

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 |
|--------------------------------|-------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|---------------|------------|------------|------------|------------|------------|------------|------------|------------|--------------|------------|------------|------------|------------|
| Dave Goodridge | Mayor/Billings Ward I | 1 | 1 | E | 1 | - | - | - | - | 1 | 1 | E | E | E | | | | | | | | | | |
| Heidi Jensen-Christison | Mayor/Billings Ward II | - | - | - | 1 | - | - | - | - | 1 | 1 | 1 | 1 | 1 | | | | | | | | | | |
| Eric Wallace | Mayor/Billings Ward III | 1 | 1 | 1 | 1 | - | - | - | - | E | 1 | 1 | 1 | 1 | | | | | | | | | | |
| Darell Tunnick | Mayor/Billings Ward IV | 1 | 1 | 1 | E | - | - | - | - | 1 | 1 | 1 | 1 | 1 | | | | | | | | | | |
| Jon Thompson | Mayor/Billings Ward V | 1 | E | 1 | 1 | - | - | - | - | 1 | E | 1 | 1 | 1 | | | | | | | | | | |
| Troy Boucher | YC District 1 | 1 | E | 1 | 1 | - | - | - | - | 1 | - | 1 | E | E | | | | | | | | | | |
| Dennis Cook | YC District 2 | 1 | 1 | 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 | 1 | 1 | | | | | | | | | | |
| Vacant | YC District 6 | - | - | - | - | - | - | - | - | - | - | - | - | - | | | | | | | | | | |
| Jarett Hillius | YC District 7 | 1 | 1 | 1 | 1 | - | - | - | - | 1 | 1 | 1 | 1 | 1 | | | | | | | | | | |
| Vacant | Y County Cons. District | - | - | - | - | - | - | - | - | - | - | - | - | - | | | | | | | | | | |
| Scott Reiter | Ex-Officio SD2 | | 1 | E | 1 | - | - | - | - | 1 | - | 1 | - | E | | | | | | | | | | |

June 23 2020

Virtual Video Conference Format

Approved by a motion on July 9, 2020

PUBLIC HEARINGS/PUBLIC HEARING PARTICIPATION GUIDELINES. Due to the COVID-19 health concerns, the format of the Yellowstone County Board of Planning meeting will

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be held in a virtual videoconferencing environment. The normal hearing room on the 1st Floor at 2825 3rd Ave North (Miller Building) will be closed during the meeting and no one will be attending this hearing in person. Public comment will be taken only during the Public Comment periods as indicated on the agenda, and during the Public Hearings under the Regular agenda. Comments may be sent to Board via email before 1:00 PM on Monday, June 23, 2020. All emails received prior to this time will be read into the record for the public.

The Public may call in during specific Public Comment periods at (406) 237-6165. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to 3 minutes of testimony as is customary. Live coverage can be viewed: <https://www.facebook.com/Billings-Planning-Community-Services-Department-1738982159659260/?ref=bookmarks>

Call the Meeting to Order

President Woods called the meeting to order at 6:00 p.m. on Tuesday, June 23, 2020.

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; Monica Plecker, Planning Division Manager; Dave Green, Planner II; Lora Mattox, Transportation Planner; Robbin Bartley, Administrative Assistant

Participants: Darin Swenson, YC Public Works; Travis West, Engineering West; DJ Clark, Sanderson Stewart; Jan and Dennis Rehberg

Disclosure of Outside (Ex Parte) Communication or Conflicts of Interest– Board Members and Planning Staff. There were no declarations of ex parte communications or conflicts of interest.

Approval of the June 23, 2020 Agenda

A motion was made by Board member Cook and seconded by Board member Hillius to approve the June 23, 2020 meeting agenda with the addition of continuing the zoning boundary discussion. The motion carried with a unanimous voice vote.

Approval of Minutes: May 27, 2020

Motion

Board member Hillius made a motion and Board member Cook seconded the motion to approve the May 27, 2020 meeting minutes. The motion carried with a unanimous voice vote.

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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. President Woods announced the public all in phone number: 406-237-6165

Planning Clerk reported no calls with requests for public comment.

7. OLD BUSINESS:

(7-a1). OLD BUSINESS

8a. Public Hearing. Motion/Recommendation to BOCC. Yellowstone Trail Subdivision. A County Major Subdivision. A 38.55-acre parcel of land into 18 lots for residential development. J 7J homes, Applicant. Engineering West/Forrest Mandeville Consulting/Performance Engineering. Dave Green, Planner II, presenting.

INTRODUCTION

May 1, 2020, the Planning Division received an application for major plat approval for the proposed Yellowstone Trail Subdivision. The property is generally located south of Yellowstone Trail and west of Darrah Drive, west of Pryor Creek golf course. This subdivision would create 18 lots from a 36.687-acre parcel of land. The applicant is proposing to develop a residential subdivision; the land is outside of zoning. The land is currently dryland grass and shrub.

RECOMMENDATION

Staff recommends that the Yellowstone County Planning Board recommend to the Board of County Commissioners to conditionally approve the preliminary plat of Yellowstone Trail Subdivision and adopt the Findings of Fact as presented in the staff report.

VARIANCES REQUESTED

No variance is being 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.

1. To ensure public health and safety, prior to final plat approval, the applicant will receive DEQ approval for the proposed storm water management and for the proposed water and septic systems for each lot.
2. To protect public health and safety and clarify road dedication, prior to final plat approval, the applicant will add language in the SIA under the heading III Transportation A. Streets, add language stating 'dedicated to the public' in the first sentence. An RSID needs to be created to maintain those public streets.
3. To protect public health and safety and provide for future Dry hydrant maintenance, prior to final plat approval, the applicant will provide drawings to the Worden Fire Department for

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review and approval prior to any construction. The tank will be tested once it is installed and signed off by the Fire Department. An RSID for the dry hydrant system will be created for maintenance of the system.

4. To protect the public health and safety and to maintain the new park, prior to final plat approval the applicant will create an RSID for maintenance of the park.
5. 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.
6. 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.
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

President Woods called for questions and discussion. There were no questions from the Board.

President Woods called for presentation by the applicant. There were no comments from the applicant’s agent, Travis West, Engineering West.

Public Hearing

President Woods opened the public hearing and asked if there is anyone wishing to speak in favor or against Yellowstone Trail Subdivision. Administrative Assistant reported she has not received any calls from the public.

Motion

Board member Cook made a motion and Board member Thompson seconded the motion to forward a recommendation of conditional approval of the preliminary plat of Yellowstone Trail Subdivision and adopt the Findings of Fact as presented in the staff report.

Discussion

President Woods called for discussion on the motion. There was no discussion related to the motion. **The motion carried with a unanimous voice vote.**

9. NEW BUSINESS

9a. 2019 Innerbelt Loop Corridor Study. Lora Mattox, Transportation Planner, presenting.

Lora Mattox opened this agenda item. She explained the adoption process for this document was paused due to COVID 19. Staff’s intent is to get ahead of building the roadway and plan a well thought out vision for the function and aesthetics of the corridor.

PROBLEM/ISSUE STATEMENT

The Billings MPO identified the need to conduct a corridor study to evaluate transportation needs along the proposed alignment of the Inner Belt Loop. This study examines the proposed corridor from the terminus of Skyway Drive and Alkali Creek Road to the Highway 3 and Zimmerman Trail intersection and addresses future access options as development occurs along the roadway, potential intersections, storm water management, landscaping, bicycle and pedestrian access, building and development layout and transportation safety along the corridor.

BACKGROUND

The Billings Metropolitan Planning Organization (MPO) through a competitive process hired Sanderson Stewart to develop a corridor planning study of the future Inner Belt Loop corridor in Billings and Yellowstone County. The extent of the study area is from the Skyway Drive/West Wicks Lane intersection on the northeast to the Montana Highway 3/Zimmerman Trail intersection on the south terminus of the connection.

The Inner Belt Loop project has been discussed for almost 30 years as a way to provide a much-needed connection between the Billings Heights and West End. Formal work on this project began in 2005 with a planning study to identify the feasibility of a connection through northwest Billings and identify a preferred route. This study included substantial public participation opportunities that resulted in broad approval by the community.

Additionally, this study is specifically related to the vision of the corridor and how it can function. Design of the roadway was started in 2009 with construction of Skyway Drive completed in 2014. The City has allocated in the current CIP \$7 million toward construction of the road in 2022 with the remaining \$7 million needed to complete the road in 2024. In addition, the City of Billings applied for a BUILD Grant in May for the amount of approximately \$16.8 million to complete the construction of the Inner Belt Loop, Skyline Trail, and Stagecoach Trail. If awarded, the city will be able to save the additional \$7 million to complete the roadway that was anticipated to be needed in 2024. Announcement of the BUILD grant results is set for September 15.

The desired outcome of the study is to provide a vision for the corridor that balances the need to plan for new development that will inevitably occur around the roadway while ensuring a safe, connected community. The analysis and recommendations in the plan were identified through extensive data analysis along with public and stakeholder involvement. The goal is to develop principals that are consistent with principals within the City of Billings Growth Policy.

Several recommendations were formed as an outcome from this study and include, but are not limited to:

- Formalized intergovernmental agreement between the City and County to develop a coordinated approach to land use and development within the City or the County along the corridor.
- Application of development tools such as neighborhood planning; continued review and update to the Limits of Annexation Map; identify design standards within project Re: Code for appropriate zoning; and develop a plan for utility expansion, primarily water and sewer.
- Design considerations such as recommending that the current Right-of-Way width of 90 feet be expanded to 100 feet to provide flexibility in building setbacks, multi-use facilities, drainage, lighting, boulevard sidewalk and raised center median for access control.
- The study also identified options for roadway phasing if the city is not successful in the BUILD grant and local funding is split between years 2022 and 2024.

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- Water and sewer infrastructure tools that will support development along the Inner Belt Loop that could include private property owner agreements, reimbursement agreements and Special Improvement or Rural Improvement Districts.

FINANCIAL IMPACT

The contract for the Inner Belt Loop Corridor Study with Sanderson Stewart was budgeted at \$100,000. The majority of the funding is through the Billings Urban Area Metropolitan Planning Organization's Federal PL (planning) funds. PL funds for this project required a 40% local match, which was provided through the Planning Division's FY19 and FY20 Council-approved budgets and 2020 Unified Planning Work Program, utilizing its County-Wide Planning Mill Levy revenues.

Although the study does not provide exact costs associated with corridor design elements, beyond the roadway and pathway elements that are already designed, or the expansion of services such as water and sewer, the study does provide general information on what costs to expect with development of the roadway.

RECOMMENDATION

Staff recommends that at the June 23 meeting, the Yellowstone County Planning Board receive a presentation on the Inner Belt Loop Corridor Study and conduct a public hearing to receive public comment on the plan. The Planning Board is scheduled to take formal action on the Study and provide a recommendation to the Policy Coordinating Committee (PCC) at its July 14 meeting. The PCC is scheduled to take final action on the study at its meeting on July 21, 2020.

DJ Clark, Consultant, Project Manager, Sanderson Stewart opened a presentation screen, “Inner Belt Loop Corridor Study”. Project Website: <http://sandersonstewart.com/projects/innerbeltloop/>

Design Considerations

- Future roadway and intersection planning
- Right-of-way needs/acquisition
- Access Management

Recommendations

- Evaluate cost/benefit of increased right-of-way width and initiate acquisition process.
- Develop an access management policy for the corridor that allows for limited flexibility during parcel development review.

Planning of Infrastructure to Support Development

- Cost and feasibility analysis-water/sewer/EMS
- Funding mechanism alternatives

Construction Phasing

#1-site work and permitting for full alignment

#2-full completion of approximately ½ of the roadway

#3-link funding and schedule of construction with pending development

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Recommendation

Develop a phasing strategy that considers pending development, and potential for economic benefit to the City along with highest-best use for Phase 2 improvements.

There were no questions or comments from the Board.

Public Hearing

President Woods opened the public hearing and asked if there is anyone wishing to speak in favor or against the 2019 Inner Belt Loop Corridor Study as presented by Planning Staff.

Jan Rehberg, (no address given)

Ms. Rehberg stated they have been involved with this project with the development of the Rehberg Ranch Subdivision in 2000. This project was in process and scheduled to be built in 2007. The subdivision was built in anticipation of the roadway. This roadway will be critical for development in the area. Their reasoning for the subdivision location is to use land that is not valuable for farming purposes and there is the ability for looping of utilities. The Rehbergs are in full support of this project.

Dennis Rehberg, (no address given)

Mr. Rehberg pointed out that none of the current Board members were there in 1984 when he as the property owner, offered property for the outer loop access down the rims around Yellowstone Country Club going to the Interstate due to the determination for the need to relieve the pressure on Zimmerman Trail. Since that time, the City expanded City limits, approved Ironwood subdivision, and blocked the access point. He commented on the short sightedness of the Board and Council members at the time and said the Planning Board City of Billings, and County of Yellowstone need to move forward with this project.

Administrative Assistant reported no calls from the public.

President Woods closed the public hearing. No formal action will be taken at this meeting.

Discussion

Board member Tunncliff echoed Mr. Rehberg's comment and said he would like to encourage the County and the City to find funding for this project.

The Planning Board will forward a recommendation to the Policy Coordinating Committee at the next meeting on July 14, 2020.

8a. Presentation. Discussion. Yellowstone County Growth Policy Land Use Chapter. Monica Plecker, Planning Division Manager

Monica clarified and said the Planning Board has mentioned there may areas of conflict or development next to the boundary area that are of concern Today's discuss will be related to the Land Use Chapter in the County Growth Policy. She opened with a presentation, "YCO Growth Policy, Land Use Element"

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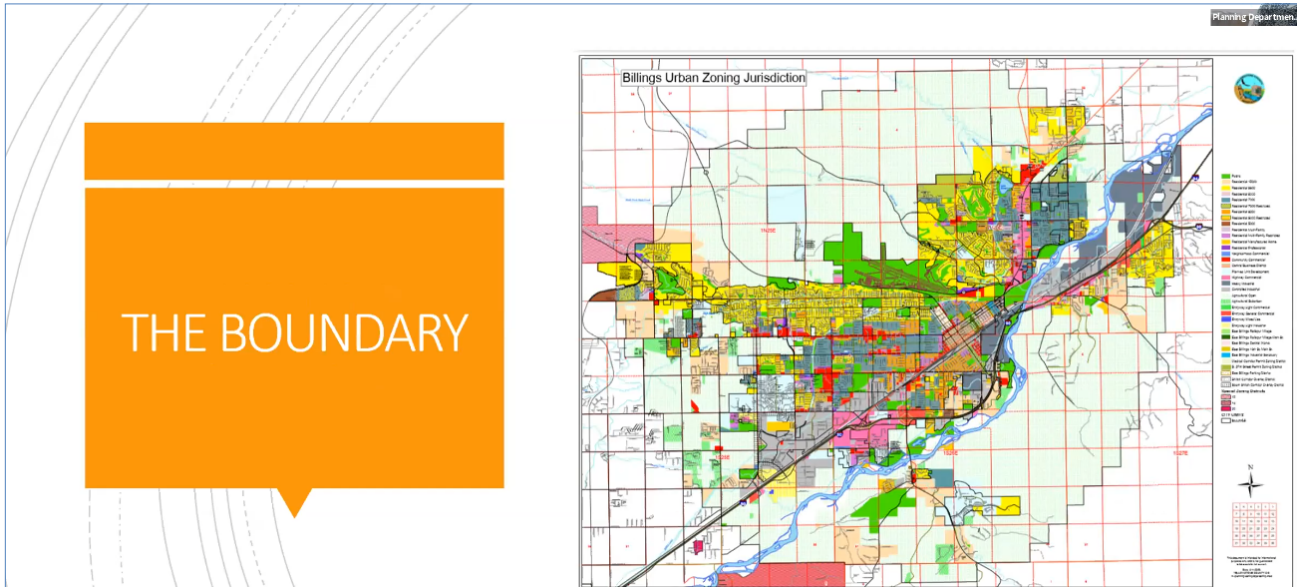
Growth Policy 101-A Growth Policy is intended to be visionary. Considers: Where are we going? Where do we want to go? How will we get there?

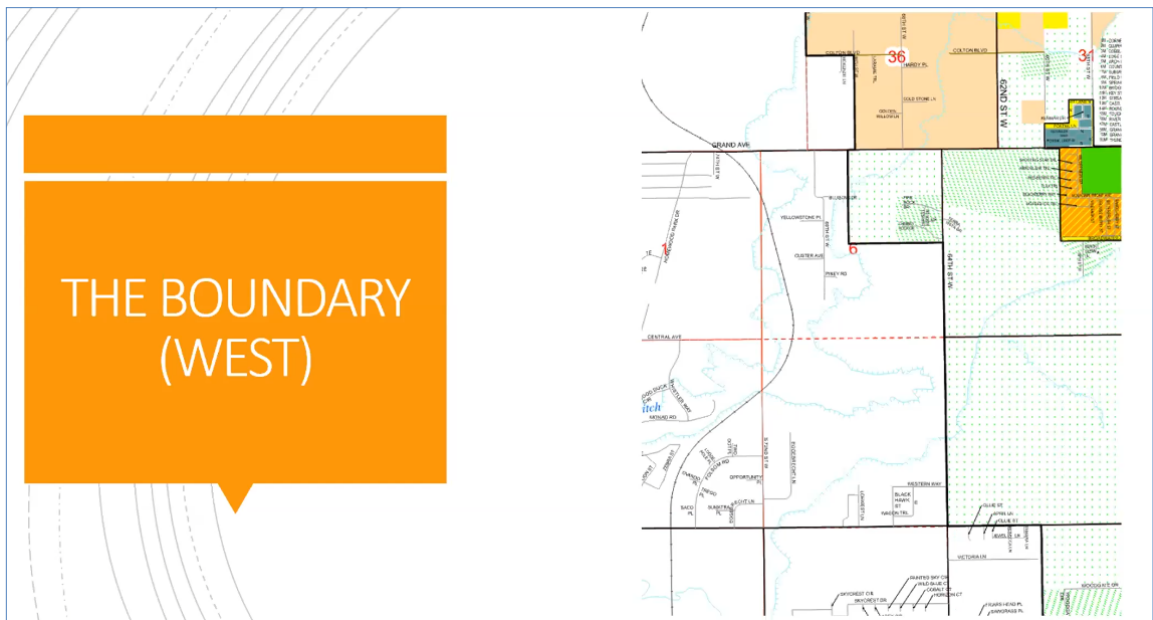
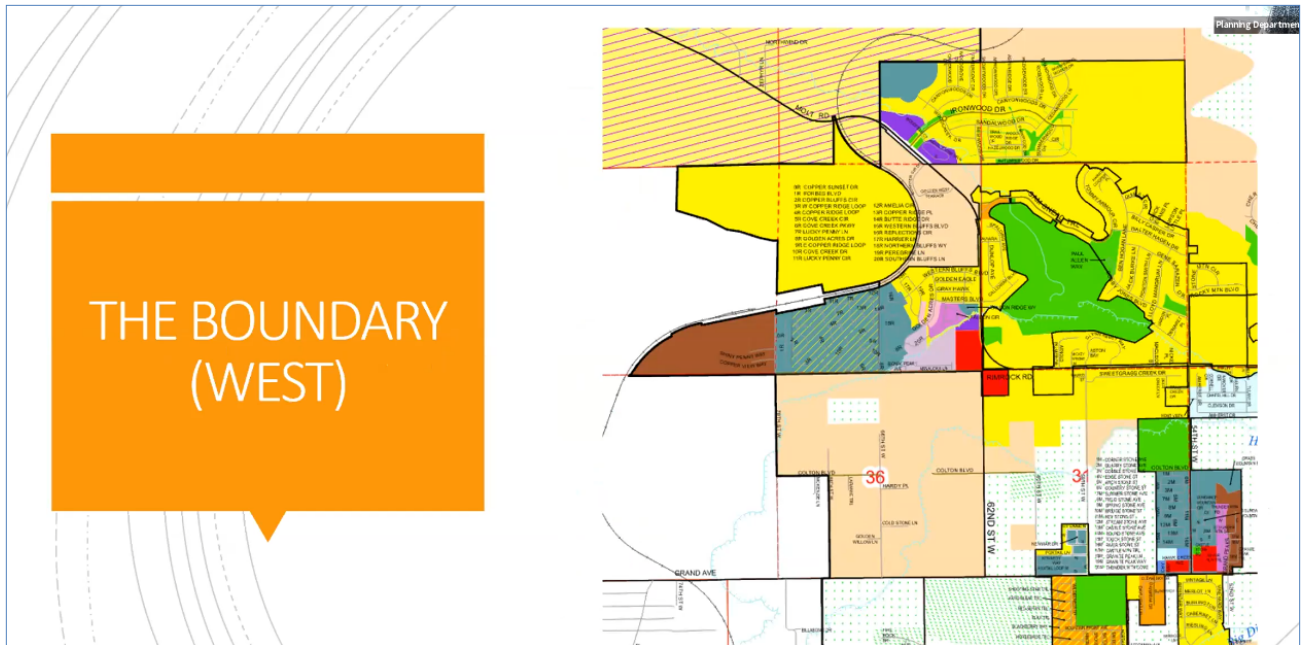
MA 76-01-601. Growth Policy’s must include Goals & Objectives; Land Uses; Description of Policies, Regulations, and other measures to achieve goals.

Visioning Statements: Where will YC be in the future?

- Livability, Opportunity, Necessity

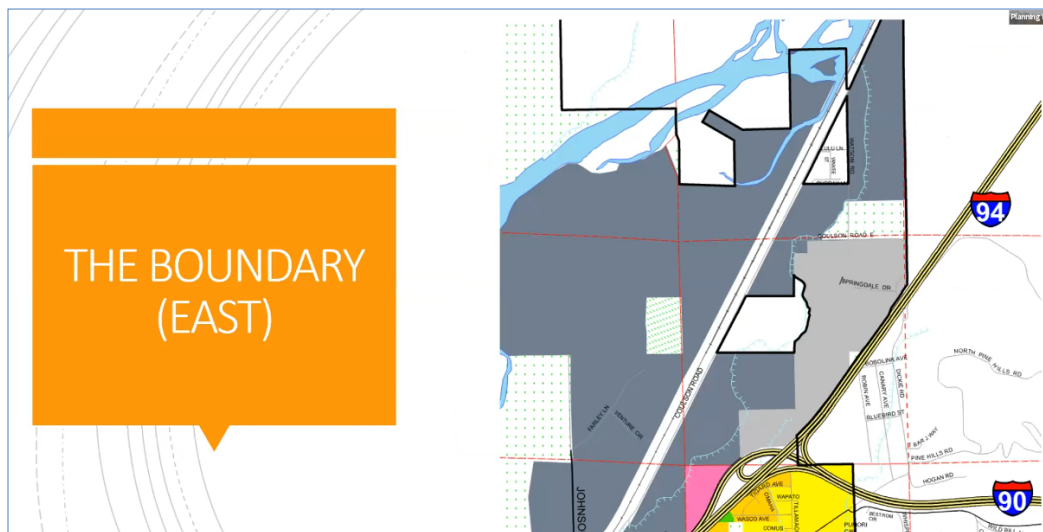
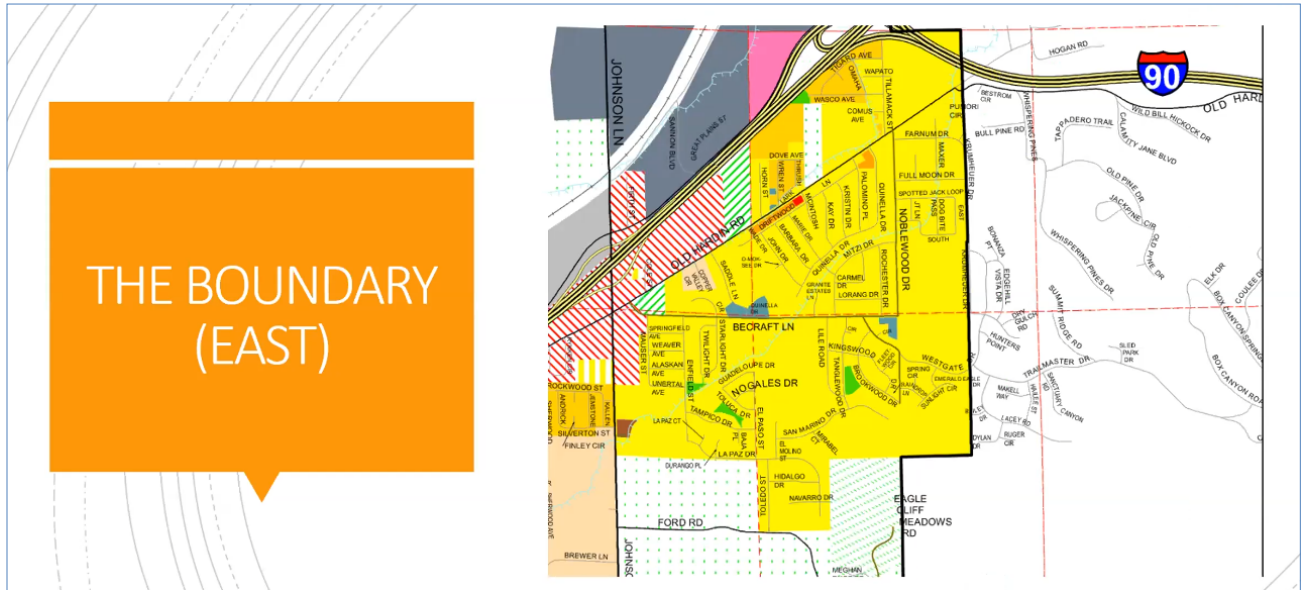
Policy Statements: Consider expansion of the Zoning Jurisdiction

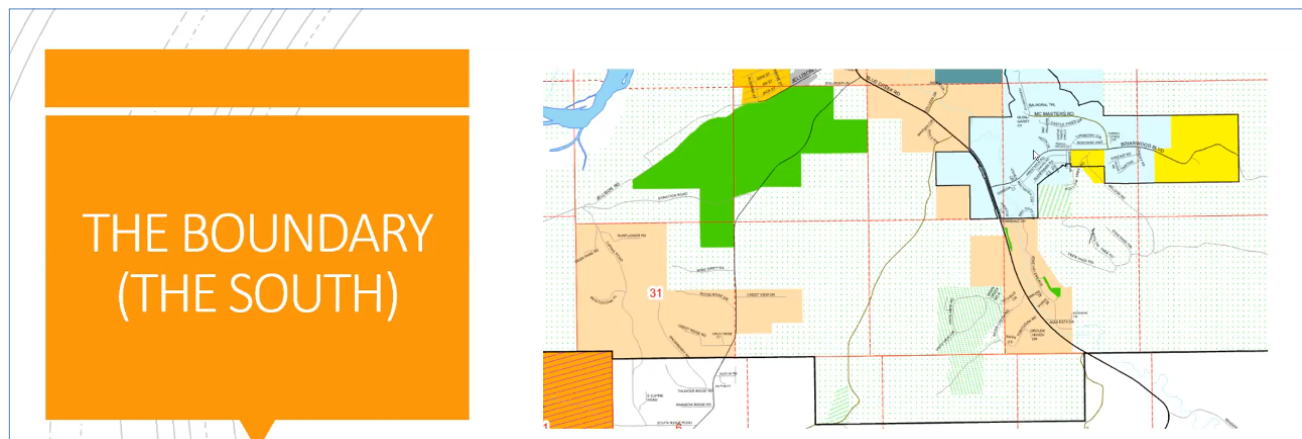
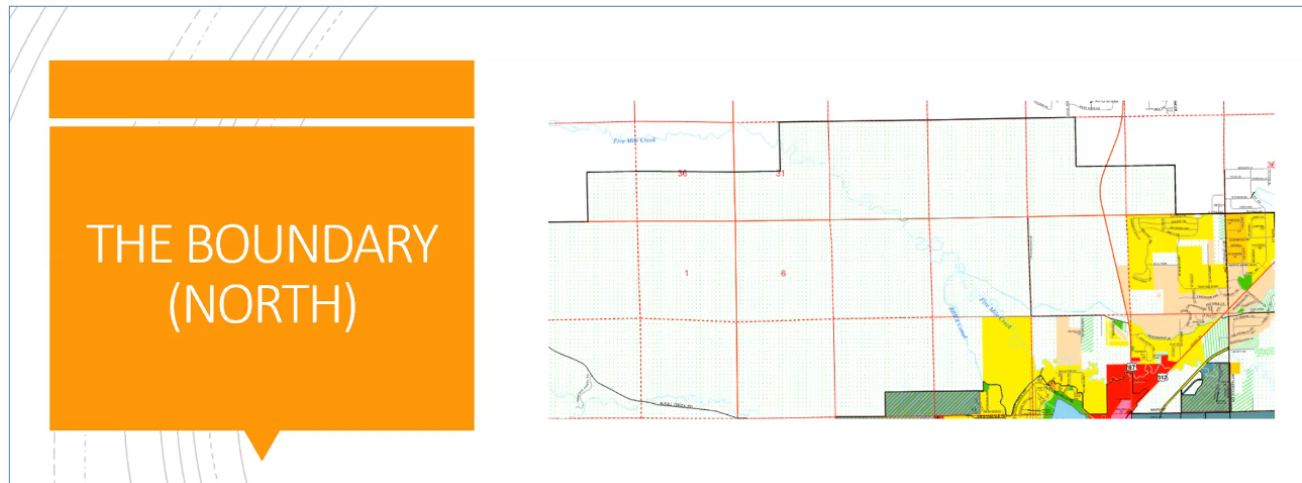




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Boundary Discussion as it relates to Land Use Chapter

A. Five Benefits of Zoning. Board Discussion

1. Land owner’s predictability as to Land Use. Aesthetics-landscaping (Tunncliff).
2. Consistency of services provided. Encouragement of development standards. (Sidewalks, amenities, road standards). (Hillius)
3. Predictability: (Jenson-Christenson)
4. Buffer zones (Wallace)
5. Consistency and predictably improves quality of life (Thompson)

B. Five Challenges of Zoning

1. Restrictions and limitations on property uses (Tunncliff)
2. Buy in of property owners affected by the zoning.

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3. Deciding an appropriate border location
4. Elected officials’ support (Jenson-Christenson)
5. Increased cost of development to comply with increased standards (Tunnicliff)

C. Five Issues with Current Boundary. What is problematic?

1. Development standards can differ in the same subdivision (Tunnicliff, Woods)
2. More dense developments are occurring outside of the boundary. Standards are voluntary outside of border (Woods)
3. Too large of a gap between development standards in City or zoned areas versus unzoned areas (Hillius, Tunnicliff)

--Because there is a relationship where design criterion is triggered in new subdivisions, the zoning code and subdivision code will have to “talk to one another” (Woods)

--Where the boundary interfaces unzoned parcels is significant (Hillius, Friday)

4. City limits are adjacent to parts of the boundary (loss of buffer zone)
5. Justification on where the new line goes (Tunnicliff)

D. Can Zoning address previously identified Concerns (Yes, No)

E. Next Steps:

1. Involving Others. Planning Board representative presentations to YC Zoning Commission, BOCC, and Land Owners with adverse impacts, (Hillius offered to help with this).
2. Define Scope of Changes, Identify Critical areas-thoughtful consideration
3. Understanding options to achieve more uniform development (Part 1 versus Part 2)-Part 1 zoning initiated by landowners, Part 2 zoning-government County zoning driven

- Entire Boundary or Portions?

--End result is a recommendation to the BOCC (Woods)

--Involvement of Developers to get insight. Development follows infrastructure (Cook)

--Focus on development of west end patterns and trends in development (Linlee Lakes). (Cook, Hillius) Importance of infrastructure alternatives. Plecker: City Lakes project and new water storage on the west end of Billings. Opportunity for missed opportunity if there is not good planning.

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

- a. **Project ReCode:** Director Wyeth Friday. Staff is scheduling hybrid meetings to schedule sections of the zoning code this week.

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B. Lockwood TEDD Update: President Woody Woods. Discussion have continued to get the City to acknowledge no waivers of protest for annexations. Have narrowed the discussion to three talking points. July City Council Work Session.

ADJOURNMENT: 8:00 PM

APPROVED BY A MOTION ON July 14, 2020

