

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	01/11/2022	01/25/2022	02/08/2022	02/22/2022	03/08/2022	03/22/2022	04/12/2022	04/26/2022	05/10/2022	05/24/2022	06/14/2022	06/28/2022	07/12/2022	07/26/2022	08/09/2022	08/23/2022	09/13/2022	10/27/2022	10/25/2022	10/26/2022	11/08/2022	11/22/2022	12/13/2022
Teresa Larsen	Mayor/Billings Ward I	1	1	-	-	-	1	E	E	x	x	1	1											
Roger Gravggaard	Mayor/Billings Ward II	1	1	-	-	-	1	1		x	x	1	1											
Dennie Stephenson	Mayor/Billings Ward III	1	1	-	-	-	1	1	1	x	x	E	1											
Vacant	Mayor/Billings Ward IV	1	1	-	-	-	-	-	-	x	x	x	x											
Jon Thompson	Mayor/Billings Ward V	1	E	-	-	-	E	1	1	x	x	E	1											
Troy Boucher	YC District 1	1	1	-	-	-	E	A		x	x	A												
Dennis Cook	YC District 2	1	1	-	-	-	1	1	1	x	x	1	1											
Vacant	YC District 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Vacant	YC District 4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Woody Woods	YC District 5	1	1	-	-	-	1	1	1	x	x		1											
Vacant	YC District 6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Jarett Hillius	YC District 7	1	E	-	-	-	1	1	1	x	x	1	1											
Vacant	Y County Cons. District	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Scott Reiter	Ex-Officio SD2	1	E	-	-	-	1	A		x	x	E												

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"Serving Billings, Broadview, and Yellowstone County"

June 28, 2022

Approved by a motion on July 12, 2022

PUBLIC HEARINGS/PUBLIC HEARING PARTICIPATION GUIDELINES.

As legally advertised, The Yellowstone County Board of Planning met on June 28, 2022 in the Miller Building 1st 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 e-mails 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
- 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 Cook called the meeting to order at 6:00 p.m. on Tuesday, June 28, 2022.

Introduction of Planning Board Members and Planning Department Staff

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

Participating Planning staff members: Wyeth Friday, Director, PCSD; Monica Plecker, Planning Division Manager; Dave Green, Planner II; Scott Walker, Transportation Coordinator; Elyse Monat, Alternative Modes Coordinator, Tammy Deines, Planning Clerk

Others in Attendance: Greg Reid, WWC Engineering; Kolten Knatterud, IMEG Corp.; Scott Worthington, SitePro; Lee Hanson, Doug Wild, Billings Builders; Anna Vickers, IMEG Corp; Greg Reid, WWC Engineering; Kolten Knatterud, IMEG Corp.; Scott Worthington, SitePro; Lee Hanson, Doug Wild, Billings Builders; Anna Vickers, IMEG Corp. Dan Wells, Wellsbuilt Homes; Mary Eller, Gary Penny, Jim Rye, Gene Dobson, Tammy Dobson, Mary Cady, Mary Cady, Kenneth „Rick Shaw, Shellie Shaw, Branden Hartford, Zachary Welch, Jeff Steiner, Sarah Lyda, Greg Fononge

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Woody Woods, Roger Gravgaard approved the agenda as submitted.

Approval of Minutes: April 26, 2022, June 14, 2022

Motion

Motion by Dennie Stephenson and seconded by Theresa Larson to approve the April 26, 2022 minutes as submitted.

Motion by Roger Gravgaard and seconded by Woody Woods to approve the June 14, 2022 minutes as submitted.

The motions carried with a unanimous voice vote.

4. Public Comment: President Cook 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.

5- 6. Disclosure of Outside (Ex Parte) Communication or Conflicts of Interest– Board Members and Planning Staff. There were no disclosures of outside communication or conflicts of interest.

7. OLD BUSINESS

7a. Presentation. Public Hearing. Motion/Recommendation to PCC. 2020-2024 TIP Amendment #3. Scott Walker, Transportation Coordinator, Sarah Graham, Administrative Coordinator, MET Transit presenting...

Scott Walker opened the agenda item and gave the recommendation gave background on each of the transportation projects listed below. Sarah Graham reviewed the Federal Transit sections of the TIP.

RECOMMENDATION

Planning staff recommends the Planning Board receive a staff presentation and then hold a public hearing at this meeting. No action following the hearing is required at this meeting as the Planning Board will have any final discussion and take formal action at its meeting on June 28th.

BACKGROUND

Federal regulations require that Metropolitan Planning Organizations (MPOs) review and update their Transportation Improvement Program (TIP) periodically. Given timing and funding adjustments with some transportation and transit 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

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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. All of the projects subject to updates in this TIP amendment are MDT projects that are supported by federal funding. Staff provided a quick reference page indicating what project adjustments are part of this amendment as well as the full amended 2020-24 TIP document itself.

Projects Modified Due to Change in Funding/Scope:

Billings Bypass

- Updated Right of Way Cost
- Five Mile Road – Additional Drainage Features
- Yellowstone River Bridge – Updated Cost
- Johnson Lane Interchange – Updated Cost
- Railroad Overpass – Updated Cost

I-90 Yellowstone River Bridges

Bridge Cost Update

West Billings Interchange

Project Added – All Phases

FEDERAL TRANSIT ADMINISTRATION SECTION 5339

- **Two Tables** now reflected to show projects programmed in **FORMULA FUNDS** and **COMPETITIVE FUNDS**; all projects were previously included in one table. Additional project tables added to show more specific project information for each source.
- **FORMULA FUNDING** now includes Training Lot Capital project moved from CARES funding sources.
- **COMPETITIVE FUND** table now includes technology additions (Automated Passenger Counters, Digital Fare System) which had previously been included in both CARES funding and 5339 FORMULA FUNDING; **COMPETITIVE FUNDS** also now includes recently awarded \$3,028,000 in Federal funds for additional bus replacements and facility improvements.

FEDERAL TRANSIT ADMINISTRATION SECTION 5310

Table updated with most recently available funding figures as well as recently completed GRANT selections for Coordination Group projects to occur in FY23. Projects table added to provide more specific project information.

TRANSADE

Updated with actual apportionment figures with decreased estimates for funding moving forward based on recent apportionments

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2020-24 TIP Amendment 3 Schedule

■ Technical Advisory Committee	May 17
■ Planning Board Discussion	June 14
■ Planning Board Action	June 28
■ City Council Work Session	June 20
■ City Council Action	June 27
■ Commission Discussion	June 20
■ Commission Action	June 21
■ Policy Coordinating Committee	July 19

Discussion

President Cook called for questions and discussion. There was none.

Public Hearing (continued from the June 14, 2022 meeting)

President Cook opened the public hearing and asked if there is anyone wishing to speak in favor or against the 2020-2024 TIP Amd III. There was none. President Cook called for a motion.

Motion

Board member Woods made a motion and Board member Gravgaard seconded the motion to forward a recommendation of approval of the 2020-2024 TIP Amendment #3 as presented by staff. There was no discussion on the motion. The motion carried with a unanimous voice vote.

8b. Public Hearing. Presentation. Discussion. Safe Routes to School (SRTS) Plan Update. Elyse Monat, Active Transportation Planner, presenting.

Elyse Monat explained that two public hearings are scheduled in order to promote public information transparency. She continued with an update on this plan. She noted there have been some changes to the document and said they will be reviewed with this presentation.

BACKGROUND

The Billings Metropolitan Planning Organization (MPO) identified the need to conduct a Safe Routes to School (SRTS) Plan Update to evaluate walking and biking conditions for students attending elementary schools in the Billings Public Schools District. Through a competitive process, the MPO selected Toole Design as the consultant for this project. A project oversight committee consisting of representatives from the MPO, Billings City Council, Billings Public Schools, City of Billings Engineering Division, Healthy by Design, RiverStone Health, and community advocates provided feedback and helped guide the process throughout the development of the plan. This is an update to the City of Billings Safe Routes to School Study completed in August 2011 by the City of Billings Engineering Division.

The draft document is undergoing further staff review. As a result, this will be the first of two public hearings on this item. Final internal staff edits will be incorporated into the draft document ahead of the June 28 Planning Board meeting. The goals of this plan are:

- Evaluate current walking and biking conditions for students in the region

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- Identify barriers or issues that might discourage students from walking or biking
- Recommend policy or programmatic changes that would encourage more students to walk or bike to school
- Develop a list of prioritized projects that can be built to improve walking and biking conditions for students
- Create walking route maps for all 22 public elementary schools in Billings

Project locations were identified through several sources:

- Geographic data showing gaps in pedestrian and bicycle infrastructure
- Crash locations showing crashes involving people biking or walking
- Interviews with principals
- Conversations with crossing guards
- Public input via an online interactive web map and survey
- On the ground observations of either arrival or dismissal
- A walking audit of the .5-mile radius around the school

The body of the document identifies observed and reported safety concerns at project locations and describes the type of concern at that location. Examples of concerns include long crossing distances, turning vehicles not yielding, etc. Then, Section 4 of the Plan provides an infrastructure toolkit that offers some common engineering solutions that can be used to address the observed and reported concerns. A matrix helps identify possible solutions based on the type of concern.

Based on guidance from the project oversight committee, Section 5 prioritizes projects based on four criteria: traffic safety, feasibility, demand, and equity. Each category was assigned a certain number of points based on the metrics in the category. For example, traffic safety was based on the posted speed limit and the roadway classification. Points for each category were then added up for a total score. In the final draft of this document, projects will be grouped into short, medium, and long-term project categories. Due to a variety of other factors, projects will be selected based on category first and may not be completed exactly from highest to lowest score.

Section 6 of the Plan contains walking route maps for each school.

Appendix B includes school summaries including existing conditions maps for each school, data about the school, and a summary of interviews with the principal and crossing guard, web map comments, and on-the-ground observations. There are also project suggestions that are for planning purposes only and will require further analysis and design before implementation. Staff is making updates to these suggestions. These staff amendments will be incorporated into the plan prior to the next public hearing. An overview will be provided to the Planning Board during that time.

****What’s new since last time**

Project recommendations

RECOMMENDATION

Staff recommends that a public hearing will also be held at the June 28 Planning Board meeting given the upcoming changes to the document. The Planning Board is scheduled to take formal action

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on the Plan and provide a recommendation to the Policy Coordinating Committee (PCC) at its June 28 meeting. The PCC is scheduled to take final action on the study at its meeting on July 19, 2022.

Discussion

President Cook called for questions and discussion. Woods asked about the State Law for a 15-mph speed limit limitation. Elyse Monat explained that state law revolves more along the existing speed of the roadway.

Public Hearing (continued from the June 14, 2022 meeting)

President Cook opened the public hearing and asked if there is anyone wishing to speak in favor or against the “Safe Routes to School Plan” update. There was none. President Cook called for a motion.

Motion

Board member Larson made a motion and Board member Woods seconded the motion to forward a recommendation of approval of the Safe Routes to School, SRTS, Plan update as submitted by staff. There was no discussion on the motion. The motion carried with a unanimous voice vote.

8c. Public hearing. Motion/Recommendation to City Council. Legacy Subdivision, 2nd Filing. (Re-subdivision of Legacy Subdivision, portions of Block 2, 3, 4 and 5). City major subdivision. Doug Wild, owner. Greg Reid, WWC Engineering, agent. Dave Green, Planner II, presenting.

Dave Green opened this agenda and explained that this proposal is to replat the existing Legacy Subdivision. City Council will take action on this project on July 25, 2022.

BACKGROUND

On April 1, 2022, WWC Engineering, applied for preliminary major plat approval for Amended Lot 1, Block 1, Legacy Subdivision, 2nd Filing. The proposed subdivision creates 26 lots for residential development. The subject property is generally located south of Grand Avenue and west of 52nd Street West, below Vintage Estates Subdivision. The property is zoned Neighborhood 3 (N3). Due to delays from need for additional information, and coordination with City Engineering the application submittal date moved to May 1, 2022.

VARIANCES REQUESTED

No variances from the City Subdivision Regulations have been requested.

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 and ensure a temporary turnaround is defined, prior to final plat approval the applicant will provide easement documents for the temporary cul-de-sac at the north end of 52nd Street West on the south side of the Big Ditch.
2. To protect public health and safety and to ensure sidewalk continuity, prior to final plat approval the applicant will add paragraph language in the SIA under the heading III Transportation 3, The

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developer will install all required ADA ramps at the intersections within the proposed subdivision and in front of any lots with public infrastructure on them.

3. To minimize the effects on local service, prior to final plat approval the applicant will coordinate with the USPS to determine what type of deliver system is preferred and to locate and provide the correct amount of space for safely delivering the mail to the residents.

4. 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.

5. The final plat shall comply with all requirements of the City of Billings Subdivision regulations, rules, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

RECOMMENDATION

Staff proposes the Planning Board recommend to City Council that the preliminary plat of Legacy Subdivision 2nd Filing be conditionally approved and adopt the Findings of Fact as presented in the staff report.

Discussion

President Cook called for questions and discussion. There were none.

Public Hearing

President Cook opened the public hearing and asked if there is anyone wishing to speak in favor or against Legacy Subdivision, 2nd Filing. There was none. President Cook closed the public hearing and called for a motion.

Greg Reid, WWC Engineering, (No address given)

Mr. Reid is the agent representing the developer, Doug Wild. He clarified and said the northeast lot was replaced with the same number of houses as before (3) with the decreased frontage.

Motion

Board member Woods made a motion and Board member Gravgard seconded the motion to forward a recommendation to City Council that the preliminary plat of Legacy Subdivision 2nd Filing be conditionally approved and adopt the Findings of Fact as presented in the staff report. There was no discussion on the motion. The motion carried with a unanimous voice vote.

7a3. Public Hearing. Motion/Recommendation to City Council. Wild Rose Subdivision. City major subdivision. Scott Worthington, Site Pro LLC, agent. Dan Wells, Wells Built Homes, property owner. Dave Green, Planner II, presenting.

BACKGROUND

On May 2, 2022, In Site Engineering and Performance Engineering, agents for Regal Land Development, applied for preliminary major plat approval for Wild Rose Subdivision, 1st Filing. The proposed subdivision creates 64 new lots for residential development. The subject property is generally located south of Sweetgrass Creek Drive and west of 54th Street West. The property is a mix of zones and recently received approval of a planned neighborhood development, required for

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new properties greater than 10 acres annexing into the City limits. The property where this subdivision is located is zoned Neighborhood 1 (N1), Neighborhood 2 (N2), Neighborhood 3 (N3), Mixed Residential 1 (NX1) and Public 1 (P1). City Council action on July 25, 2022.

VARIANCES REQUESTED

No variances from the City Subdivision Regulations have been requested.

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 and ensure correct road construction, prior to final plat approval the applicant will receive approval for all street construction from City of Billings Engineering prior to street construction.
2. To protect public health and safety, prior to final plat approval the applicant will add the following language to the SIA under the heading III Transportation Streets: No obstructions may be placed in any public right of way such as subdivision entry signs, signs, planter beds or any other obstruction that would be a hazard to traffic in the public right-of-way.
3. To ensure correct additional road width construction on 54th Street West, prior to final plat approval, the applicant will add the following wording to the SIA under the heading III Transportation Streets: The subdivider will provide cash-in-lieu contribution for the construction of approximately 3 feet of asphalt surface with satisfactory sub-base, base course, standard curb and gutter along 54th Street West. The cash-in-lieu contribution will also include engineering design and construction administration.
4. To ensure public health and safety and to ensure safe pedestrian access to the south (Cottonwood Park) the developer shall construct a pedestrian crossing across the storm drainage area located along the southern property boundary. Further, the developer shall amend the SIA to include specific information regarding the construction of the crossing.
5. To minimize the effects on local service prior to final plat approval, the applicant will coordinate with the USPS to determine what type of delivery system is preferred and to locate and provide the correct amount of space for safely delivering the mail to the residents.
6. 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.
7. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

RECOMMENDATION

Staff proposes the Planning Board recommend to City Council that the preliminary plat of Wild Rose Subdivision, 1st Filing be conditionally approved and adopt the Findings of Fact as presented in the staff report.

Discussion

President Cook called for questions and discussion. Board member Woods asked for an explanation of

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the parkland. Dave Green pointed out two private parks located at the entry and the remainder of the parkland contribution will be cash-in-lieu to Cottonwood Park.

Scott Worthington, Site Pro Engineering, (No address given) 4231 Creekwood Drive, Billings, MT

Mr. Worthington is the project manager. He gave the parcel development background with the zoning and annexation. This parcel is compliant with all subdivision regulations and the applicant is in agreement with staff's condition of approval.

Dan Wells, 5847 W Springwoods Drive, Billings, MT

Mr. Wells is the developer. The first phase will be a needed price point for young families.

Public Hearing

President Cook opened the public hearing and asked if there is anyone wishing to speak in favor or against Wild Rose Subdivision. There was none. President Cook closed the public hearing and called for a motion.

Motion

Board member Larson made a motion and Board member Stephenson seconded the motion to forward a recommendation to City Council that the preliminary plat of Wild Rose Subdivision be conditionally approved and adopt the Findings of Fact as presented in the staff report. There was no discussion on the motion. The motion carried with a unanimous voice vote.

8e. Public Hearing. Motion/Recommendation to BOCC. Shop World II. County major subdivision. Anna Vickers, IMEG, agent. Cold Smoke Investments, property owner. Dave Green, Planner II, presenting.

BACKGROUND

On May 2, 2022, the Planning Division received an application for major preliminary plat approval for the proposed Shop World 2 Subdivision. The property is generally located south of Monad Road and east of Eggebrecht Lane. This subdivision would create 186 lots from a 49.04-acre parcel for private storage garage development. The land is not used for farming and it is also outside of zoning. The Board of County Commissioners action will be taken on July 19, 2022.

VARIANCES REQUESTED

No variances are 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 protect public health and safety, prior to final plat approval the applicant will receive approval from the MDEQ for the proposed wells/cisterns, septic systems and the proposed storm water management.

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2. To protect public health and safety and provide written and visual documentation of which lots will have water and septic systems available to them, prior to final plat approval, the applicant will list which lots will have water and septic systems in the SIA and identify them on the plat with the final plat.
3. To ensure maintenance of Monad Road, which provides access to this subdivision, prior to final plat approval the applicant will create an RSID for the maintenance of Monad Road.
4. To provide for clarification of allowed public vehicles on the private roads and to provide documentation showing who is responsible for the maintenance of private roads, prior to final plat approval the applicant will provide easement documents for the private roads that allow emergency vehicle access and private utility access. Maintenance access for the fire dry hydrant shall also be included in this easement. Further, the applicant will create an HOA for the private road maintenance and provide documentation defining how fees will be assessed and collected.
5. To protect public health and safety and possibly provide a proportional share of the cost of intersection/road improvements to the County, prior to final plat approval, the applicant will enter in the SIA under the heading III Transportation information regarding the TIS and any improvement they may be required to provide a proportional share of cost of upgrade to the County.
6. To protect public health and safety and provide the correct water tank and access to the tank, prior to final plat approval the applicant will provide construction drawings to the Billings Fire Department for the dry hydrant system and receive approval before construction begins. The system must be tested and approved by the Billings Fire Department after installation, with a letter to show the approval from the Billings Fire Department. The applicant will also create an RSID-M for the maintenance of the dry hydrant system.
7. 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.
8. 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. The applicant will also check and provide documentation by photos or other means acceptable to the County Weed Department that the property has been checked for the presence of Russian Knapweed or Spotted Knapweed. Should either be present the applicant will take proper measures to eliminate the problem before any construction, in coordination with County Weed Department.
9. 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. MDU has requested 10-foot-wide easement along front property lines.
10. 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.
11. The final plat shall comply with all requirements of the County Subdivision Regulations, rules, policies, and resolutions of the Yellowstone County, and the laws and Administrative Rules of the State of Montana.

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RECOMMENDATION

Staff recommends the Planning Board recommend to the Yellowstone County Board of County Commissioners conditional approval of the preliminary plat of Shop World 2 Subdivision and adopt the Findings of Fact as presented in the staff report.

Discussion

President Cook called for questions and discussion by the members of the Board. Woods asked if 30,000 gallons is enough for 86 lots. Dave Green said this is the largest dry hydrant required for major subdivisions. Asked if they are all going to be the same color. Clarification on the condo statements. Plecker said it is the intention that a multi-unit building may be created as a condominium. There is no zoning in the area and the language has been added in the SIA for contemplation of condominiums.

Kolten Knatterud, IMEG Engineering, (No address given)

Mr. Knatterud is the agent for this project. Regarding drain field locations, they have completed the groundwater monitoring and will provide an exhibit to the members of the Board. These lots are not being permitted for residential water or wastewater flows. The drain fields will be sized to allow a shop owner to have a sink and bathroom facilities. A traffic study has been completed and submitted. The irrigation ditch is located Working with the High Ditch Company to ensure the irrigation will continue to be served. Brian Elkin, the developer is present.

BrianElkin,

Two basic colors use the same color scheme. Storage facility, rv storage, personal storage, larger shops allow for small businesses. Focusing on security. 6-foot-high chain link perimeter, cameras, potentially requiring 2-security camera buildings. Smaller lots and limited. Steel building, 16-ft side walls. Rentable. Ability to create condominiums. Dennis Cook requirement for outside storage. The goal is to conceal outside storage. Renting tenant lease will be a part of the basic covenants.

Public Hearing

President Cook opened the public hearing and asked if there is anyone wishing to speak in favor or against Shop World II subdivision.

Mark Cady, 414 S. 64th Street West, Billings, MT

Mr. Cady said he is familiar with this ground as he has farmed it. He said areas are swampy. He voiced concern with the rerouting of irrigation water to get to his property. Solid barrier to prevent livestock encroaching on the developed Monad road. Doesn't want pollutants leaching into the irrigation water. Crime and these facilities are notorious and feels it will impact their quiet neighborhood. Have a wedding venue and this project will hurt their business.

Brandon Hartford, 505 Eggebrecht

Has 50-100 ft of drain. Meth, crime, chop shop, asked whether there will be an attachment to Eggebrecht Lane and Monad to deal with the irrigation system. Current wildlife habitat in the run-off area. Asked the board for a recommendation of denial.

Mark 438 Eggebrecht

Pointed out the alkali in the ground. Said the drain field gets saturated. Security lighting near

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residential housing. 6-ft chain link fence will not block lighting. Construction trucks damage to 72nd Street West. He feels this is a hard fit for a rural community. Asked who will take care of Eggebrecht Lane.

Rick Shaw, 440 S 64th Street

Mr. Shaw is concerned with irrigation waters and is not happy with this proposal. He said blowing trash blocks the irrigation ditches and creates flooding.

Tammy Dobson, 7024 Monad Road.

When monad road going to be developed in relation to the construction for the subdivision. She pointed out the access easement road and the drainage flows. Concerned with grading, construction, and if Eggebrecht Road will be accessed with construction equipment prior to construction of Monad Road. Noise and light pollution, traffic. Will these developments create Monad Road and when? Where is the primary access going to be for the subdivision? Is Eggebrecht County or private and where the documentation and who will maintain Eggebrecht Lane. The legal descriptions state outside zoning district and building permits must come from the State. Any financial interest. None.

Jeff 414 Eggebrecht Lane

Concerned with the traffic coming through a residential area. Eggebrecht Lane is rough and rarely graded. Who owns Monad Road. He feels the County should blacktop the road to avoid dust, dirt, and children's safety. Covenants do not hold weight in the County.

Gene Dobson, 7024 Dobson

Privacy fence along the south edge of Monad out to 72nd for a barrier against the existing residences.

Jim 439 Eggebrecht

Concerned with dust problem from the road. 25 mph speed limit. Added traffic with construction trucks. No room for turnaround. Noise pollution, dust pollution, air quality. Children's safety riding bicycles. Taking tranquility away from neighborhood. Look at what is good for the neighborhood. A lot of groundwater and alkali soils.

Closed public hearing at 7:37 pm

Rebuttal

Wyeth Friday Darin Swenson, YC Public Works regarding road situation. Eggebrecht Lane is a dedicated public road with a 30-40 foot ½ width right of way for Monad dedicated at the time of the subdivision development. 72nd is a County petition road that goes to the rail road right of way north or monad. Some discussion of doing a cost share or getting 72nd paved north of King Ave. the dedication of Eggebrecht Lane and Monad road is depicted on the Eggebrecht Subdivision survey. Monica Plecker construction requirement of Monad and timing before final plat. Monad will need to be built to County road standards. Discussion of paving Monad Road which is technically not required. As built required for roads and will need to be submitted to PW following construction. Prior to construction of roads, an engineered stamped copy must be submitted to PW. There is a follow-up meeting with the BOCC. Primary access points off Monad Road are depicted on the plat. Dennis Cook aware of the easement at the top end of the property—would need to be recorded as a public easement which will also require signatures from the BOCC to be accepted by the County. Gated secondary access on

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Eggebrecht. Owner: The primary access will be encouraged to be 72nd and Monad. Willing to add signage.

Friday complaints about dust control, grating should be forwarded to the County. He commented on the County’s dust control policy. Rural Special Improvement District needs to be formed for maintenance of the road.

Coordination with PW during project development. Wyeth Friday.

Kolten Knatterud

State building process has not begun as this starts when construction begins. DEQ review process is going to review drain field and stormwater concerns. Traffic study with traffic counts taken to model traffic impacts in the area. This subdivision may not have much affect but there are intersections of concern. Contractor required to submit Stormwater Water Prevention Plan SWPPP dust enforcement and control. Woods DEQ permit sanitary system proposed for a drain field lateral simple drain field.

Discussion

Dennis Cook open ended questions what options going forward. Wyeth Friday take questions and work with applicant prior to the BOCC hearing. Planning Board delay action to the next meeting to allow for more information. Dennis feels that the two-week window would be beneficial prior to the Board decision. Theresa plan of access to the property as developed and that the community would be minimally affected. Subdivision requirement to Eggebrecht access. Knife River is the contractor The plan temporary access through 70-ft row. The county requires a dedicated easement with the road will be a 24-ft wide County standard. Jon Thompson detention pond outlets into the irrigation ditch? There are outlet structures to handle predevelopment flow rate, and the discharge flow pipe will only discharge at the rate of predevelopment.

Gravegaard, Larson add 12th Condition Construction timing laid out construction of monad take place prior to development of subdivision, being Temporary road would be constructed at Monad Road to be used for access during construction avoiding traffic through the Eggebrecht Community. Motion carried.

Gravgaard.

Type of development next to a residential development. Zoning. Plecker zoning dictates use and this area is outside of the zoning district boundary and is not within a Special Zoning District. If the neighborhood wishes to investigate the feasibility of zoning they need to discuss with the BOCC.

Hillius spoke to the difficulty of enacting change. He encouraged landowners to work with BOCC.

Motion

Jarrett Hillius made a motion and Roger Graavgaard seconded the motion to forward a recommendation to the Yellowstone County Board of County Commissioners that the preliminary plat of Shop World II Subdivision be conditionally approved with the 12th Condition of Approval and adopt the Findings of Fact as presented in the staff report. There was no discussion on the motion. The motion carried with a unanimous voice vote.

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Jarrett Hillius PW have more information when this is brought before the Commissioners. Only way 72nd will be paved may be by direction of the Commissioners. Plecker unanswered questions to reflect what said and outcomes in the staff report. Obligation of staff when carrying forward a recommendation to the BOCC. Woods pointed out the recommendation BOCC is the governing body to approve or disapprove. Theresa Jarrett 3 Yes. No-woods effects on public health and safety. Dennie. Jon, Woods. Cook against. Doesn't feel enough information to make a decision. Jon-concerned with storm runoff into the ditch as the density of development. Visibility and traffic. Water and sewer issues with drainage on the property. Presented to BOCC. Opportunity for public to speak. July 19.

9. OTHER BUSINESS

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

a.1 Tunnick Memorial Tree Dedication.

Division Manager Plecker said Karen Alley, Legal Counsel for the Montana Association of Counties (MACo) has reached out to me inquiring about whether the board would be interested in training. Karen has been traveling from county to county providing these learning opportunities for boards specifically as it relates to:

- Ethics
- Ex-parte Communication
- Subdivision Review Process – Findings and Conditions
- Land Use Legislative Update

This would be a ½ day training that would occur during the day and during working hours. She will be in the vicinity on June 22nd and June 23rd. Board members asked Ms. Plecker to look at calendaring time June 22, or June 23 or a ½ day during September 27-29

Dates: July 14, 15 or July 22- Thursday, Friday 1/2 day training, 15th or 22nd afternoon
Long Range Transportation Plan Steering Committee- Dennis Cook
City adopted FY 23 planning budge. Fees in effect July 1.

ADJOURNMENT 8:35 PM

DRAFT APPROVED BY A MOTION July 12, 2022

--Tamara L Deines, Planning Clerk



YELLOWSTONE COUNTY BOARD OF PLANNING

CITY OF BILLINGS AND
YELLOWSTONE COUNTY, MONTANA



AGENDA

JUNE 28, 2022 MEETING TIME: 6:00 p.m.
1st Floor Large Conference Room, Miller Building
2825 3rd Avenue North, Billings, Montana 59101

NOTICE TO THE PUBLIC

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
- 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.

***In the event a quorum of the Council is present, no City-related decisions will be made during this meeting or event. Please direct questions to Tammy Deines, Planning Clerk at deinest@billingsmt.gov or 406-247-8610. Thank you!

- CALL TO ORDER - Planning Board President:** Welcome and Introduction of new and returning Board Members.
- APPROVAL OF AGENDA*** - including any additions or deletions to agenda. The agenda for a regular meeting will be closed at 5:00 p.m. three (3) working days prior to the date of the meeting.
- APPROVAL OF MEETING MINUTES:** April 26, 2022; June 14, 2022
- PUBLIC COMMENT PERIOD** -- As required (3 minute maximum per person). *Any member of the public may 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's agenda for discussion.*
 - 4a) Comments on items not on agenda and requests to add items to future agendas**
 - 4b) Comments on items on the non-public hearing agenda items**
- DISCLOSURE OF CONFLICT OF INTEREST:**
- DISCLOSURE OF EX PARTE COMMUNICATION:** Ex Parte Communication Binder is available at the Sign-In and Agenda station.
- OLD BUSINESS** (Agenda items that were not discussed or not completed in a previous meeting or items requiring action).
 - PUBLIC HEARINGS/PUBLIC HEARING PARTICIPATION GUIDELINES.** The County Planning Board welcomes public input on matters brought before the Board. To ensure a fair and effective public comment process, we ask that you consider the following guidelines when presenting your comments: Address the Planning Board directly. You must state your name and address before commenting. This is an opportunity to explain how you will be affected by the decision and why that is an important consequence. By state law, the Planning Board must consider only certain criteria when reviewing subdivisions (76-3-608(a), MCA). Please see the attached guidelines for the criterion. Thank you for participating!
 - Public Hearing, Continued. Motion/Recommendation to PCC. 2020-2024 TIP Amendment #3. Scott Walker, Transportation Coordinator, presenting.
 - Public Hearing, (Continued). Motion/Recommendation to City/County governing bodies. Safe Routes to School (SRTS) Plan Update. Elyse Monat, Active Transportation Planner, presenting.

3. Public Hearing. Motion/Recommendation to City Council. Wild Rose Subdivision. City major subdivision. Scott Worthington, Site Pro LLC, agent. Wells Built Homes, property owner. Dave Green, Planner II, presenting.
4. Public Hearing, Motion/Recommendation to City Council. Legacy Subdivision, 2nd Filing. (Re-subdivision of Legacy Subdivision, portions of Block 2, 3, 4 and 5). City major subdivision. Doug Wild, owner. John Bruckner, WWC Engineering, agent. Dave Green, Planner II, presenting.
5. Public Hearing. Motion/Recommendation to BOCC. Shop World II. County major subdivision. Anna Vickers, IMEG, agent. Cold Smoke Investments, property owner. Dave Green, Planner II, presenting.
8. **NEW BUSINESS:** (Agenda items new to this meeting).
9. **OTHER BUSINESS:**
 - a. (Standing Item) Long Range Strategic Issues and an overview of future City and County issues and projects.
10. **ADJOURNMENT**

FUTURE AGENDA ITEMS FOR TUESDAY, JULY 12, 2022

- a. Plat Review. Board Discussion. The Meadows (Aka Lackman Meadows) Subdivision. County major Subdivision. Taj Mukadam, owner/developer. Kolten Knatterud, IMEG, agent. Hunter Kelly, Planner I, presenting.

Public Hearing Participation Guidelines

The County Planning Board welcomes public input on matters brought before the Board. To ensure a fair and effective public comment process, we ask that you consider the following guidelines when presenting your comments: Address the Planning Board directly. You must state your name and address before commenting. This is an opportunity to explain how you will be affected by the decision and why that is an important consequence.

1. Be informed of the process and the requirements of the Board. If you are commenting about a subdivision, please limit your comments to the review criteria.
By state law, the Planning Board must consider only certain criteria when reviewing subdivisions (76-3-608(a), MCA). These criteria include:
 - Effect on agriculture and agricultural water user facilities
 - Effect on local services
 - Effect on the natural environment
 - Effect on wildlife and wildlife habitat
 - Effect on public health and safety
2. Provide specific information about why you are concerned about the pending application, how the decision will impact the review criteria listed above, and provide suggestions on how to minimize or eliminate the impact.
3. Respect the right of others to participate. Wait until the previous speaker has completed their comments before making your own comments. Do not talk over the person commenting or with other people in attendance.
4. The public hearing is not an opportunity to question or accuse the applicant or their agent. If you have questions of the Board, the applicant or the agent, ask the question directly to the Board during the public hearing portion of the meeting. The Board will respond or request the applicant or agent to respond after the public comment portion of the hearing is closed.
5. After the public comment portion of the hearing is closed, no further comments are allowed unless you are addressed directly by a Board member.
6. You should expect the Board to make a balanced recommendation in accordance with its statutory responsibilities. The Board's ability to make reasonable and thoughtful recommendations is dependent on a fair consideration of everyone's interests.

Thank you for participating.