



# YELLOWSTONE COUNTY BOARD OF PLANNING

CITY OF BILLINGS AND  
YELLOWSTONE COUNTY, MONTANA



## AGENDA

NOVEMBER 26, 2024 MEETING TIME: 6:00 p.m.  
3rd Floor Stillwater Building, Room 3108  
316 N 26th St., Billings MT

### NOTICE TO THE PUBLIC

\*\*\*In the event a quorum of the Council is present, no City-related decisions will be made during this meeting or event.

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

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 the Board via email before 12:00 pm on the meeting date. All emails received prior to this time will be entered into the record for the public hearing. Comments may be submitted by:

- . Mail: City/County Planning Division, PO Box 1178 Billings MT 59103
  - . Email: [plnonline@billingsmt.gov](mailto:plnonline@billingsmt.gov)
- . NOTICE: All meetings and official activities of the MPO are held in buildings and locations that comply with accessibility standards according to the Americans with Disabilities Act (ADA). A TTY number for the hearing impaired, 406-657-3079, is available upon request. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify the Planning Division Office, at 406-247-8610.

1. **CALL TO ORDER - Planning Board President:** Welcome and Introduction of Board Members.
2. **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.
3. **APPROVAL OF MEETING MINUTES:** November 13, 2024
4. **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**
5. **DISCLOSURE OF CONFLICT OF INTEREST:**
6. **DISCLOSURE OF EX PARTE COMMUNICATION:** Ex Parte Communication Binder is available at the Sign-In and Agenda station.
7. **OLD BUSINESS** (Agenda items that were not discussed or not completed in a previous meeting or items requiring action).
  - a. **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!

- b. Public Hearing. Motion. Collier Ridge Subdivision - Preliminary County Major. Submitted by Hunter Kelly, Planner
- 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**

**CITY/COUNTY PLANNING BOARD**  
3rd Floor Stillwater Building, Room 3108  
316 N 26th St, Billings MT



### **Public Hearing Participation Guidelines**

**NOTICE:** All meetings and official activities of the MPO are held in buildings and locations that comply with accessibility standards according to the Americans with Disabilities Act (ADA). A TTY number for the hearing impaired, 406-657-3079, is available upon request. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify the Planning Division Office, at 406-247-8610.

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. 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**

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.

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.

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 questions 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.

After the public comment portion of the hearing is closed, no further comments are allowed unless you are addressed directly by a Board member.

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.*

**Planning Board Meeting 2 (4th Tuesday)**

**Meeting Date:** 11/26/2024

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**Information**

**Subject**

**APPROVAL OF MEETING MINUTES:** November 13, 2024

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**Attachments**

Minutes of November 13, 2024

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# CITY/COUNTY PLANNING BOARD

“Serving Billings, Broadview, and Yellowstone County”

**Wednesday, November 13, 2024 at 6:00pm**

**1 Board Attendance Roster:** Please note: “A” stands for excused absence, “1” stands for present, “V” stands for Zoom participation. **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.

	Position	01/09/2024	01/23/2024	02/13/2024	02/27/2024	03/12/2024	03/26/2024	04/09/2024	04/23/2024	05/14/2024	05/29/2024	06/11/2024	06/25/2024	07/09/2024	07/23/2024	08/13/2024	08/27/2024	09/10/2024	09/24/2024	10/08/2024	10/22/2024	11/13/2024	11/26/2024	12/10/2024
<b>Jim Ronquillo</b>	Mayor/Billings Ward I	A	1	A	1	A	1	C	C	C	1	C	C	C	1	1	1	C	C	C	C	1		
<b>Roger Gravgaard</b> <b>Co-Chair</b>	Mayor/Billings Ward II	1	V	1	V	1	1	C	C	C	1	C	C	C	1	1	1	C	C	C	C	1		
<b>Dennie Stephenson</b>	Mayor/Billings Ward III	1	1	1	1	1	1	C	C	C	1	C	C	C	1	1	1	C	C	C	C	1		
<b>John Staley</b>	Mayor/Billings Ward IV	1	1	A	1	V	1	C	C	C	1	C	C	C	1	1	1	C	C	C	C	1		
<b>David Nordel</b>	Mayor/Billings Ward V	A	1	1	1	V	V	C	C	C	1	C	C	C	1	V	1	C	C	C	C	1		
<b>Troy Boucher</b>	YC District 1	V	V	A	A	V	A	C	C	C	A	C	C	C	V	V	A	C	C	C	C	V		
<b>Dennis Cook</b>	YC District 2	A	1	1	1	1	1	C	C	C	1	C	C	C	V	1	A	C	C	C	C	1		
<b>Vacant</b>	YC District 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Vacant</b>	YC District 4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Woody Woods, President</b>	YC District 5	1	1	1	1	1	1	C	C	C	1	C	C	C	1	1	1	C	C	C	C	1		
<b>Alexis Bonogofsky</b>	YC District 6	1	V	V	V	A	V	C	C	C	1	C	C	C	1	1	1	C	C	C	C	1		
<b>Morgan Tuss</b>	YC District 7	1	A	A	A	A	A	C	C	C	A	C	C	C	A	A	A	C	C	C	C	A		

**CITY/COUNTY PLANNING BOARD**

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<b>Vacant</b>	Y County Cons. District	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Scott Reiter</b>	<b>Ex-Officio SD2</b>	A	V	A	A	A	V	C	C	C	A	C	C	C	A	A	A	C	C	C	C	A

**Call the Meeting to Order:** President Woods called the meeting to order at 6:00 p.m. on Wednesday, November 13, 2024.

**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 Services Director; Anna Vickers, Planning Division Manager; Dave Green, Planner; Hunter Kelly, Planner; Brenda Berns, Planning Clerk

**Virtual Participation:**

**1. Others in Attendance:** Kolten Knatterud, IMEG; Siobhan Coop, IMEG; Ronnie Tallerico, YCPW

**2. Approval of Agenda:** Motion by Board member Staley, seconded by Board member Ronquillo to approve the agenda as submitted. The motion was carried with a unanimous vote.

**3. Approval of Minutes:** August 27, 2024

Motion by Board member Ronquillo, seconded by Board member Nordel to approve the August 27, 2024 minutes as submitted. The motion was carried with a unanimous vote.

**4. Public Comment:** As required (3 minutes maximum per person). 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 comments from the public.

**5- 6. Disclosure of Outside (Ex-Parte) Communication or Conflicts of Interest:** None were disclosed.

***Wednesday, November 13, 2024 at 6:00pm***

**7. Old Business**

**8. New Business**

**8a. Board Discussion. Collier Ridge Subdivision – Preliminary County Major.**

Hunter Kelly, Planner gave an overview of the project.

The proposed subdivision creates 51 lots for development. The subject property is generally located East of Collier Road and North of Secret Valley Drive. The property is zoned RR3 – Rural Residential 3 and partially unzoned. The land is currently used as Vacant Land, intended for residential development. The developer is requesting 7 phase development. The agent is requesting a variance from Section 4.6.B.1 of the Yellowstone County Subdivision Regulations. Section 4.6.B.1 requires the subdivider to provide road connections to undeveloped land adjacent to the proposed subdivision. The maximum distance between connections to the undeveloped lands shall not exceed 600 feet. In particular, the variance is waived from the requirement for a connection on the eastern portion of the subdivision, to Parcel 1A of Amended Certificate of Survey 2156. The applicant is requesting this variance due to topographical concerns with the surrounding land.

Staff is recommending an Approval of this variance. The topographical constraints present at the site would prevent adequate connections at the areas required by the regulations. The proposed subdivision and adjacent property face mutual geographic constraints that prevent connections between the properties.

Staff is recommending conditional approval subject to Ten (10) conditions of approval.

A Public Hearing will be held at the next Planning Board meeting on November 24, 2024.

The Board of County Commissioners are scheduled to review and act on the preliminary plat on December 17, 2024.

**Questions**

Board member Staley asked if the connection would result in a one-way in and one-way out situation. Hunter confirmed that due to grading restrictions, a connection could not be made from the opposite side. Anna Vickers added that the northwest corner would be a cul-de-sac.

Board member Ronquillo inquired if the road would be extended once Phase 5 is fully developed. Hunter responded that this is not the developer’s intention.

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## CITY/COUNTY PLANNING BOARD

*"Serving Billings, Broadview, and Yellowstone County"*

***Wednesday, November 13, 2024 at 6:00pm***

Dave Green pointed out that the maximum grade for a county road is 12%, but the current grade is 60%, requiring significant fill dirt to meet standards.

There was also a discussion about road maintenance, with Hunter confirming that the County will handle it.

Board member Staley asked if a request could be made to prohibit parking in the cul-de-sac, noting that a fire truck would not be able to turn around unless the road is widened beyond the county's specifications. Anna clarified that the Board could make such a recommendation to the Board of County Commissioners (BOCC).

President Woods inquired which agency would respond to fires in the area. Anna explained that the Blue Creek District handles woodland fires, but not structure fires. There is a gap in coverage, and an agreement needs to be made with Blue Creek for structure fire responses. Hunter added that Planning staff have reached out to the Blue Creek Volunteer Fire Department but has yet to receive a response.

Board member Staley asked the agent to address the absence of a park in the development plan.

**Applicant's Agent: Kolten Knatterud, IMEG;**

Mr. Knatterud explained that the decision to offer cash-in-lieu for parkland was due to the presence of slopes exceeding 30% grade, which made it difficult to find an area that met the minimum requirements. While the west side of the property could potentially accommodate a park, it would still not meet the necessary slope criteria.

Wyeth Friday, PCSD Director, noted that while there is a smaller subdivision in the area with larger lots, this development is one of the largest recent projects with similarly large lots. The topography, however, presents challenges that limit development, including the need for wells and cisterns. He pointed out that significant development in the area is unlikely due to its location within the Blue Creek fire district. Wyeth suggested that DES and Blue Creek review their boundaries and consider closing the gaps by submitting a petition to the BOCC for a decision on including these areas.

Board member Staley clarified that the commissioners cannot make a decision on this matter, as the fire agencies operate under their own voting boards.

Mr. Knatterud explained that while comments are made on these types of developments, they did not want to bring the variance forward without the subdivision being considered. He assured that when the Planning Board reconvenes for the public hearing, they will obtain a letter confirming that there are no issues from the relevant parties.

Board member Bonogofsky, a Blue Creek resident, expressed concerns about the area's suitability for such a large subdivision. She cited dangerous traffic conditions, limited capacity at Blue Creek

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## CITY/COUNTY PLANNING BOARD

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***Wednesday, November 13, 2024 at 6:00pm***

schools to handle an influx of students, and the fact that Blue Creek only has one entry/exit point. Additionally, she mentioned that the area is primarily ranch land, and each homeowner would rely on cisterns. She also pointed out that traffic would be backed up every weekend due to the single water distribution center in the area.

Mr. Knatterud responded that a traffic study had been conducted covering all intersections, which was reviewed by the county. The schools were also contacted regarding potential student increases, and they reported having the capacity to accommodate additional students. Ms. Bonogofsky requested to see the results of the study and reiterated her concerns about the safety of the road to Blue Creek.

Board member Staley inquired about the impact of delaying the issue until the next Planning Board meeting. Anna Vickers clarified that a delay would not affect the 60-day review deadline, which ends on February 3, 2025. She noted that conversations with school staff and additional research have been conducted to ensure the schools can handle the expected increase in students.

Board member Bonogofsky requested that the Duck Creek bridge closure, which will be closed for about a year, be included in the Traffic Impact Study (TIS).

Board member Staley indicated he wanted to speak with Chief Cortez to discuss the potential impact of the subdivision, as well as his opinion on the placement of the two 30kg tanks.

Mr. Friday confirmed that Planning staff would follow up with the fire departments as part of the normal process and continue gathering relevant information. He also welcomed board members to contact the departments directly if they wished.

Board member Bonogofsky asked if the traffic study would account for the trips required to fill an average cistern, noting that in her case, it takes about four round trips.

Mr. Knatterud clarified that a pre-application meeting with the County had been held regarding the traffic study, which is based on typical travel patterns and the average number of round trips per day. He also noted that he understood the concerns raised by Planning staff and assured that, under the new regulations, future subdivisions would not be presented without a Traffic Impact Study (TIS).

### **9. Other Business.**

#### **9a. Discussion. Appointment of the Planning Board Nominating Committee for the 2025 Planning Board Officers.**

President Woods stated he wished to invite board member's Jim Ronquillo, Alexis Bonogofsky, and Dennis Cook to serve on the committee. The vote will take place at the first Planning Board meeting in December 2024. The new Officers will assume their new position at the first meeting in January 2025.

**Wednesday, November 13, 2024 at 6:00pm**

**9b. Presentation and Discussion on Planning Commission and Future Land Use Plan**

Wyeth Friday gave an overview regarding the new information and background of Billings implementation of the MT Land Use Planning Act.

## MT Land Use Planning Act Made Law ‘23

- Montana’s land use and planning statutes are outdated, inconsistent with each other and duplicative in some areas
- Cities, staff, developers, consultants, and public have been frustrated with elements of the process
- Lack of alignment between growth policy elements, zoning criteria, or subdivision criteria – repetitive review processes
- Some administrative review and other more streamline processes were prohibited under current statutes
- No ability to rely on previous planning – zoning, master plans, etc.
- Housing crisis in MT and nationally pushed the issue of better regulatory processes to the forefront in the last few years

## Who law applies to/compliance deadline

➤ WHO does it apply to? (Section 5) Municipality with population => 5,000 in a county with a population => 70,000

- |                  |             |
|------------------|-------------|
| ➤ Belgrade       | ➤ Helena    |
| ➤ Billings       | ➤ Kalispell |
| ➤ Bozeman        | ➤ Laurel    |
| ➤ Columbia Falls | ➤ Missoula  |
| ➤ Great Falls    | ➤ Whitefish |

All other jurisdictions may OPT IN

- Lewistown Opted In
- Yellowstone County not opting in [at this time](#)

➤ Must adopt land use plan, zoning, and subdivision regulations that meet the new framework by May 2026 (Section 5)

**Wednesday, November 13, 2024 at 6:00pm**

## Implementation

- ✓ Form (Interim) Planning Commission (Section 4, SB 382)
- ✓ Adopt Public Participation Plan (Section 6)
- Develop Land Use Plan (Sections 9-16)
  - Housing (Big Deal)
  - Local Services and Facilities
  - Economic Development
  - Natural Resources and Hazards
  - Future Land Use Map (Big Deal)
- Implementation (Section 17)
- Zoning and Subdivision Regulation Alignment

## Implementation

- Broad Implementation Outcomes
  - Planning Commission has significant responsibility
  - Public participation must be woven through process
  - Public participation is "up front"
    - Not at future zone change application
    - Not at future subdivision application
    - Future Zoning and Subdivision processes are administrative
  - Everything ties back to Land Use Plan and Future Land Use Map - where public participation occurred
  - This is new to Montana, but not new to other states

We will be keeping the other boards of adjustment and zoning which will remain in place until the Planning Commission is permanent and acting at full capacity.

***Wednesday, November 13, 2024 at 6:00pm***

## Planning Commission Formation

### *Interim Planning Commission 1<sup>st</sup> Step*

- Consolidates City Board of Adjustment and Zoning Commission
- Responsible for recommendations on all legislative land use and planning decisions:
  - Land Use Plan and Future Land Use Map
  - Zoning regulations and map
  - Subdivision regulations
  - Any other legislative land use planning document the local governing body designates
- Hears appeals from administrative decisions
- Planning Commission decisions appealed to City Council

### Interim Planning Commission Formation

- Must consist of an odd number (no fewer than 3) Interim Commission is 9 members initially
- 55 City Wards from Planning Board
- Zoning Commission Chair
- Board of Adjustment Chair
- HBA and BAR designated representatives
- Must meet at least every 6 months
- Council formed commission by resolution – includes requirements of commission members and operations.

### *Interim Planning Commission Formation*

- Interim Commission parallel to YC Planning Board, City Zoning Commission and City Board of Adjustment
- Ultimately, operate under new law and all City land use activity will fall under Planning Commission
- Will maintain County Planning Board and must address MPO operations – reorganize PCC
- Ultimately – Permanent Planning Commission formed in 2026

***Wednesday, November 13, 2024 at 6:00pm***

## Public Participation Plan Adopted by Council

- Staff modified Federally required PPP for our MPO to meet requirements of SB 382 for public participation – 1 PPP
- Public Participation Plan (*Section 6*) - Used throughout the framework. Identifies how Billings will provide:
  - Dissemination of documents
  - Opportunity for comments
  - Public meetings
  - Electronic communication and access
  - Analysis of and response to public comments
  - Emphasize public comment will narrow as the process moves to site-specific development

## Housing Analysis and Criteria to Meet

- Population projections for 20 years
- Number of housing units needed for that population
- Develop an inventory of sites for housing development, analyzing constraints such as zoning, development standards, and infrastructure needs
- Complete a regulatory audit to ensure zoning regulations can accommodate the identified housing types
- Propose a list of recommendations to be implemented by the governing body in order to accommodate the projected housing needs

## Next Steps

- Verify interim Planning Commission Members, County Commissioners appointments if needed, Commission begins meeting
- Complete RFP consultant services selection
- Begin Land Use Plan and Future Land Use Map development
- Ongoing West Billings and Heights neighborhood plans designed to inform Land Use Plan and Future Land Use Map
- Monitor lawsuit
- Continue 2025 Legislative Engagement

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Mr. Friday mentioned that further updates will be provided as we continue through the process. Mayor Cole has contacted board members about appointing women to the commission, with representatives being designated by HBA and the BAR.

There was also a discussion regarding membership on the Planning Board and/or Planning Commission. Members are allowed to serve on both boards concurrently for an interim period of one year. The City and County have different regulations, but efforts are underway to align them.

Mr. Friday addressed the previous lawsuit filed by several counties, noting that the current laws remain in effect even during the lawsuit, though the outcome is still uncertain.

Ms. Vickers clarified that the Senate Bills apply only to the City. While single-family zoning still exists in the County, these laws and the court case no longer allow it within the city.

Further discussion focused on the Planning Commission's capacity, with details on the Commission's administrative process to be explained later.

Board member Staley inquired whether development in the county would still fall under the Planning Commission's purview in 2026. Wyeth confirmed that it would.

Board member Staley then asked what would prevent the City from deciding that the Planning Commission would only review complaints. Wyeth responded that the process is structured so that staff initially reviews a project and makes a recommendation. If there are public objections, the project then goes to the Planning Commission, which makes a recommendation to the City Council, and ultimately may go to court. There is an appeal process in place, and if appeals become frequent, it may need to be addressed. In some communities, this is a significant issue.

Board member Bonogofsky asked who would approve a variance, and Wyeth replied that it would depend on the regulations, which will clarify whether variances are handled administratively or by the Planning Commission.

Anna stated that, in theory, a variance would not apply.

President Woods questioned whether public participation could be eliminated, and if the Land Use Plan could be reviewed and amended. Wyeth confirmed that there are processes for reviewing and amending the Land Use Plan and emphasized that public participation is critical at the beginning stages, not only when it reaches the City Council.

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

**ADJOURNMENT: 7:34pm**

**10. Future Agenda Items.** There was no discussion on this topic.

**DRAFT—TO BE APPROVED BY A MOTION AT THE NEXT SCHEDULED MEETING**

*-Brenda J Berns, Planning Clerk*

## Planning Board

**Date:** 11/26/2024  
**Title:** Collier Ridge Subdivision - Major Preliminary Plat Planning Board Public Hearing  
**Presented by:** Hunter Kelly, Planner 1  
**Department:** Planning & Community Services  
**Presentation:** Yes

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### Information

#### RECOMMENDATION

Staff recommends for the Planning Board to recommend to the Board of County Commissioners that the preliminary plat of Collier Ridge Subdivision be conditionally approved, the connectivity variance approved, and the Findings of Fact adopted as presented in the staff report.

#### BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

On October 1, 2024, IMEG Engineering, on behalf of AA Properties, applied for preliminary major plat approval of Collier Ridge Subdivision. The proposed subdivision creates 51 lots for development over seven (7) phases. The subject property is generally located east of Collier Road and north of Secret Valley Drive. The property is zoned RR3 - Rural Residential 3 and partially unzoned. The land is currently vacant.

#### VARIANCES

The applicant has requested a variance from Section 4.6.B.1 of the Yellowstone County Subdivision Regulations. Section 4.6.B.1 requires the subdivider to provide road connections to undeveloped land adjacent to the proposed subdivision. The maximum distance between connections to undeveloped lands shall not exceed 600 feet. In particular, the variance is waiving the requirement for a connection on the eastern portion of the subdivision, to parcel 1A of Amended Certificate of Survey 2156. The applicant is requesting this variance due to topographical concerns with the surrounding land.

Subdivision Variances are judged on the following criteria:

**1. The granting of the variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties.**

The variance will prevent vehicles from accessing dangerous slopes by road.

**2. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, an undue hardship to the owner would result if the strict letter of the regulation was enforced.**

Slopes in excess of 60% are located in the area the applicant is requesting a variance from subdivision regulations. Maximum grade for County Road Standards is 12%.

**3. The variance will not result in an increase in taxpayer burden.**

The variance will reduce the amount of road developed.

**4. The variance will not in any manner place the subdivision in nonconformance with any adopted zoning regulations.**

All lots will have sufficient frontage as proposed on the Plat.

**5. The subdivider must prove that the alternative design is equally effective, and the objectives of the improvements are satisfied.**

The connections provided elsewhere along the subdivision boundary provide access to undeveloped land.

Staff found the variance adheres to all five of the aforementioned variance review criteria. Therefore, staff is recommending approval of this variance. The topographical constraints present at the site would prevent adequate connections in the areas required by the regulations. The proposed subdivision and adjacent property face mutual geographic constraints that prevent connections between the properties.

#### PROPOSED CONDITIONS OF APPROVAL

1. To protect public health and safety, prior to final plat approval, the applicant will receive approval from Montana Department of Environmental Quality (MDEQ) for all parcels less than 20 acres in size and the Yellowstone County Health Department for all parcels equal to or greater than 20 acres in size for the proposed water systems, septic systems, and stormwater design.
2. 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.
3. 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.

4. To protect public health and safety and provide for future road use, prior to final plat approval, the applicant will build the internal roads to county standards and create a Rural Special Improvement District (RSID) for the maintenance of those roads.
5. For the protection of public health and safety and to ensure protection of structures within the subdivision, it is strongly advised that the applicant submit a petition to expand the service area boundary of Blue Creek Fire Department to the Yellowstone County Department of Emergency Services in correlation with Montana Code Annotated (MCA) 7-33-2401.
6. To protect public health and safety and provide for future dry hydrant maintenance, prior to final plat approval, the applicant shall install two 30,000-gallon dry hydrants tanks in conformance with City of Billings Fire Department Dry Hydrant standards. The maintenance for the tanks and dry hydrants will require the formation of an RSID for maintenance. If the jurisdiction of the Blue Creek Fire Department is expanded to include Collier Ridge Subdivision prior to final plat approval, then the applicant shall have the design and installation of the two 30,000 gallon dry hydrant storage tanks reviewed and approved by the Blue Creek Fire Department.
7. Restriction on Conveyances associated with the phases within the subdivision shall be filed with the final plat.
8. Prior to final plat approval, the Traffic Impact Study and any identified improvements shall be completed and approved by the Public Works Department.
9. Minor changes may be made to 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.
10. 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.

## **PROCEDURAL HISTORY**

Pre-Application Meeting: August 15, 2024

Preliminary Plat application submitted to Planning Division: October 1, 2024

Departmental Review Meeting: October 17, 2024

Preliminary Plat Resubmittal: October 24, 2024

Planning Board Plat Review: November 13, 2024

Planning Board Public Hearing: November 26, 2024

Preliminary Plat to Board of County Commissioners: December 17, 2024

60 Working-Day Preliminary Plat Review period ends: February 3, 2025

## **PLAT INFORMATION**

General Location: East of Collier Road and north of Secret Valley Drive

Legal Description: NW ¼ less C/S 2156 & C/S 2331 of Section 4, E ½ E frac14; Section 5, Township 2 South, Range 26 East

Owner/Subdivider: AA Properties

Engineer/Surveyor: IMEG Engineering

Existing Zoning: RR3 - Rural Residential 3 and partially unzoned

Existing Land Use: Vacant Land

Proposed Zoning: RR3 - Rural Residential 3 and partially unzoned

Proposed Land Use: Residential

Gross & Net Area: 246.45 Acres Gross & 227.64 Acres Net

Lot Size:

Minimum: 3 Acres

Maximum: 50.97 Acres

Parkland Requirements: 4.42 Acres required, 0 Acres provided, the applicant will provide a cash-in-lieu contribution to cover the absence of parkland.

## **STAKEHOLDERS**

The Planning Division has received no public comment at this time. Stakeholder input will be received at a public hearing scheduled for this subdivision on November 26, 2024.

## **Planning Board Plat Review Meeting - November 13, 2024**

Staff presented its findings regarding the subdivision and opened for questions. Boardmember John Staley asked for clarification on topographical issues that predicated the variance for a connection to adjacent parcels. Staff responded by stating the grading in the areas in question was up to 60%, whereas County roads only allow for 12% grade. Boardmember Jim Ronquillo then asked if there was any future intent to extend the road where they were requesting a variance. Staff clarified there is no intent to extend the road further, which is part of the reason they are requesting the variance. Boardmember Staley then asked if the roads would be built to paved County standards, which staff answered in the affirmative.

Boardmember Staley then went on to ask if it was possible to prohibit street parking in the proposed cul-de-sacs in the proposed subdivision in order to facilitate better turnaround access for fire protection vehicles. Staff responded that nothing in the regulations requires or prohibits such a condition, but it would have to be a recommendation made by the Planning Board at the public hearing. Boardmember Staley then went on to question why the developer had opted for a cash-in-lieu contribution for parkland instead of putting parks in the subdivision. The applicant's agent, Kolten Knatterud, was invited to speak. Kolten stated the Cash-in-lieu request was due to the topographical issues faced on the subdivision, and the sloping on the lots would prohibit them from placing usable parkland as defined in the Yellowstone County Subdivision Regulations.

President Woody Woods asked for clarification on the conditions regarding fire protection for the subdivision. Staff explained that the subdivision is currently within the wildfire protection area of the Blue Creek Fire Department, but not the structural protection range, so the applicant is highly recommended to request the Blue Creek FD extend its area. Boardmember Jim Ronquillo asked who inspects the dry hydrant tanks in this situation, staff responded that it does not appear that any particular agency would inspect the dry hydrants at this time. Boardmember Alexis Bonogofsky raised concern that Blue Creek Elementary School is over-capacity and would not be able to handle the possible additional students from this subdivision. Planner Hunter Kelly mentioned he personally spoke to the Principal of Blue Creek Elementary, who stated the school was under capacity, which was reflected in the Findings of Fact. Staff went on to confirm they would get a statement in writing regarding the school district capacity. Boardmember Bonogofsky then asked if the Traffic Impact Study took into account the possible traffic counts from cistern usage on site and road closures due to local bridge construction. Kolten mentioned that cistern usage did not significantly contribute to the average vehicle trip per day in the TIS calculations. Boardmember John Staley asked staff what options were for possibly delaying the item at the public hearing, given the combined concerns about this subdivision. Staff responded that the 60-day working deadline would be February 3, 2025, so there is time to delay if necessary. There were no more questions and Board President Woody Woods closed the discussion.

## **ALTERNATIVES**

In accordance with state law, the Board of County Commissioners has 60 working days to act upon this major preliminary plat. The 60 working day review period for the proposed plat ends February 3, 2025. State and County subdivision regulations also require that preliminary plat be reviewed using specific criteria, as stated within this report. The County may not unreasonably restrict an owner's ability to develop land if the subdivider provides evidence that any identified adverse effects can be mitigated. Within the 60 working day review period, the Board of County Commissioners is required to:

1. Approve;
2. Conditionally Approve; or
3. Deny the Preliminary Plat

## **FISCAL EFFECTS**

The preliminary plat of this subdivision will have no financial impact on the Planning Division.

## **SUMMARY**

One of the purposes of the County's subdivision review process is to identify potential negative effects of property being subdivided. Negative effects that are identified become the subdivider's responsibility to mitigate. Various County departments, private service/utility providers and the affected school district/s, have reviewed this application and provided input on effects and mitigation. The Findings of Fact, which are presented as an attachment, discuss potential negative impacts of the subdivision and conditions of approval are recommended as measures to further mitigate any impacts. In this case, there were found to be some impacts from this proposed subdivision.

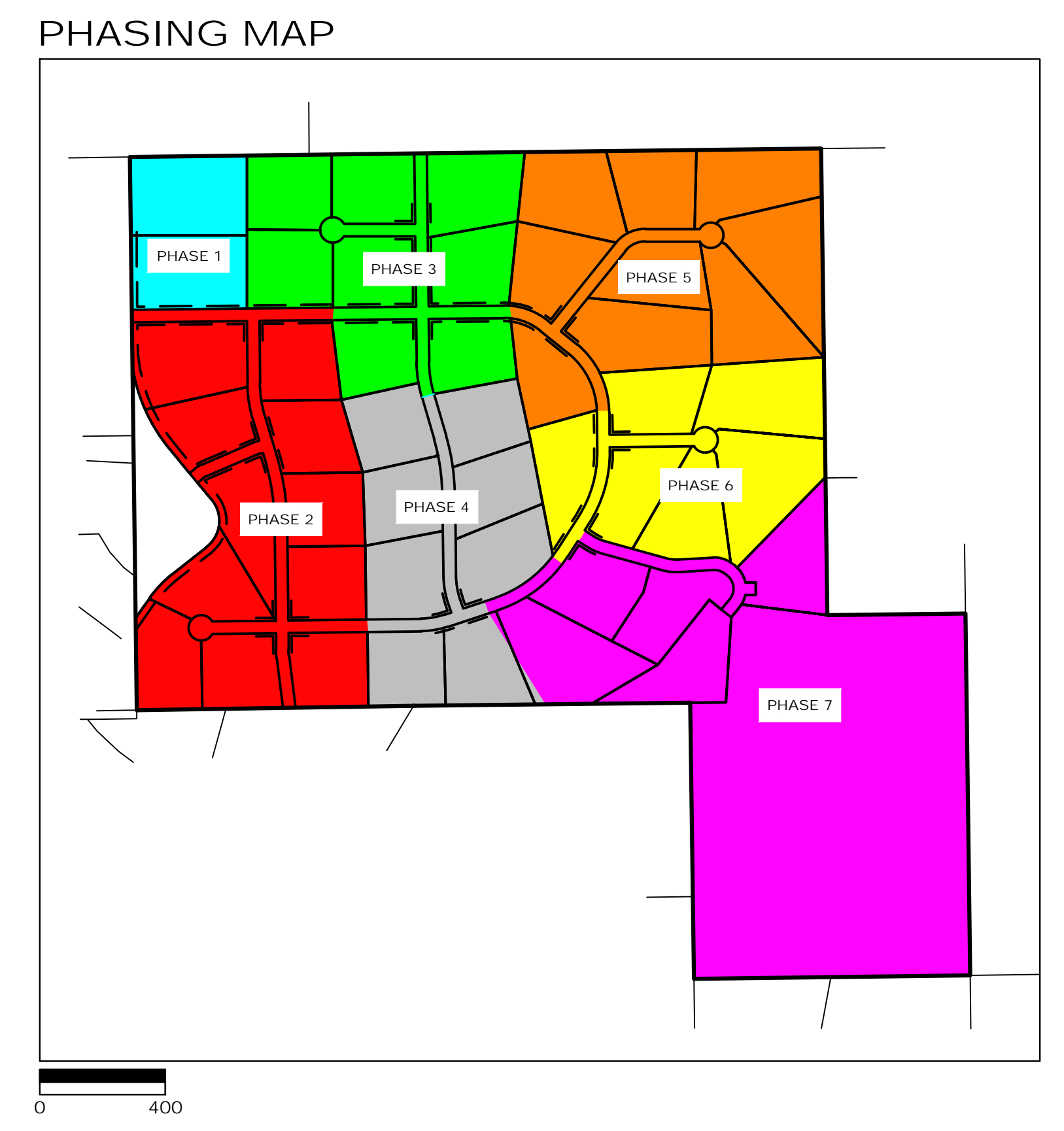
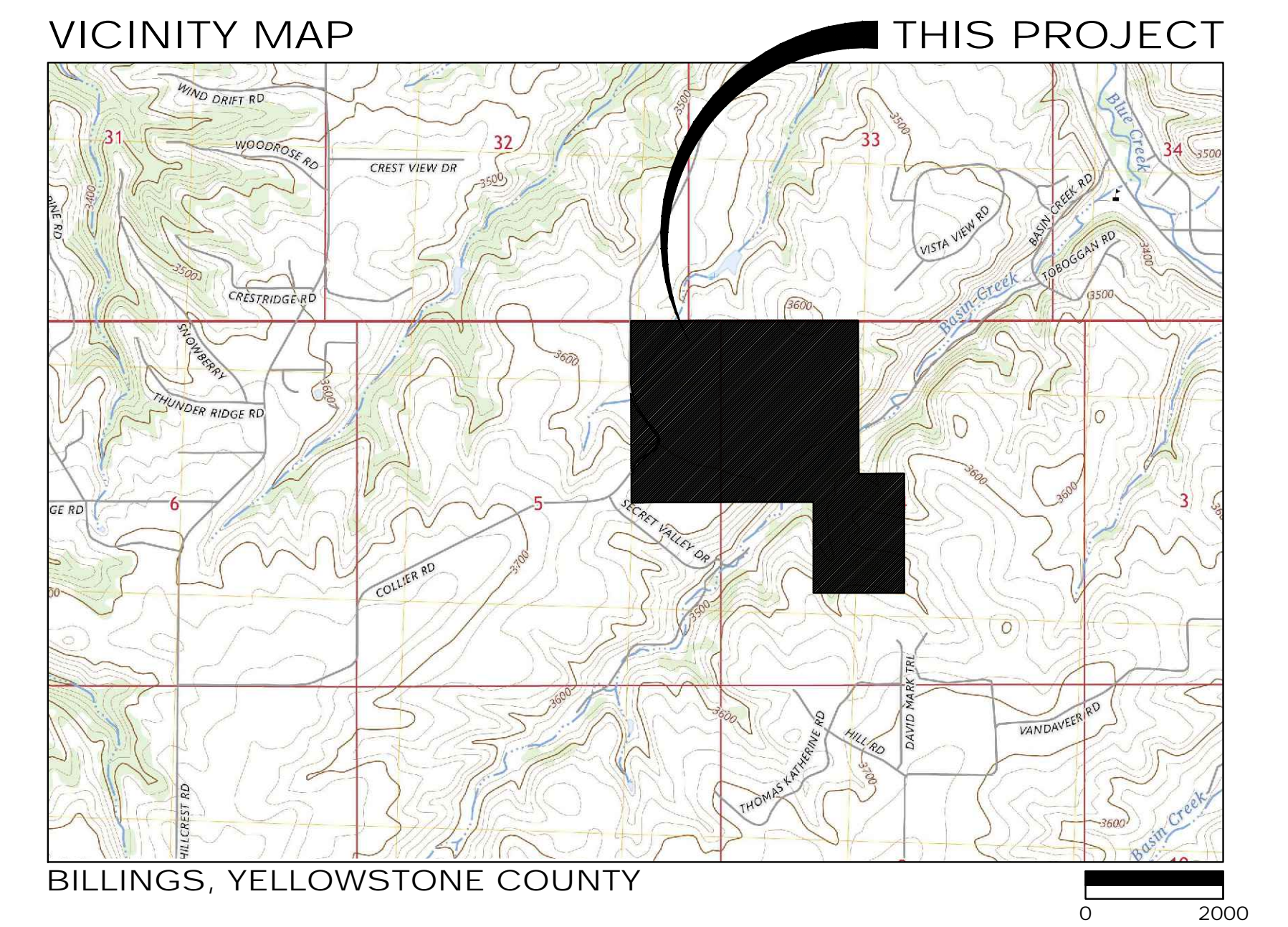
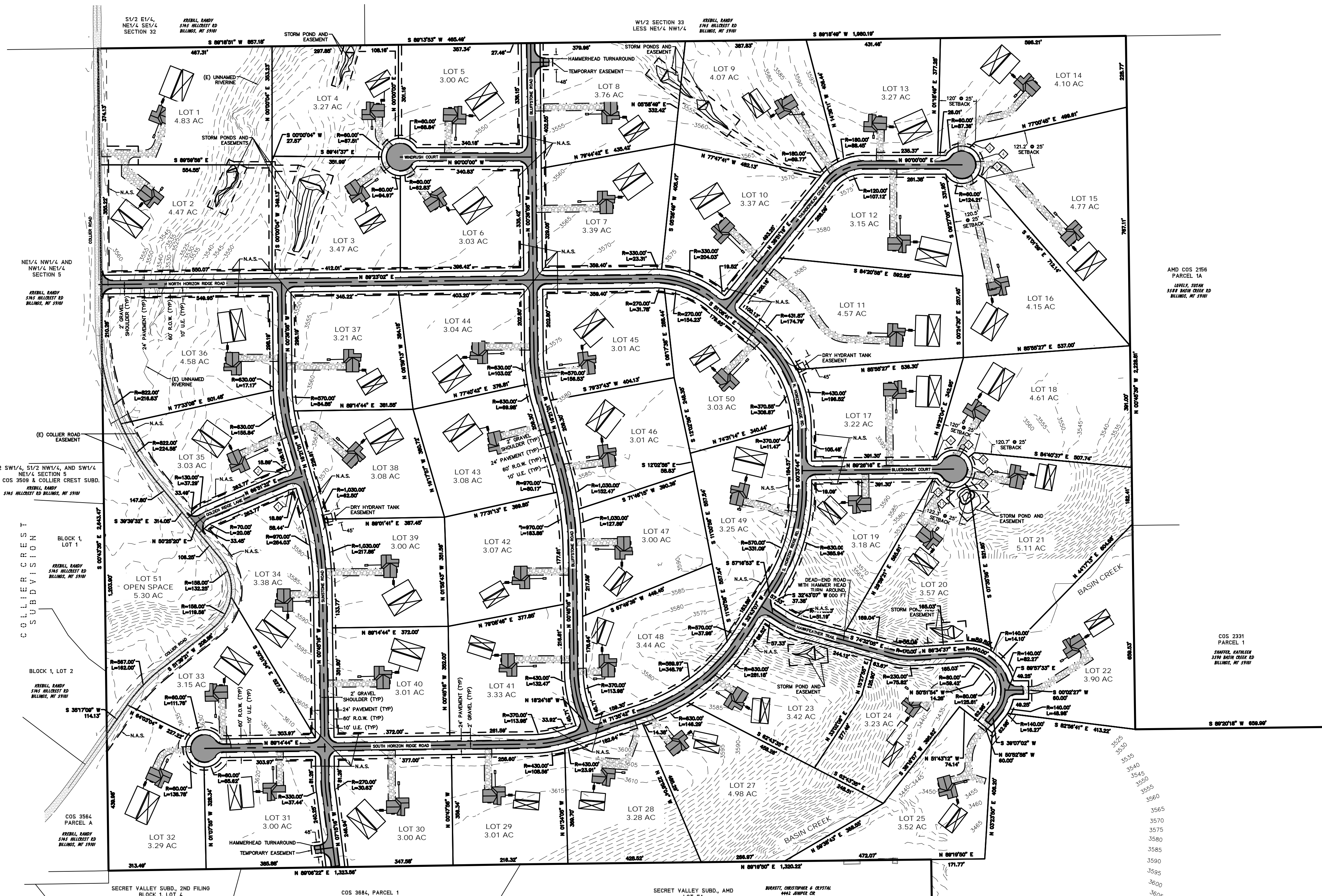
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## **Attachments**

Preliminary Plat  
Draft Subdivision Improvement Agreement  
Findings of Fact  
Correspondence with Blue Creek Fire Department  
Blue Creek School SD3 Enrollment

# PRELIMINARY PLAT OF COLLIER RIDGE SUBDIVISION

LOCATED IN SECTION 4 AND SECTION 5, TOWNSHIP 2 SOUTH, RANGE 26 EAST, P.M.M., YELLOWSTONE COUNTY, MONTANA



**LEGEND**

- (E) = EXISTING
- (P) = PROPOSED
- R/W OR R.O.W. = RIGHT-OF-WAY
- U.E. = UTILITY EASEMENT
- N.A.S. = NO ACCESS STRIP
- ☐ = CISTERN
- ☒ = DRAINFIELD

**BASIS OF BEARING:**  
STATE PLANE MONTANA - ZONE 2500  
GROUND (TRUE) DISTANCES

**RECORD OWNER:**  
A.A. PROPERTIES, L.L.C.

**SUBDIVIDER:**  
A.A. PROPERTIES, L.L.C.

**DATE:**  
OCTOBER, 2024

**TOTAL SUBDIVISION AREA:**  
246.45 ACRES (GROSS)  
227.64 ACRES (NET)

**LINE & CURVE DATA**

NAME	R	L
◇	R=70.00'	L=8.30'
◇	R=130.00'	L=15.41'
◇	S 46°29'41" W	L=26.48'
◇	R=60.00'	L=102.60'
◇	S 58°36'30" E	L=25.00'
◇	N 89°28'16" E	L=13.00'
◇	R=60.00'	L=117.53'
◇	N 51°40'04" E	L=25.00'
◇	R=60.00'	L=94.76'
◇	S 37°48'36" E	L=25.00'
◇	R=60.00'	L=101.84'
◇	N 89°28'16" E	L=13.00'

**SITE DATA**

NUMBER OF LOTS	51
MAXIMUM LOT AREA	50.97 AC
MINIMUM LOT AREA	3.00 AC
AREA OF OPEN SPACE	5.30 AC
LINEAR FEET OF STREETS	12,445 LF
NET ACREAGE	227.64 AC
GROSS ACREAGE	246.45 AC
EXISTING ZONING	RR3 & UNZONED
PROPOSED ZONING	RR3
EXISTING LAND USE	AGRICULTURAL
PROPOSED LAND USE	RESIDENTIAL

**PERIMETER LEGAL DESCRIPTION**

1/4	SEC.	T.	R.
☒	4	2S	26E
☒	5	2S	26E

PREPARED BY:

1817 SOUTH AVE. W. STE. A PH: 406.721.0142  
MISSOULA, MT FAX: 406.721.5224  
59801 www.imegcorp.com  
IMEG PROJECT NO. 23007562

Return To:  
AA Properties, LLC  
33630 County Road 103  
Savage, MT 59262

SUBDIVISION IMPROVEMENTS AGREEMENT  
*COLLIER RIDGE SUBDIVISION*  
Table of Contents  
Yellowstone County

I.	Variances	(page 2)
II.	Conditions that Run with the Land	(page 2)
III.	Transportation	(page 3)
	A. Streets	(page 4)
	B. Traffic Control Devices	(page 5)
	C. Access	(page 5)
	D. Billings Area Bikeway and Trail Master Plan (BABTMP)	(page 5)
IV.	Emergency Services	(page 5)
V.	Storm Drainage	(page 5)
VI.	Utilities	(page 5)
	A. Water	(page 5)
	B. Sanitary Sewer	(page 5)
	C. Power, Telephone, Gas, and Cable Television	(page 5)
VII.	Parks/Open Space	(page 6)
VIII.	Irrigation	(page 6)
IX.	Weed Management	(page 6)
X.	Soils/Geotechnical Study	(page 6)
XI.	Phasing of Improvements	(page 6)
XII.	Financial Guarantees	(page 7)
XIII.	Legal Provisions	(page 8)

*Subdivision Improvements Agreement*

This agreement is made and entered into this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, by and between *AA Properties, LLC*, whose address for the purpose of this agreement is 33630 County Road 103, Savage, Montana 59626, hereinafter referred to as “Subdivider,” and YELLOWSTONE COUNTY, Montana, hereinafter referred to as “County.”

WITNESSETH:

WHEREAS, at a regular meeting conducted on \_\_\_ day of \_\_\_\_\_, 20\_\_\_, the Board of Planning recommended conditional approval of a preliminary plat of *Collier Ridge Subdivision*, and

WHEREAS, at a regular meeting conducted on \_\_\_ day of \_\_\_\_\_, 20\_\_\_, the Yellowstone County Board of County Commissioners conditionally approved a preliminary plat of *Collier Ridge Subdivision*, and

WHEREAS, a Subdivision Improvements Agreement is required by the County prior to the approval of the final plat.

WHEREAS, the provisions of this agreement shall be effective and applicable to *Collier Ridge Subdivision* upon the filing of the final plat thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The Subdivision shall comply with all requirements of the Yellowstone County Subdivision Regulations, the rules, regulations, policies, and resolutions of Yellowstone County, and the laws and administrative rules of the State of Montana.

THEREFORE, THE PARTIES TO THIS AGREEMENT, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

I. VARIANCES

- A. Subdivider has requested, and the County hereby grants, the following variances by the Board of County Commissioners from the strict interpretation of the County’s Subdivision Regulations (Chapter 11, Yellowstone County Subdivision Regulations):
1. A variance from the Yellowstone County Subdivision Regulations Section 4.6.B(1) is granted with this subdivision due to topographic hardship. The variance from this regulation alleviates the Subdivider from the requirement to provide access to all undeveloped land adjacent to the proposed subdivision with those connections not to exceed 600 feet. Strict compliance with this regulations would cause undue hardship for the Subdivider.

II. CONDITIONS THAT RUN WITH THE LAND

- A. Lot owners should be aware that this subdivision is being built in close proximity to prime deer and antelope habitat and it is likely that homeowners will experience problems with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is

damage to commercial crops and/or a threat to public health and safety.

- B. Lot owners should be aware that soil characteristics within the area of this subdivision, as described in the 1972 Yellowstone County Soil Survey, indicate that there could be potential limitations for proposed construction on the lots, which may require a geotechnical survey prior to construction.
- C. No water rights have been transferred to the lot owners. If irrigation ditches exist on the perimeter of this development, they will be preserved for the benefit of other properties. Any existing perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners.
- D. There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this Agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.
- E. Culverts and associated drainage swales shall not be filled in or altered by the subdivider or subsequent lot owners.
- F. When required by road improvements, all fences and irrigation ditches in the public right-of-way adjacent to this subdivision shall be removed or relocated outside of the public right-of-way and any relocation outside of the public right-of-way shall be subject to securing and recording easements.
- G. Future maintenance of all public (or common) improvements shall be done through one (1) or more RSID(s) created as part of the SIA for this subdivision.
- H. Lot owners or their agent will obtain an Access Permit from County Public Works prior to any construction on any lot within the subdivision. The application will include a site plan showing the desired location of the access and show that it meets the requirements outlined by the DEQ storm water requirements for the subdivision. Failure to do so will result in the lot owner or their agent removing what has been installed and locating the access in an approved location at the lot owners expense.
- I. Lot owners are required to obtain a zoning compliance permit prior to any construction on lots.

### III. TRANSPORTATION

The subdivider agrees to guarantee all improvements for a period of one (1) year from the date of final acceptance by Yellowstone County.

#### A. Streets

The Collier Ridge Subdivision proposes the following eight internal public access roads:

- Standard asphalt 28-foot-wide public roads maintained by an RSID created with this subdivision and to be known as North Horizon Ridge Road, located within a 60' Right-of-Way as shown on the plat. The road will intersect with Collier Road and provide access to the subdivision. The road will begin construction during phase 2 and will be completed by phase 7.
- Standard asphalt 28-foot-wide public roads maintained by an RSID created with this subdivision and to be known as South Horizon Ridge Road, located within a 60' Right-of-Way as shown on the plat. The road provides connectivity to the south of the subdivision. The road will begin construction during phase 2 and will be completed by phase 7.
- Standard asphalt 28-foot-wide public roads maintained by an RSID created with this subdivision and to be known as Golden Ridge Lane, located within a 60' Right-of-Way as shown on the plat. The road will intersect with Collier Road and provide access to the subdivision. This road will be entirely constructed during phase 2.
- Standard asphalt 28-foot-wide public roads maintained by an RSID created with this subdivision and to be known as Sunstone Road, located within a 60' Right-of-Way as shown on the plat. The road provides connectivity to the south of the subdivision. The road will be entirely constructed during phase 2.
- Standard asphalt 28-foot-wide public roads maintained by an RSID created with this subdivision and to be known as Bluffstone Road, located within a 60' Right-of-Way as shown on the plat. The road provides connectivity to the north of the subdivision. The road will begin construction during phase 3 and will be completed in phase 4.
- Standard asphalt 28-foot-wide public roads maintained by an RSID created with this subdivision and to be known as Hawkfeather Trail, located within a 60' Right-of-Way as shown on the plat. This road will be constructed during phase 7.
- Standard asphalt 28-foot-wide public roads maintained by an RSID created with this subdivision and to be known as Windrush Court, located within a 60' Right-of-Way as shown on the plat. This road will be constructed during phase 3.
- Standard asphalt 28-foot-wide public roads maintained by an RSID created with this subdivision and to be known as Bluebonnet Court, located within a 60' Right-of-Way as shown on the plat. This road will be constructed during phase 6.
- Standard asphalt 28-foot-wide public roads maintained by an RSID created with this subdivision and to be known as Thunderhead Court, located within a 60' Right-of-Way as shown on the plat. This road will be constructed during phase 5.

#### B. Traffic Control Devices

- There will be 2 stop signs within Collier Ridge Subdivision.
- The two stop signs will be at the two intersections of Horizon Ridge Circle and Collier Road. These stop signs will be provided during phase 2.
- A traffic impact study shall be completed for the preliminary plat filing of the Collier Ridge Subdivision. All recommended changes from the traffic impact study shall be installed in correlation with the phases indicated on the preliminary plat and within this document.

### C. Access

- There will be two accesses for the proposed subdivision, both from Collier Road. Each approach will be 60' wide.
- All lots within the subdivision, with the exception of Lots 1 and 2, shall be accessed using the internal public road network.
- A no-access-strip along Collier Road adjacent to this subdivision, aside from Lots 1 and 2, will be utilized to limit access from Collier Road.
- Lot 26 will be provided with access from Hawkfeather Trail.

### D. Billings Area Bikeways and Trail Master Plan (BABTMP)

The BABTMP appears to have a “Bike Lane Future” along Collier Road, to be built when the road is built or widened. There are no plans to widen Collier Road, thus a bike lane will not be constructed as part of the Collier Ridge Subdivision.

## IV. EMERGENCY SERVICE

- Billings Urban Fire Service Area will provide fire protection for the subdivision. Two 30,000-gallon dry hydrants will be constructed for this subdivision to provide fire protection. One dry hydrant is located along Sunstone Avenue and will be constructed during phase 2. The other dry hydrant is located along Horizon Ridge Circle and will be constructed during phase 5. Both are represented on the final plat.
- Police protection will be provided by Yellowstone County Sheriff's Department.
- Ambulance Service will be provided by American Medical Response.

## V. STORM DRAINAGE

- A system of stormwater retention ponds for each lot, as well as regional stormwater retention ponds for road runoff will be approved by MDEQ prior to filing the final plat.
- All drainage improvements shall comply with the provisions of the Section 4.7, Yellowstone County Subdivision Regulations, and a stormwater management plan shall be submitted to and approved by MDEQ, or its designee.

## VI. UTILITIES

### A. Water

- Each lot will have an individual cistern to be supplied by a local water service provider. Water will be provided for this subdivision in compliance with Section 4.9 of the Yellowstone County Subdivision Regulations.
- MDEQ approval for these systems will be included with the final plat filing.

### B. Septic System

- Each lot will have an individual drainfield for the treatment of wastewater. The sanitary sewer systems will comply with Section 4.8 of the Yellowstone County Subdivision Regulations.
- MDEQ approval for these systems will be included with the final plat filing.

### C. Power, Telephone, Gas, and Cable Television

- These utilities will be provided within the utility easements created as part of this

subdivision, displayed on the face of the final plat and included as documents within the final plat submittal.

D. Solid Waste

- Solid waste disposal will be provided by local waste disposal companies. Each property owner will be responsible to arrange solid waste pickup.

VII. PARKS/OPEN SPACE

The Subdivider is providing cash-in-lieu of a parkland dedication to satisfy the parkland dedication requirement.

VIII. IRRIGATION

- There are no irrigation districts affected by the proposed subdivision.
- There are no water rights associated with the underlying parcels thus no water rights are being transferred.

IX. WEED MANAGEMENT

All noxious weeds on the latest Yellowstone County Noxious Weed List shall be controlled on all properties in the subdivision.

- A Weed Management Plan must be filed and updated as needed for approval by the Yellowstone County Weed Department. Said weed management plan shall contain the noxious weeds being addressed and the plan for the control of those weeds. All associated cost for noxious weed control is the responsibility of the owner of record.
- A revegetation plan shall be submitted as part of the management plan. A seeding recommendation can be obtained from the Yellowstone County Weed Department pursuant to Section 7-22-2152, MCA. The Yellowstone County Weed Department reserves the right to revise these recommendations based on the required site inspection.

X. SOILS/GEOTECHNICAL STUDY

The subdivider has not completed any geotechnical study. Lot owners are encouraged to perform individual geotechnical studies prior to building.

XI. PHASING OF IMPROVEMENTS

The Collier Ridge Subdivision proposes to phase infrastructure improvements in seven phases. In correlation with MCA76-3-617(4) the Subdivider must notify the governing body 30 days prior to the commencement of each phase.

- Phase 1 of Collier Ridge Subdivision will include Lots 1 and 2. There will be no improvements associated with this phase. Phase 1 will commence immediately.
- Phase 2 of Collier Ridge Subdivision will include Lots 30-40. This phase includes complete construction of Sunstone Road, complete construction of Golden Ridge Lane, and partial construction of North Horizon Ridge Road and South Horizon Ridge Road. Temporary turnarounds will be provided at the unfinished ends of North Horizon Ridge Road and South Horizon Ridge Road during the development of this phase. Stop signs will be installed at the intersections between Horizon Ridge Circle and Collier Road. A 30,000-gallon dry hydrant will be installed along Sunstone Avenue during this phase as shown on the plat. Phase 2 will commence no later than June 1, 2025.

- Phase 3 of Collier Ridge Subdivision will include Lots 3-8 and Lot 44 and Lot 45. This phase includes complete construction of Windrush Court, partial construction of Bluffstone Road and partial construction of North Horizon Ridge Road. Temporary turnarounds will be provided where necessary to allow safe emergency vehicle access during the development of this phase. Phase 3 will commence no later than June 1, 2027.
  - Phase 4 of Collier Ridge Subdivision will include Lots 41-43, Lots 46-48, and Lots 28-29. This phase includes completion of construction for the remaining portion of Bluffstone Road and partial construction of South Horizon Ridge Road. Temporary turnarounds will be provided to allow safe emergency vehicle access during the development of this phase. Phase 4 will commence no later than June 1, 2029.
  - Phase 5 of Collier Ridge Subdivision will include Lots 9-16 and Lot 50. This phase includes complete construction of Thunderhead Court and partial construction of North Horizon Ridge Road. A 30,000-gallon dry hydrant will be provided along North Horizon Ridge Road during this phase, as shown on the plat. Temporary turnarounds will be provided to allow safe emergency vehicle access during the development of this phase. Phase 5 will commence no later than June 1, 2031.
  - Phase 6 of Collier Ridge Subdivision will include Lots 17-21 and Lot 49. This phase includes complete construction of Bluebonnet Court, partial completion of construction for South Horizon Ridge Road. Temporary turnarounds will be provided to allow safe emergency vehicle access during the development of this phase. Phase 6 will commence no later than June 1, 2033.
  - Phase 7 of Collier Ridge Subdivision will include Lots 22-27. This phase includes complete construction of Hawkfeather Trail and complete construction of South Horizon Ridge Road. Phase 7 will commence no later than June 1, 2035.
- **FINANCIAL GUARANTEES**

Except as otherwise provided, Subdivider shall install and construct said required improvements by private contracts secured by bonds, irrevocable letters of credit, sequential development, or any other method that may be acceptable to the Planning Board and Board of County Commissioners. All engineering and legal work in connection with such improvements shall be paid by the contracting parties pursuant to said special improvement district or private contract, and the improvements shall be designed by and constructed under the supervision of a professional engineer competent in civil engineering, licensed in the state of Montana. Upon completion of the improvements, the consulting Engineer shall file with the Public Works Department, a statement certifying that the improvements have been completed in accordance with approved, seal stamped, record drawings, along with all required post-construction certification per Section 4.6.C. of the Yellowstone County Subdivision Regulations.

(In the event that all required improvements are not installed and constructed prior to final plat approval, the Subdivider shall provide a monetary security guarantee in the amount of 125% of the estimated total cost by one (1) of the methods listed in Chapter 5 of the Yellowstone County Subdivision Regulations. If using a security, describe the method in this section)

- LEGAL PROVISIONS

- A. Subdivider agrees to guarantee all public improvements for a period of one year from the date of final acceptance by Yellowstone County.
- B. The owners of the properties involved in this proposed Subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this Agreement.
- C. The covenants, agreements, and all statements in this Agreement apply to and shall be binding on the heirs, personal representatives, successors and assigns of the respective parties.
- D. In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.
- E. Any amendments or modifications of this Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.
- F. Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.
- G. Subdivider agrees to create any required (or expansion of existing) RSID(s) for future maintenance of all public (or common) constructed improvements prior to final plat approval.



This agreement is hereby approved and accepted by Yellowstone County, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

“COUNTY”  
COUNTY OF YELLOWSTONE  
MONTANA

County of Yellowstone  
Board of County Commissioners

By: \_\_\_\_\_  
John Ostlund, Chairman

\_\_\_\_\_  
Donald Jones, Commissioner

\_\_\_\_\_  
Mark Morse, Commissioner

Attest: \_\_\_\_\_  
Jeff Martin, County Clerk and  
Recorder

STATE OF MONTANA     )  
  : ss  
County of Yellowstone    )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for the State of Montana, personally appeared John Ostlund, Donald Jones, Mark Morse and Jeff Martin, known to me to be the Board of County Commissioners and the County Clerk and Recorder, respectively, of Yellowstone County, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of Yellowstone County, Montana.

SS \_\_\_\_\_



## FINDINGS OF FACT

The City-County Planning Division Staff has prepared the Findings of Fact for the preliminary plat of Collier Ridge. These findings are based on the preliminary plat application and supplemental documents addressing the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Yellowstone County Subdivision Regulations (YCSR).

### **A. What are the effects on agriculture, local services, the natural environment, wildlife and wildlife habitat and public health and safety (76-3-608 (3) (a) MCA) (Section 3.2 (H) (2) YCSR)**

#### **1. Effect on agriculture and agricultural water users' facilities**

The subject property is not currently used for farming purposes in the past the property was used for cattle grazing. The subject property was not used for farming purposes according to historical aerial imagery. The subdivision does contain two soils that are classified by the United States Department of Agriculture Natural Resources Conservation Service as farmland of statewide importance, Bruston Lonna and Hopley Loam. No ditch runs through the proposed subdivision. There will be no effect on water user facilities with this subdivision.

#### **2. Effect on local services**

a. **Water and Septic** – The proposed subdivision is not located within any public water district. It is proposed that each lot will have a cistern on it for domestic water use. The proposed cisterns in the subdivision will be reviewed and receive approval from Montana Department of Environmental Quality (MDEQ). The applicant will provide a copy of the MDEQ approval for the septic systems at the time of final plat. **(Condition #1)** Maintenance of the individual cisterns will be the responsibility of the homeowner.

It is proposed that each lot, within the proposed subdivision, will have a septic system. The proposed septic systems will need to be reviewed and installed in accordance with Section 4.8 of the Yellowstone County Subdivision Regulations and will need to have MDEQ approval. The applicant will provide a copy of the MDEQ approval for the septic systems at the time of final plat. **(Condition #1)** Maintenance of the individual septic systems will be the responsibility of the homeowner.

b. **Streets and roads** – There will be several new roads within the proposed subdivision. These roads will be public roads and will be built to Yellowstone County Paved Road Standards in accordance with Table 4.6.C.1 within 60-foot-wide rights-of-way.

The applicant will be required to create an RSID for maintenance of roads within the subdivision. **(Condition #4)**

A Traffic Impact Study (TIS) has been submitted for this subdivision. It is being reviewed by County Public Works for impacts to the roads and intersections in the area. Intersections included within the study is the intersection of Hillcrest Road and Collier Road, and the intersection of Blue Creek Road and Collier Road. **(Condition #8)**

c. **Fire and Police services** – The property is not within the Blue Creek Fire Service Area for structure protection. The applicant is heavily recommended to petition the Yellowstone County Department of Emergency Services to expand the service area boundary of Blue Creek Fire Department, as described in Montana Code Annotated (MCA) 7-33-2401 (**Condition #5**) The two proposed 30,000-gallon dry hydrant tanks will be build according to Billings Fire Department standards or tested and approved prior to final plat by the Blue Creek Fire Department, if the aforementioned petition to expand the service area is approved. The applicant will be required to create an RSID for maintenance of dry hydrant tanks within the subdivision. (**Condition #6**)

The Yellowstone County Sheriff's Department will provide law enforcement services to this subdivision.

d. **Solid Waste disposal** – The Billings Landfill has capacity for solid waste disposal. Solid waste will be collected and disposed of by a private garbage collection company. Each lot owner will be responsible for arranging for collection.

e. **Storm water drainage** – Storm water drainage shall satisfy Yellowstone County Storm Water Management requirements and MDEQ. A storm water plan will have to be reviewed and approved by the MDEQ to ensure the proposed stormwater management is feasible and will work satisfactorily. (**Condition #1**)

f. **School facilities** – The proposed subdivision is served by School District 2 and School District 3. The property will be served by Blue Creek Elementary, Riverside Middle School, and Senior High School. Blue Creek Elementary and Riverside Middle School are both under capacity and Senior High School is nearing capacity. Blue Creek Elementary is under capacity with 146 students with a maximum capacity of 235. Riverside Middle School is under capacity with 463 students with a maximum capacity of 605. Senior High School is nearing capacity with 1638 enrolled students and a maximum capacity of 1686.

g. **Parks and recreation** – This proposed subdivision is required to provide parkland. The applicant is required to provide 4.42 acres of parkland, and has provided 0 acres. The applicant shall provide Yellowstone County with a cash-in-lieu contribution to satisfy the parkland dedication requirement. Determination of the cash-in-lieu contribution shall be done in accordance with the Yellowstone County Subdivision Regulations.

h. **Postal Service** – The USPS responded to request for comments. The mailboxes for the proposed subdivision will need to be setup with a centralized box location with other mailboxes located on the corner of Collier Road and Secret Valley Drive. If there are any questions they can contact the USPS. The applicant will be required to coordinate with the USPS to ensure they are providing what has been requested. (**Condition #2**)

i. **Historic features** – No known historic or cultural assets exist on the site. The applicant reached out to Montana State Historic Preservation Office for comment, and they

requested should anything be found of historical/cultural significance during the project that their office be contacted.

**j. Phasing of Development** - The applicant is proposing to phase this subdivision. There are seven (7) phases being proposed. Associated infrastructure for each phase shall be installed in accordance with emergency service standards and Yellowstone County Public Works standards. Infrastructure installation, phase opening dates, and lots included in each phase are within the SIA. **(Condition #7)**

<b>Phase</b>	<b>Lots</b>	<b>Timeline</b>
Phase 1	Lots 1 and 2	Immediately
Phase 2	Lots 30-40	June 1, 2025
Phase 3	Lots 3-8, 44 and 45	June 1, 2027
Phase 4	Lots 28-29, 41-43, and 46-48,	June 1, 2029
Phase 5	Lots 9-16 and 50	June 1, 2031
Phase 6	Lots 17-21 and 49	June 1, 2033
Phase 7	Lots 22-27	June 1, 2035

**3. Effects on the natural environment**

The applicant submitted an environmental assessment in accordance with the Yellowstone County Subdivision Regulations. Within the environmental assessment the Montana State Library Natural Heritage Program (MTNHP) report identified plant species that could be on the property as Giant Helleborine, Letterman’s Needlegrass, and Double Bladderpod. The development will use noxious weed control measures to prevent the spread of noxious weeds to adjacent developed or agricultural land. Prior to final plat approval, the applicant will apply for and obtain a weed management plan with the County Weed Department. That plan will be submitted with final plat approval. **(Condition #3)**

There are no apparent or known natural hazards on the property. Slopes over 25% are not proposed for building sites without a geotechnical report.

**4. Effects on wildlife and wildlife habitat**

A subdivision that contains over 200 acres will create some impact on wildlife and wildlife habitat. The applicant submitted an environmental assessment as required by the Yellowstone County Subdivision Regulations. MTNHP identified that there have been observations of several Species of Concern (native wildlife that are at-risk due to declining population trends, threats to their habitats, restricted distribution, and/or other factors) in the area based on the Section, Township and Range of the proposed subdivision. The Yellow-billed Cuckoo, Plumbeous Vireo, Eastern Screech Owl, Sharp-tailed Grouse, Golden Eagle, Black-and-white warbler, Burrowing Owl, Ferruginous Hawk, Northern Hawk Owl, Pinyon Jay, Veery, Black-billed Cuckoo, Broad-tailed Hummingbird, Green-tailed Towhee, Common Poorwill, American White Pelican, Hooded Merganser, Short-eared Owl, Dickcissel, Long-billed Curlew, Brewer’s Sparrow, Loggerhead Shrike, Rufous Hummingbird, Red-headed Woodpecker, Eastern Bluebird,

Greater Sage-Grouse, Ovenbird, Cassin's Finch, Bobolink, Sprague's Pipit, Sage Thrasher, Evening Grosbeak, Great Blue Heron and the Great Gray Owl are all native bird species of concern or potential concern that may inhabit the area. The Bald Eagle, a special status species, has also been observed in the area surrounding this subdivision. Other species of concern or special concern include the Western Milksnake, Monarch, Suckley Cuckoo Bumble Bee, Greater Short-horned Lizard, Snapping Turtle, Great Plains Toad, Plains Hog-nosed Snake, Northern Leopard Frog, Spiny Softshell, Berry's Mountain snail, Black-tailed Prairie Dog, Dwarf Shrew, Merriam's Shrew, Hayden's Shrew, Meadow Jumping Mouse, Canada Lynx, Grizzly Bear, North American Porcupine, Western Spotted Skunk, Long-eared Myotis, Spotted Bat, Eastern Red Bat, Silver-haired Bat, Fringed Myotis, Little Brown Myotis, Townsend's Big-eared Bat, Long-legged Myotis, Hoary Bat, and fish species Brook Stickleback, Burbot, Sauger, and Yellowstone Cutthroat Trout. It's important to note that these are observations within the entire township, section, and range; the species have not necessarily been observed at the site. It's also important to note that since there is not year-round surface water on the property, the likelihood of any fish species inhabiting this proposed subdivision is extremely low. The Planning Division has reached out to several Montana Fish Wildlife and Parks biologists for Region 5. At the time of writing this report, no response has been received. A paragraph in the 'Conditions that Run with the Land' section of the SIA warns future lot owners of the likely presence of wildlife in the area and their potential to damage residential landscaping.

#### **5. Effects on public health and safety**

Plans and designs for the water and septic system will be reviewed and approved by MDEQ prior to final plat approval to ensure public health and safety.

Emergency services are provided for this proposed subdivision from the Blue Creek Fire Department and Yellowstone County Sheriff's department. The subdivision is not within the structure protection area of Blue Creek Fire Department, but is within the wildland urban interface protection area of Blue Creek Fire Department. It is highly recommended that the applicant petition for a boundary amendment to the Blue Creek Fire Department service area to obtain structure protection of the subdivision. As a requirement of subdivision two 30,000 gallon dry hydrants are provided within the subdivision.

#### **B. Was an environmental assessment required? If yes, what, if any, significant adverse impacts were identified? (76-3-603 MCA) (Chapter 9, YCSR)**

An environmental assessment was required for this subdivision pursuant Section 9.2 C of the County Subdivision Regulations. In the environmental assessment, it was determined that the impacts to the environment, which include, agricultural, water user facilities, natural environment wildlife and habitat, will be minimal. The land is not currently being used for agricultural purposes, but was used as grazing land in the past. There have been observations of endangered species in the area based on the Section, Township and Range of the proposed subdivision. The applicant and the Planning Division have reached out to FWP for comment on endangered species but received no response at this time.

**C. Does the subdivision conform to the Yellowstone County 2008 Growth Policy, the 2023 Urban Area Transportation Plan and the Billings Area Bikeway and Trail Master Plan Update? [BMCC 23-302.H.4.]**

**1. Yellowstone County - 2008 Growth Policy**

The subdivision is consistent with the following goals of the Growth Policy:

- Goal: Predictable land use decisions that are consistent with neighborhood character and land use patterns. (p. 6)

*The subdivision is consistent with the type of residential development in the surrounding area.*

- Goal: New developments that are sensitive and compatible with the character of adjacent County town sites. (p. 6)

*There is residential development directly adjacent to the subject property.*

- Goal: Controlled weed populations. (p. 9)

*The developer shall complete a weed management plan and shall provide a re-vegetation plan for any ground disturbed by development.*

**2. 2023 Urban Area Transportation Plan**

The subject property is partially within the boundary the 2023 Urban Area Transportation Plan. The subdivision will be accessed from Collier Road, a dedicated collector road. All the proposed internal roads will be local roads.

**3. Billings Area Bikeway and Trail Master Plan Update (BBTMP)**

The subject property is within the Billings Area Bikeway and Trail Master Plan Update. Collier Road is intended to contain a bike lane at the time of future road building or widening along Collier Road. This subdivision will not be widening Collier Road, so no additional construction is required at this time.

**D. Does the subdivision conform to the Montana Subdivision and Platting Act (MSPA) and to local subdivision regulations? [MCA 76-3-608 (3) (b) and Section 3.2 (3) (a) YCSR]**

The proposed subdivision meets the requirements of the MSPA and the YCSR. The subdivider and the local government have complied with the subdivision review and approval procedures that are set forth by local and state subdivision regulations.

**E. Does the subdivision conform to sanitary requirements? [Section 4.8 (C) and 4.9 (C), YCSR]**

The subdivider must receive approval from the MDEQ prior to final approval. New parcels are subject to DEQ review.

**F. Does the proposed subdivision meet any applicable Zoning Requirements? [Section 3.2 (H) (3) (e), YCSR]**

The proposed subdivision is partially within a zoned area of RR3 and partially outside of Yellowstone County.

**G. Does the subdivision provide for necessary planned utilities? [MCA 76-3-608 (3) (c) and Section 3.2 (H) (3) (b), YCSR]**

Private utilities are to be installed in the public road right-of-way or utility easement. Should the private utility companies require easements the applicant will be required to coordinate the easements needed with the private utility companies.

**H. Does the proposed subdivision provide for Legal and Physical Access to all lots? [MCA 76-3-608 (3) (d) and Section 3.2 (H) (3) (c) (d), YCSR]**

Legal and physical access will be provided for the new proposed lots from Collier Road. The internal streets will provide access to individual lots.

**CONCLUSIONS OF FINDINGS OF FACT**

- This subdivision does not create adverse impacts that warrant denial of the subdivision.
- Impacts to agriculture, water user facilities, local services, public health and safety, the natural environment, and wildlife should be minimal, and can be mitigated by reasonable conditions of final plat approval.
- The subdivision conforms to some of the goals of the Growth Policy.
- The applicant has complied with the MSPA and YCSR processes and the subdivision conforms to the law requirements.

**RECOMMENDATION**

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Collier Ridge to the Board of County Commissioners and adopt the Findings of Fact as presented in the staff report, the SIA and Waiver.

## Kelly, Hunter

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**From:** Rick Cortez <Bluecreekfire@hotmail.com>  
**Sent:** Thursday, November 14, 2024 1:57 PM  
**To:** Vickers, Anna; Kelly, Hunter  
**Subject:** [EXTERNAL] Re: Blue Creek Fire Department - Collier Ridge Subdivision

Anna, I am ok with the proposed locations of the dry hydrants. Rick.

Sent from my Verizon, Samsung Galaxy smartphone  
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**From:** Vickers, Anna <VickersA@billingsmt.gov>  
**Sent:** Thursday, November 14, 2024 10:00:37 AM  
**To:** Rick Cortez <Bluecreekfire@hotmail.com>; Kelly, Hunter <KellyH@billingsmt.gov>  
**Subject:** RE: Blue Creek Fire Department - Collier Ridge Subdivision

Hi Rick,  
Thank you for getting back to us. Are you okay with the proposed locations of the Dry Hydrants?



**Anna Vickers**  
Planning Division Manager  
[vickersa@billingsmt.gov](mailto:vickersa@billingsmt.gov)

[billingsmt.gov](http://billingsmt.gov)

*MAIL TO:*  
PO Box 1178  
Billings, MT 59103  
*PHYSICAL ADDRESS:*  
2224 Montana Ave.  
Billings, MT 59101

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**Starting August 28, 2024, the Planning Division  
can be located in the Depot, 2224 Montana Ave.**

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**From:** Rick Cortez <Bluecreekfire@hotmail.com>  
**Sent:** Thursday, November 14, 2024 9:50 AM  
**To:** Kelly, Hunter <KellyH@billingsmt.gov>

**Cc:** Vickers, Anna <VickersA@billingsmt.gov>

**Subject:** [EXTERNAL] Re: Blue Creek Fire Department - Collier Ridge Subdivision

Good morning, the developer of this proposed subdivision will need to submit an annexation form to the BCFS Board for consideration of annexation. The developer can contact the fire department to get an annexation form or the county DES office to get a form drawn up. This annexation request needs to be completed while it is under sole ownership. Blue Creek Volunteer Fire Department will be the emergency responding agency for this proposed subdivision. The fire department provides structural and wildland fire suppression and non transporting BLS emergency medical services. With the proposed additional dry hydrants for this development, there would not be any other concerns with the proposed subdivision. If there are any further questions feel free to reach out to me. Thanks, Chief Cortez.

Sent from my Verizon, Samsung Galaxy smartphone

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**From:** Kelly, Hunter <KellyH@billingsmt.gov>

**Sent:** Thursday, November 7, 2024 9:05:19 AM

**To:** [Bluecreekfire@hotmail.com](mailto:Bluecreekfire@hotmail.com) <[Bluecreekfire@hotmail.com](mailto:Bluecreekfire@hotmail.com)>

**Cc:** Vickers, Anna <VickersA@billingsmt.gov>

**Subject:** Blue Creek Fire Department - Collier Ridge Subdivision

PZX-24-00197 : PZX5 - SUB - COUNTY MAJOR SUBDIVISION

UNASSIGNED

AA Properties (Collier Ridge)

Greetings Blue Creek Fire Department. Yellowstone County has received an application for a Major subdivision. Currently this proposal outside the structural protection boundary for the Blue Creek FSA, but is within the wildfire protection area, according to the maps available to us. Please provide feedback regarding any and all fire protection services your department will have on this proposal.

QUESTIONNAIRE: Complete the items below and include a statement of other comments and/or concerns.

1. Additional comments or concerns:
2. Type of fire service? (Volunteer, Structure Fire Equipment, Grassland fires only, EMS Capability)
3. Does the proposed subdivision have a dry hydrant or other approved water source within ½ mile of the furthest proposed structure in the development? If so, describe the water supply.
4. Will an additional water source be needed?
5. Do you have additional concerns related to water supply and access to the subdivision? If yes, please describe.
6. Are there wildland urban interface concerns related to water supply and access to the subdivision? If yes, please describe.



**Hunter Kelly, AICP**  
Planner I  
[KellyH@billingsmt.gov](mailto:KellyH@billingsmt.gov)

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**Please note starting August 27, 2024 the Planning Division can be located at the Billings Depot, 2224 Montana Ave**



3652 Blue Creek Road • Billings, MT 59101  
Phone: 406-259-0653 • Fax: 406-259-9378

November 18, 2024

Hunter Kelly  
Planner I, City of Billings  
210 N 27th Street  
Billings, MT 59101

Re: Blue Creek School SD3 Enrollment

Mr. Kelly,

This letter is in reference to our phone conversation regarding enrollment at Blue Creek school, School District 3. Information will be provided the four points:

1. Misinformation that the school district is at capacity
2. Current and historical enrollment
3. Open enrollment in the state of MT
4. Land owned by the school district

1. **Misinformation that the school district is at capacity:** This is inaccurate and unfortunate this was presented to you by an individual. You are welcome to refer this individual to the district, we would be happy to communicate correct information to them as well. As previously conveyed in meetings attended by administration, phone communications, and email communications, the school district is currently not at capacity nor is the school overloaded.
2. **Current and historical enrollment:** Also previously conveyed, enrollment has declined over the years. Attached is a table showing the enrollment history for the past 20 years, additional years may be provided if needed. BOY-Beginning of Year enrollment and EOY-End of Year Enrollment are displayed. For a few years this information was not available so overall enrollment is provided for comparison. As you can see enrollment has declined.

At the peak of enrollment, the building had the capacity of approximately 235 students, operating 11 classrooms at that time. There has been a decline in the number of students as well as the number of staff. The school went from needing 11 classrooms, to the current year, where there are only 8 classrooms needed. It should also be noted, that even with those eight classrooms, the school is under accreditation standards in all of those rooms. We have many constituents with non-school-aged children and not as much new building as other areas of the city etc. At this point, the school district is able to sustain enrollments based on new home construction, new families moving in, or open enrollment requests (see item 3).

3. **Open enrollment in the state of MT:** An additional impact on enrollment is due to the new open enrollment law (HB 203) which was just implemented in the state of Montana in the fall of 2024. This allows any family to choose a school of their desire and the district of residence is responsible to pay that tuition. For example, if the family of a second grader residing in the Blue Creek School District chooses to enroll that student in a neighboring school district, and they are accepted, Blue Creek School, SD3 is responsible for those tuition costs to the enrolling district. We do have families who have chosen to utilize this option which impacts our enrollment. The same may be for families moving into new construction homes, rentals, or purchasing previously owned homes in Blue Creek School, SD3. We may also receive students whose families make a request to Blue Creek School, SD3, for enrollment. Thus, we stand to lose or gain students based on this.
4. **Land owned by the school district:** Lastly, Blue Creek School, SD3, still owns land in the Briarwood Subdivision. The original intent was to build a second building to house grades 5 through 8. At the time, the decline in the economy, and more recently the decline in enrollment, this did not come to fruition. The trustees chose to keep that land should enrollment increase to the point that there is a need. Many factors would need to come into play for that however. Again, open enrollment affects this overall as well as the needs of the district.

In summary, Blue Creek desires enrollment of students and their families at this time in order to continue the topnotch education and positive learning experiences we are able to provide. Thank you for your interest in our school. I am available for further communications or questions.

Respectfully,

*Mrs. Rude*

Mrs. Cathi Rude,  
Superintendent/Principal  
[rude@bluecreekschool.org](mailto:rude@bluecreekschool.org)  
406-259-065 ext 6

Cc: Anna Vickers, Planning Division Manager, City of Billings  
Encl: enrollment history

## Blue Creek School SD3 Enrollment History

Year	BOY Total Enrollment	EOY Total Enrollment	Overall enrollment (prior to SY 2009-2010)
SY 2004-2005	unavailable	unavailable	200
SY 2005-2006	unavailable	unavailable	208
SY 2006-2007	unavailable	unavailable	229
SY 2007-2008	unavailable	unavailable	217
SY 2008-2009	unavailable	unavailable	203
SY 2009-2010	190	189	
SY 2010-2011	195	202	
SY 2011-2012	197	196	
SY 2012-2013	195	191	
SY 2013-2014	199	201	
SY 2014-2015	201	190	
SY 2015-2016	198	207	
SY 2016-2017	196	197	
SY 2017-2018	194	195	
SY 2018-2019	189	203	
SY 2019-2020	192	183	
SY 2020-2021	177	180	
SY 2021-2022	178	182	
SY 2022-2023	185	178	
SY 2023-2024	174	169	
SY 2024-2025	146	?	