

# 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	01/12/2021	01/26/2021	02/09/2021	02/23/2021	03/09/2021	03/23/2021	04/13/2021	04/28/2021	05/11/2021	** 05/27/2021	06/09/2021	06/22/2021	07/13/2021	07/27/2021	08/10/2021	08/24/2021	09/14/2021	09/22/2021	10/12/2021	10/27/2021	11/10/2021	11/24/2021	12/08/2021
<b>Teresa Larsen</b>	Mayor/Billings Ward I	1	1	1	1	1	1	1	E	1	E	-	1	1	E	E	1	1	E	1	1			
<b>Heidi Jensen-Christison</b>	Mayor/Billings Ward II	1	1	E	1	1	E	1	E	1	E	-	E	R	-	-	-	-	-	-	-			
<b>Dennie Stephenson</b>	Mayor/Billings Ward III	1	1	1	1	1	1	1	1	1	1	-	E	1	1	1	1	1	1	1	1			
<b>Darell Tunnickliff</b>	Mayor/Billings Ward IV	1	1	1	1	1	1	1	1	1	1	-	1	1	1	E	E		1	1	1			
<b>Jon Thompson</b>	Mayor/Billings Ward V	1	E	1	1	E	1	1	1	E	1	-	1	E	1	E	E	1	E	E	1	-		
<b>Troy Boucher</b>	YC District 1	1	1	1	E	1	E	1	1	A	E	-	1	E		1	E	E	1	A	A			
<b>Dennis Cook</b>	YC District 2	1	1	1	1	1	1	1	1	1	1	-	A	1	E	1	E	1	1	E	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	1	1	1	1	1	1	1			
<b>Vacant</b>	YC District 6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
<b>Jarett Hillius</b>	YC District 7	1	1	1	E	1	1	E	1	1	1	-	1	E	1	1	1	1	1	E	1			
<b>Vacant</b>	Y County Cons. District	-	-	-	-	-	-	-	-	-	-	-	-	-	-	E	-	-	-	-	-			
<b>Scott Reiter</b>	<b>Ex-Officio SD2</b>	-	-	-	1	E		E	E	A	1	-	E	E	E	1		E	E	1	E			

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## CITY/COUNTY PLANNING BOARD

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**October 26, 2021**

*Approved by a motion on November 9, 2021*

### **PUBLIC HEARINGS/PUBLIC HEARING PARTICIPATION GUIDELINES.**

As legally advertised, The Yellowstone County Board of Planning met on October 26, 2021 in the Miller Building 1<sup>st</sup> Floor Conference Room.

Citizens are invited to:

→Review the Agenda Packet on the City's website at: <https://ci.billings.mt.us/117/Agendas-Minutes>

→View the meeting live online at Facebook: <https://www.facebook.com/Billings-Planning-Community-Services-Department-1738982159659260>

Public comment will be taken only during the Public Comment periods as indicated on the agenda and during the Public Hearings, if any are scheduled, under the Regular agenda. Comments may be sent to Board via email before 10:00 AM on the meeting date. All emails received prior to this time will be read into the record for the public hearing. Comments may be submitted by:

- Mail: City/County Planning Division, 2825 3rd Ave N 4th Floor, Billings, MT 59101
  - Email: [deinest@billingsmt.gov](mailto:deinest@billingsmt.gov)
- Call in during the Public Comment periods as indicated on the agenda:
  - Citizens may call in during specific Public Comment periods at **406.237.6165**. All callers will be placed 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 limited to 3 minutes of testimony as is customary. Future delivery methods may be explored as best practice is learned.

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

President Woods called the meeting to order at 6:00 p.m. on Tuesday, October 26, 2021.

#### **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:** Wyeth Friday, Planning & Community Service Director; Scott Walker, Transportation Coordinator; Dave Green, Planner II; Tammy Deines, Planning Clerk

**Others in Attendance:** Taylor Kasperick, Performance Engineering, Chad Wagenhals, CDW Construction; Robert Germany, CDW Construction

#### **Approval of the October 26, 2021 Agenda**

President Woods announced that he MDT presentation will be moved to the Tuesday, November 9, 2021 Planning Board meeting. **Board member Cook moved and Board member Stephenson seconded the motion to approve the October 26, 2021 meeting agenda with the delay for New Business Item 8a., *Presentation MDT project updates*. The motion carried with a unanimous voice vote.**

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## CITY/COUNTY PLANNING BOARD

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**Approval of Minutes:** September 28, 2021

### **Motion**

Board member Hillius moved and Board member Cook seconded the motion to accept the September 28, 2021 meeting minutes as submitted. The motion carried with a unanimous voice vote.

**Approval of Minutes:** October 12, 2021

### **Motion**

Board member Tunncliff moved and Board member Stephenson seconded the motion to accept the October 12, 2021 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.**

**Disclosure of Outside (Ex Parte) Communication or Conflicts of Interest– Board Members and Planning Staff.** – There were no disclosures of outside communication or conflict of interest from the members of the Board.

## **7. OLD BUSINESS:**

**8a. Public Hearing. Motion/Recommendation to BOCC. Still River Estates Subdivision, County Major Subdivision. Chad Wagenhals, CDW Construction, applicant. Taylor Kasperick, Performance Engineering, agent. Dave Green, Planner II, presenting.**

Planner Dave Green opened this agenda item with the staff presentation below. The subject property is generally located on the east side of South 64th Street West and north of Hesper Road. The property is not located within the county's zoning jurisdictional boundary. This proposal is for a residential development of 75 lots with a maximum lot size of .53 acres. This parcel is within the Elder Grove School District. Dave pointed out the proposed Phased development site plan. The dry hydrant will be installed with Phase 1. He pointed out the location of sidewalk that will be installed on the interior of the subdivision to provide access to the parkland. Stormwater management will be overseen through Yellowstone County and DEQ.

**RECOMMENDATION** Staff proposes the Planning Board recommend to the Board of County Commissioners the preliminary plat of Still River Estates Subdivision be conditionally approved and adopt the Findings of Fact as presented in the staff report.

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### VARIANCES REQUESTED

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

### 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 protect public health and safety and provide for future road maintenance, prior to final plat approval, the applicant will create an RSID for the new public roads within the subdivision with the ability to expand with each new phase. All temporary street names will have permanent names determined.
3. To protect public health and safety with proper fire suppression, prior to final plat approval, the applicant will submit construction drawings to Billings Fire Department for review and approval of the dry hydrant system. Once installed the applicant will request the Billings Fire Department to test the system to ensure it works correctly and get a sign off from Billings Fire Department. The applicant will also create an RSID to maintain the dry hydrant system.
4. To protect public health and safety and provide the needed facilities for emergency vehicles, prior to final plat approval, the applicant will provide either temporary cul-de-sac ends for Skycrest Drive and Road B (temporary road name) or connect the two roads with a gravel surface road that will support fire apparatus vehicles of 40 tons in all weather conditions.
5. To protect public health and safety and to ensure public access the private parks, prior to final plat approval, the applicant will submit easement documents outlining the maintenance of the parks and outline allowed public access to the private parks.
6. 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.
7. 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.
8. 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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9. The final plat shall comply with all requirements of the Yellowstone County Subdivision Regulations, rules, regulations, policies, and resolutions of Yellowstone County, and the laws and Administrative Rules of the State of Montana.

### **Discussion**

Planning Board President Woody Woods called for questions and discussion. Board member Thompson suggested combining proposed Park #2 and Park #3 into one park, which would approach the size needed for a neighborhood park.

### **Taylor Kasperick, Performance Engineering, 608 N 29th Street, Billings, MT**

Mr. Taylor Kasperick is the agent for the applicant. He said the parks are separated to spread out the community septic systems planned for the subdivision. They feel having the separated parks would provide homeowners more access to parkland. Board member Thompson said he understands the reasoning but feels the combined area would require less maintenance and provide a larger park area. In response to question by Board member Cook, Mr. Kasperick stated the septic system will be a pressure dosed subsurface system. There will be three community wells tied to a common pump and disinfection system. Each park will have its own well for irrigation. Board member Tunnicliff thanked the developer for being safety conscious and not locating the parkland adjacent to a busy street. President Woods expressed his appreciation for the developer's plan to install internal sidewalks even though it is not required. Per request of Board member Larsen, Mr. Kasperick gave the pumping pressure statistics for the three wells.

### **Public Hearing**

President Woods opened the public hearing and asked if there is anyone wishing to speak in favor of Still River Estates Subdivision. There was none.

President Woods called for opponents to Still River Estates Subdivision.

### **Matt Haugen, 6407 Skycrest Drive, Billings, MT**

Mr. Haugen addressed the Board via the public phone line for his testimony this evening.

Mr. Haugen spoke to the large volumes of traffic and inquired about the possibility of installing a 4-way four stop sign at the intersection of 64th Street West and Skycrest Drive. Darin Swenson, Yellowstone County Public Works, said due to the size of this subdivision, a traffic impact study will be required. Taylor Kasperick said he understands the concerns, but a traffic impact study was conducted and a traffic signal was not warranted.

There were no other comments in favor or against Still River Estates Subdivision. President Woods closed the public hearing at 6:22 pm. and called for a motion.

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### Motion

Board member Tunncliff made a motion and Board member Larsen seconded the motion that the Planning Board recommend to the Board of County Commissioners the preliminary plat of Still River Estates Subdivision be conditionally approved and adopt the Findings of Fact as presented in the staff report. The motion carried with a unanimous voice vote.

### **8b. Public Hearing. Staff Presentation. 2020-2024 TIP Amendment 2. Scott Walker, Transportation Coordinator presenting.**

Scott Walker opened this agenda item and explained this document provides tracking of funding and scope of projects. He noted that MET has negotiated a new tire contract and CARES funding projects.

### **RECOMMENDATION**

Staff recommends the Planning Board approve the 2020-2024 TIP Amendment 2 and forward the recommendation to PCC through its designee, President Woods. The PCC is scheduled to meet on November 16 for action on this item. The Planning Board first reviewed this TIP Amendment and conducted a public hearing at its first meeting on October 12. The Board is scheduled to take action at this meeting and make a recommendation to the PCC.

### **BACKGROUND**

Federal regulations require that Metropolitan Planning Organizations (MPOs) review and update their Transportation Improvement Program (TIP) periodically. Given timing and funding adjustments with several transportation projects, the current Billings 2020-24 TIP must be amended to maintain compliance with State and Federal requirements. The TIP is a short-range program of highway and transit projects in the Billings MPO area and is prepared by City-County Planning Division staff in cooperation with state and local agencies. The purpose of the TIP is to provide the mechanism for scheduling federal funds for surface transportation projects, indicate regional priorities, and demonstrate a short range transportation vision for the area. A secondary purpose of the TIP is to provide information about other transportation projects in the urbanized area that are exempt from the TIP approval process, such as projects that do not utilize federal funds. This TIP amendment is being presented to the Planning Board for review due to timing and cost updates to several projects. Staff has attached to this report a quick reference indicating what new projects are included.

### **Projects Modified Due to Change in Funding/ Scope: (Multiple Funding)**

#### **Billings Bypass**

- Updated Right of Way Cost
- Five Mile Road - Cost Savings
- Yellowstone River Bridge – Updated Cost
- Johnson Lane Interchange – Updated Cost and Moved to FY 23
- Railroad Overpass – Moved to FY 22

#### **I-90 Yellowstone River Bridges**

- Bridge PE Cost Update

#### **Lockwood Interchange-Project Added – All Phases**

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### **Projects Modified due to change in Funding/Scope (NH)**

(These are near-term projects with projected completion dates next summer through 2022).

- **27<sup>th</sup> St, 1<sup>st</sup> Ave S. to Airport – Updated Cost**
- **Underpass Ave. - Updated Construction Cost**
- **Main Street - Cost Savings**
- **Airport Road & Main Street – Updated Cost**
- **Montana Ave. Crosswalks – Project Added**
- **Steffes Road, R.R. Crossing – Updated Cost**
- **King & 56<sup>th</sup>, Roundabout – Updated Cost**
- **Central & 56<sup>th</sup>, Roundabout – Updated Cost**
- **Hillcrest, Right Turn Lane – Updated Cost**
- **Frontage Road/Wise Lane Intersection – Updated Cost**
- **I-90/King Avenue, Lighting – Updated Cost**
- **Rimrock Road/62<sup>nd</sup> Roundabout – Updated Cost**
- **Zoo Drive Improvements – Updated Cost**
- **Grand Avenue, 24<sup>th</sup> to Zimmerman – Updated Cost**
- **Scour Mitigation, Various Bridges – Updated Cost**
- **Bike/Ped Path, Rose Park – Project Added**
- **MET Transit – Tire Contract & Cares Act Transfer**

\*Costs have been updated based on project listings and updates beginning in January timeframe.

### **2020-2024 TIP Review Schedule**

<b>Review Body</b>	<b>Date</b>
Technical Advisory Committee	Thursday, October 14 1:30 p.m.
Planning Board Discussion	Tuesday, October 26
Planning Board Action	Tuesday, November 9
City Council Work Session	Monday, 10/18
City Council Meeting	Monday, 10/25
Commissioners Discussion	Monday, 10/18
Commission Action	Tuesday, 10/19
Policy Coordinating Committee	Tuesday, 11/16

### **Discussion**

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

Per request of Board member Thompson, Scott Walker provided clarification on the location of the bike path project in Rose Park which will provide a connection to the new Catholic School.

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### **Public Hearing**

President Woods opened the public hearing and asked if there is anyone wishing to speak in favor or against the 2020-2024 Transportation Improvement Program Amendment II. There was none. President Woods closed the public hearing.

\*\* The Planning Board will forward a motion of recommendation to the Policy Coordinating Committee during the November 9, 2021 Planning Board meeting.

### **9. OTHER BUSINESS**

**9a.** Director Friday gave updates on the upcoming ballot items for the Public Safety Levy and Recreational Marijuana for the City of Billings.

**9b.** The next Planning Board meeting will be held Tuesday, November 9, 2021, and will be held in person in the Miller Building 1<sup>st</sup> Floor Conference Room, 2825 3<sup>rd</sup> Ave N. at 6:00 PM.

**ADJOURNMENT 7:03 PM**

**APPROVED BY A MOTION- November 9, 2021**

*--Tamara L Deines, Planning Clerk*