

# 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	1	-	-	-	-	1	1	E	E	1	1	E	-	1						
<b>Heidi Jensen-Christison</b>	Mayor/Billings Ward II	-	-	-	1	-	-	-	-	1	1	1	1	1	E	1	-	E						
<b>Eric Wallace</b>	Mayor/Billings Ward III	1	1	1	1	-	-	-	-	E	1	1	1	1	1	A	-	1						
<b>Darell Tunnickliff</b>	Mayor/Billings Ward IV	1	1	1	E	-	-	-	-	1	1	1	1	1	1	A	-	1						
<b>Jon Thompson</b>	Mayor/Billings Ward V	1	E	1	1	-	-	-	-	1	E	1	1	1	1	1	-	E						
<b>Troy Boucher</b>	YC District 1	1	E	1	1	-	-	-	-	1	-	1	E	1		A	-	1						
<b>Dennis Cook</b>	YC District 2	1	1	1	1	-	-	-	-	1	1	1	1	1	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	1	-	-	-	-	1	1	1	1	1	1	1	-	1						
<b>Vacant</b>	YC District 6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
<b>Jarett Hillius</b>	YC District 7	1	1	1	1	-	-	-	-	1	1	1	1	1	1	1	-	1						
<b>Vacant</b>	Y County Cons. District	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
<b>Scott Reiter</b>	<b>Ex-Officio SD2</b>		1	E	1	-	-	-	-	1	-	1	-	E	1	-	-	1						

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**September 9, 2020**

### **Virtual Video Conference Format**

*DRAFT- To be approved by a motion on October 13, 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 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 Tuesday, September 9, 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, September 9, 2020

### **Dave Goodridge, Planning Board City Ward I Resignation and Recognition of Service.**

President Woods and members of the Board thanked Dave Goodridge for his work years of service as a Planning Board representative for Planning Board Ward I. President Woods acknowledged Dave Goodridge as he has been a valuable asset to the Board. Dave Goodridge said he enjoyed his position and may return in some manner when "things settle down".

### **Introduction of Planning Board Members and Planning Department Staff**

President Woods called for introductions of the members of the Planning Board and staff.

**Participating Planning staff members:** Monica Plecker, Planning Division Manager; Dave Green, Planner II; Tammy Deines, Planning Clerk

**Other Participants:** Bill Morgan, Sanderson Stewart

**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.

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## **CITY/COUNTY PLANNING BOARD**

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### **Approval of the September 9, 2020 Agenda**

**The September 9, 2020 meeting agenda was approved with a unanimous voice vote.**

### **Approval of Minutes:** August 11, 2020

**Board member Cook made a motion and Board member Wallace seconded the motion to approve the August 11, 2020 meeting minutes as submitted. 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. President Woods announced the public all in phone number: 406-237-6165.

Tammy Deines reported no calls with requests for public comment.

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

**8. NEW BUSINESS:**

**Preliminary Plat Review. Planning Board Discussion. Western Sky Subdivision. Western Sky Billings, LLC, owner. Sanderson Stewart, agent. Dave Green, Planner II, presenting.**

### **INTRODUCTION**

On August 3, 2020, Sanderson Stewart, agent for Western Sky Billings, LLC, applied for preliminary major plat approval for Western Sky Subdivision, Second Amended, Lot 5A, Subdivision for Rent or Lease. The proposed subdivision does not create any additional lots; the applicant is proposing to provide 155 spaces for mobile homes to be placed on the land. The subject property is generally located south of King Avenue West and east of South 48<sup>th</sup> Street West. The property is zoned Residential Manufactured Home (RMH). The proposed lot will be developed in compliance with the zoning as the property is developed. The Yellowstone County Board of Planning will review the plat at this meeting and conduct a public hearing on September 22, 2020.

### **RECOMMENDATION**

Staff recommends that the Planning Board recommend conditional approval of the preliminary plan of Western Sky Subdivision, Second Amended, Lot 5A, Subdivision for Rent or Lease, to the City Council, and adopt the Findings of Fact as presented in the staff report.

### **VARIANCES REQUESTED**

The applicant is not requesting a variance from the subdivision regulations.

### **PROPOSED CONDITIONS OF APPROVAL**

Planning staff recommends the following conditions of approval:

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## CITY/COUNTY PLANNING BOARD

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1. To ensure the ability to place private utilities within the development, prior to final plat, the applicant will coordinate with private utility companies for placement of easements and provide those easement locations on the final plan.
2. 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.
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.

### **PROCEDURAL HISTORY**

- Pre-application meeting April 30, 2020
- Preliminary plat application submitted to Planning Division on August 3, 2020
- Departmental review meeting August 20, 2020
- Preliminary plat resubmittal August 27, 2020
- Planning Board plat review September 9, 2020
- Planning Board public hearing September 22, 2020
- Preliminary plat to City Council October 26, 2020
- 60 working-day preliminary plat review period ends October 28, 2020

Dave Green said all streets will be private but they will be built to City Standards. The utilities will come from King Avenue southward and will be installed by the developer. Fire hydrant spacing will be used to meet requirements for the Fire Department. Storm drainage devices will be used to filter storm water flowing into Hogan’s slough. Contributions will be made towards expansion of the Shiloh Conservation District. A Traffic Impact Study, (TIS), was provided. A no access strip will be removed according to the TIS requirements. Affected schools are Elder Grove and West High School. No comments were received from the school districts.

President Woods called for presentation by the applicant.

### **Bill Morgan, Sanderson Stewart, 1300 N Transtech Way, Billings, Montana**

Mr. Morgan represents the applicant/property owner, Western Sky Billings, LLC. He said this property has been proposed for development phasing. Bill Morgan explained they have been working on this subdivision for several years. They are requesting approval from the Board for the proposed 155 units. Utilities will be coming from the north and phased as well. Storm drainage will be directed southward to Hogan’s Slough. Per State law, the language in the SIA on phasing will identify when each phase is opened. The ownership team is looking at a 5-7 year maximum time frame. Each phase will have to be reviewed by the Planning Board. They will work with staff to

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## CITY/COUNTY PLANNING BOARD

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identify in the SIA the offsite contributions for Phase 1 and Phase 2. This proposal is logical for the street and utility development. The developer is available for questions.

President Woods called for question and discussion from the members of the Board.

President Woods asked if there is a legislative cap on the number of years for phasing. Dave Green said there is no cap set, and a date must be set for the timeframe of each phase. Bill Morgan added that the lot to the north is a self-storage unit. A maintenance shed will be there but the road will not be continued.

This subdivision will be heard during the next Planning Board meeting on September 22, 2020.

### **9. OTHER BUSINESS**

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

#### **9a1. Discussion. Zoning Boundary Extension. Planning Board letter to the Yellowstone County BOCC. Planning staff and Planning Board.**

President Woods drafted a letter to the YC Zoning Commission and BOCC. The letter will be presented to the Yellowstone County Zoning Commission on Monday September 14, 2020. Division Manager Plecker gave an overview of the MCA process if the Commissioners are supportive of a boundary amendment.

- The Board of County Commissioners initiates the zoning boundary change.
- There will be a lot of significant public outreach prior to the initiation to gage their understanding and gain support.
- A Resolution of Intent will be generated to initiate the process that begins a 45-day notice period before it can be heard by the BOCC.
- Following the 45-day notice period, it will come to a regular Planning Board meeting for consideration and a recommendation at following meeting.
- When the 45-day period ends, the BOCC hold the public hearing and pass a Resolution of Intent to change the boundary. When started opens a 30-day protest period for landowners. The BOCC would follow with a resolution.

President Woods stated this will take some time, but the Planning Board will forward a recommendation to start the process. Monica will attach the MCA overview to change the boundary to the Planning Board letter. Zoning Coordinator Nicole Cromwell will facilitate the Yellowstone County Zoning Commission meeting on Monday, September 22, and Monica will attend. Troy Boucher is the Chairman of the County Zoning Commission. Board members Cook and Tunnicliff plan to participate.

**9a2. Project ReCode Meeting.** Monica Plecker said the County Zoning Commission held the first two Project ReCode Meetings. Joint City/County hearings are scheduled for September 15 and September 26, 2020 at the Billings Senior Center. Staff hopes to move this to the Board for consideration in October. Staff will continue to forward information to this Board as it becomes available.

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**9a3. MDT Landscaping Issues:** Staff is planning for Transportation Coordinator Scott Walker to provide information during the second meeting in September.

**9a4. County fee increases.** Division Manager Plecker said the County considering a Resolution of Intent to bring forward a one-to-three year strategy to increase the fee schedule in accordance with the City fees.

### **ADJOURNMENT**

**DRAFT—TO BE APPROVED BY A MOTION ON OCTOBER 27, 2020**

*Tamara L. Deines, Planning Clerk*