Trail; Lockwood TEDD; Update to Neighborhood Plans (limited staff and resources). A more organized priority list will be compiled during the March City Council Work Session. Board member Tunncliff asked Staff to schedule a presentation for the Planning Board when the priority list is completed.

**3. Lockwood TEDD-Tuesday, February 18, 2020 City Council agenda** There will be presentations by the Lockwood Sewer District and BSEDA. The Public is invited to attend and Board members are encouraged to attend. Staff agreed to email the City Council agenda to Board members prior to the Friday, February 18 meeting.

**4. Announcement: March 5, 2020 4:30 PM-2nd Public Meeting Inner Belt Loop Corridor Study at the Billings Library Community Room** Public comment will be taken to work towards finalizing the document. Planning Board members are encouraged to attend.

**5. Project Re: Code** Staff is working with the consultant to finalize sections of the zoning code. A schedule will be comprised for late February and March for discussion items during Zoning Commission meetings.

**6. Good & Welfare:** President Woods thanked the Board members for their attendance this evening and Board member Tunncliff for his four years of service as Planning Board President.

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**7. Planning & Community Services Department Annual Report:** Director Friday stated digital copies are available and have been distributed to the Governing Boards, and the advisory Boards and Commissions. He pointed out that this year’s .pdf version contains hyperlinks within the document to accessibility to other related documents. Staff will provide hard copies to the Board members during the next Planning Board meeting.

**ADJOURNMENT: 6:50 PM**

**Future Agenda Items for Tuesday, February 11, 2020**

**1. Public Hearing. Motion/Recommendation to City Council. Emma Jean Heights Subdivision, 4th Filing.** City Major Subdivision. Charlie Felton, Felton Associates, Inc., owner. Amy Darling, Northern Engineering & Consulting, Agent. Dave Green, Planner II, presenting.

**2. Public Hearing. Motion/Recommendation to City Council High Sierra Subdivision, 16 th Filing,** City Major Subdivision.  
Gary Oakland, High Sierra II Inc., Owner/Developer; Gary Owen, Sanderson Stewart, agent. Dave Green, Planner II, presenting.

**3. Public Hearing. Motion/Recommendation to City Council High Sierra Subdivision, 15th Filing,** City Major Subdivision.  
Gary Oakland, High Sierra II Inc., Owner/Developer; Gary Owen, Sanderson Stewart, agent. Dave Green, Planner II, presenting.

**4. Public Hearing. Motion/Recommendation to City Council. High Sierra Subdivision, 14th Filing,** City Major Subdivision.  
Gary Oakland, High Sierra II Inc., Owner/Developer; Gary Owen, Sanderson Stewart, agent. Dave Green, Planner II, presenting.

**5. Public Hearing. Motion/Recommendation to City Council High Sierra Subdivision, 10th Filing,** City Major Subdivision.  
Gary Oakland, High Sierra II Inc., Owner/Developer; Gary Owen, Sanderson Stewart, agent. Dave Green, Planner II, presenting.

**APPROVED BY A MOTION ON FEBRUARY 25, 2020**

