



May 22, 2023

Bill Cole, Mayor
P.O. Box 1178
Billings, MT 59103
P 406.657.8296
F 406.657.8390

Travis Copper
KLJ Engineering
2611 Gabel Road
Billings, MT 59102

Dear Applicant/Engineer:

On May 22, 2023, the Billings City Council conditionally approved the preliminary plat of Emma Jean Heights 4th Filings, 1st Amended, subject to the following conditions of approval:

1. To minimize the effects on local service prior to final plat approval, the applicant will coordinate with the USPS 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.
2. To minimize the effect on local services, to be compliant with Planned Neighborhood Development zoning regulations, and because of the location in proximity to Cottonwood Park, the subdivider shall provide a combination of 2% (.33 acres) developed park and 9% (1.46 acres) cash-in-lieu. The dollar value shall be determined based on methods outlined in Section 23-1007 of the City of Billings Subdivision Regulations. The payment shall be made prior to final plat approval.
3. In order to protect public health and safety and provide for future park maintenance, all required parkland shall be privately owned and maintained. Prior to final plat approval, the subdivider shall submit for review and comment, documents outlining how the maintenance will occur.
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, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.



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6. In order to protect public health and safety and adhere to Crime Prevention Through Environmental Design (CPTED) principles; fences within the rear yard setback of Lots 1-7, Block 8, and Lot 9, Block 7 and side yard fences adjacent to the 30' wide ROW for the shared used path shall be limited to 6 feet in height. The Covenants, Codes, and Restrictions (CC&Rs) filed with the final plat shall include this language. In addition, the following language shall be placed into the Subdivision Improvements Agreement under Section II. Titled Property Conditions and Information for Lot Purchasers F. rear yard fences of Lots 1-7, Block 8, and Lot 9, Block 7 and side yard fences adjacent to the 30' wide ROW for the shared used path shall be limited to 6 feet in height. The aforementioned fences may be constructed up to the maximum height allowable by zoning, if the fence is constructed of materials that are permitted by the zoning code and allows for transparency.

7. In order to protect public health and safety and adhere to Crime Prevention Through Environmental Design (CPTED) principles and per the City of Billings Subdivision Regulations Section 23-406 A. 3. The subdivider shall install plantings within the open space area adjacent to the shared use path. The landscaping shall include at least 1 tree and 6 shrubs or ornamental grasses every 40'. The trees should be of a variety included in the City's preferred tree planting list.

Should you have any questions please contact Hunter Kelly at (406) 247-8613 or by email at kellyh@billingsmt.gov

Sincerely,

William A. Cole, Mayor