

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, APRIL 06, 2021**

A Council Workshop was held in Council Chambers and called to order by Mayor Tom Nelson at 6:31 p.m. on April 6, 2021.

COUNCIL MEMBERS PRESENT:

<input checked="" type="checkbox"/> Emelie Eaton	<input checked="" type="checkbox"/> Heidi Sparks
<input checked="" type="checkbox"/> Bruce McGee	<input checked="" type="checkbox"/> Richard Herr
<input checked="" type="checkbox"/> Scot Stokes	<input checked="" type="checkbox"/> Irv Wilke
<input checked="" type="checkbox"/> Richard Klose	<input checked="" type="checkbox"/> Don Nelson

OTHERS PRESENT:

Brent Peters, Fire Chief
Nick Altonaga, Planning Director
Sam Painter, City Attorney
Karen Courtney, Building Official
Matt Wheeler, Maintenance Superintendent
Jessica McCartney, 303 Union President

Public Input:

DJ Poolet, 809 8th Ave, briefly read the attached handout. She requested that Council address this at the next Council meeting. This process would need to start now so people can have their chicken coops ready by winter.

Mayor Nelson stated that he would take that under advisement and asked that Ms. Poolet speak with her Wards Council Member.

General Items

1. Appointment of Jake Worden to the Laurel Volunteer Fire Department.

Brent Peters, Fire Chief, introduced Mr. Worden to Council.

It was questioned if Mr. Worden had any previous experience. Mr. Worden stated that he did not have any advanced training. He was a Boy Scout and achieved Eagle Scout.

2. Appointment of Russ Bunn, Andrew Zimmermann, Mariel Riley, and Amanda Hemmen to the Laurel Volunteer Ambulance Service.

Mayor Nelson stated that the Ambulance Director could not attend this evening; her letter is attached to this set of minutes.

3. Appointment of Katie Fjelstad to the Library Board for the remainder of a five-year term ending 6/30/2023.

Katie Fjelstad briefly introduced herself to Council. She briefly reviewed her attached letter of interest.

Executive Review

4. Resolution - A Resolution Of The City Council Approving A Three-Year Agreement Between The City Of Laurel And Local Union Local 303, American Federation Of State, County And Municipal Employees, AFSCME.

Sam Painter, City Attorney, introduced Jessica McCartney, the Union 303 President. He was a member of the City team, and Jessica was a member of the team representing the Union. The process of negotiating was wonderful. They used an interspace bargaining technique. This is where both teams sit in the same room and someone from the State Department of Labor. All issues are brought forward and worked through together. This negotiation took a total of 12 hours in two separate meetings. Jessica agreed that the process went very smoothly and that she was incredibly proud of both teams.

Sam briefly reviewed the changes proposed in this agreement, attached to these minutes. Any previous MOA's have been added to the contract. The City team recommends the contract.

One of the significant changes to the contract was the addition of the Sargent role. This role in the past had been a non-union position. This role will stay within the Union. They will have some supervisory responsibilities but not disciplinary responsibilities.

The Union has voted unanimously to ratify the contract.

5. Resolution - A Resolution Of The City Council Authorizing The Mayor To Request A Traffic Study For A Portion Of West Main Street Within The City Of Laurel.

Nick Altonaga, Planning Director, briefly reviewed the attached Staff letters. There are concerns about the speed and accidents at the intersection. The hope is to reduce the speed at the intersection and make it a controlled intersection.

It was requested what the turnaround is for this request. It was clarified that the timeframe for the turnaround is not clear. But they do not expect it to take too long.

It was further clarified that the State would evaluate the data and determine what type of intersection will work best for the area, including roundabouts.

6. Resolution - A Resolution Of The City Council Granting A Variance From The City's Zoning Ordinance To Disregard The Bufferyard Requirement, Sight-Obscuring Fence Requirement And Building Design Standards On A Parcel Of Property Located On East Railroad Street.

Nick Altonaga, Planning Director, briefly reviewed the attached Staff report.

Mayor Nelson stated that these are the same variances approved in the properties adjacent to this one.

7. Resolution - A Resolution Approving A Zone Change For Property Located At 801 East Main Street Within The City Of Laurel.

Nick Altonaga, Planning Director, briefly reviewed the attached Staff report.

This is a natural progression of the Central Business District. The Planning Director is in conversation with the gas station next door to apply for the same zone change.

8. Ordinance No. O21-02: An Ordinance Amending Certain Chapters Of Title 14 Of The Laurel Municipal Code Relating To The Adoption And Enforcement Of Building Codes For The City Of Laurel As Required By The State Of Montana.

Karen Courtney, Building Official, stated the State has now adopted the International Energy Conservation Code 2018 Edition. Because we are a certified City for Building/Code Enforcement, we must adopt the same thing. This change is adding the 2018 edition. She noticed when previously adopted; we forgot to add in the information required by the International Code Council, which were modifications to the residential building code—stating that it is the code for the City of Laurel and adding in the violation sections. The only one that has not been updated is the Fire Code, as it is still going through hearings at the State level.

Council Issues

9. Kids Kingdom Equipment Replacement Discussion

Mayor Nelson stated that the Kids Kingdom's wooden structures had been identified as needing to be replaced. A group has been working hard to raise funds to replace the playground equipment.

Council Member Stokes, Park Board Chair, stated the cost to fix the current playground equipment is more than it is to replace. There have been rumors of what is going on with the park, and we wanted to bring it forward to Council and have a discussion.

Rob Gray, 708 4th Avenue, stated he was here to represent the group working on fundraising to replace the equipment. He reviewed the quotes they have received to replace the equipment; see attached handout.

Each year Grace Bible Church does a service project. In recent years they have done projects for the City. This year they were told that Kids Kingdom needed repair. It did not take long to see the repairs needed were greater than the resources they have. Leathers came in and inspected the equipment. The estimate to restore was greater than the estimate to replace. We need to make the equipment safe for the kids and pass inspection. The cost to repair the current structure is approximately \$152k. It will extend the life of the equipment by ten years before it needs to be done again. To fully replace what is currently there will be approximately \$260k.

By chance had a conversation with the representative for Montana School Equipment, a company based out of Great Falls, when they were in town for the school and realized they do playground equipment as well. They gave a quote of \$121k for a complete replacement. Their design would make the playground more ADA compliant, be more open to giving parents better visuals of their children playing, and will last 30 to 40 years. They have also had conversations with Jares Fence about putting up a coated chain link fence. The goal is to keep the original entrance to the playground.

There has been concern about what will happen with the name pickets currently up there. There are quite a few of them. There is thought to maybe use them to cordon off the little's area from the big kid's area. The hope is that by moving them into the playground, there will be less vandalism. At worst, if the name pickets are unable to be repurposed, they would be returned to the people who purchased them. Jares Fence will be donating two benches for the park.

The goal is to raise \$150k for this project. While the quote is for \$121k, the equipment's cost has already gone up 6%. Montana School Equipment has assured the products will be available when they are ready to order; however, the cost has already risen. It takes approximately 8-11 weeks after ordering it to installation. So far, they are almost halfway to the fundraising goal. Overall they have raised almost \$60k for this project.

The other significant difference between using Leathers and Montana School Equipment is the number of volunteers needed. Leathers needed approximately 180-200 volunteers over a specific timeframe to construct the equipment vs. needing volunteers to demo the current structure and schedule the new equipment installation.

This park is heavily utilized, especially since the pool is not an option right now. Mayor Nelson stated parks and pools attract people to communities.

Council Member Stokes, Park Board Chair, stated that Park Board had discussed the disrepair at Kids Kingdom. Glad this group has stepped up to help address the situation. He appreciates all their hard work.

A Council Member noted the concern of removing the aging equipment without have a plan to replace it. This needs to stay as a service to the community. Park Board had been discussing what to do with the park before this group took up the fundraising. There was a possibility the park would go away.

It was questioned who owned the park. It was clarified the City owns the park; this group is volunteering the legwork to get this playground replaced. Park Board still needs to approve and recommend the design to Council. This conversation is to address some of the rumors related to this project.

Mayor Nelson clarified that originally Kids Kingdom was donated and installed by volunteers. It then became the property of the City. The Council would need to pass legislation allowing for the disposal of the current structure. He thanked this group for all their hard work with this project. There have been many hours put into identifying the best route and fundraising the funds.

Other Items

Review of Draft Council Agendas

10. Draft Council Agenda for April 13, 2021.

There were no changes.

Attendance at Upcoming Council Meeting

All Council Members present will be at next week's meeting.

Announcements

Mayor Nelson received an email from the Chamber of Commerce regarding a groundbreaking ceremony for the new hotel. That ceremony will be on April 16th at noon. Council is invited to attend.

The council workshop adjourned at 7:48 p.m.

Respectfully submitted,



Brittney Moorman
Administrative Assistant

NOTE: This meeting is open to the public. This meeting is for information and discussion of the Council for the listed workshop agenda items.

Introduction:

Thousands of cities across the United States and many cities here in Montana allow their citizens to raise Urban Chickens. Urban chickens are affectionately known as “pets with benefits”. Their small size and hardiness make them appropriate pets to own in urban areas of Montana. Chickens also provide many benefits such as fresh eggs, bug control, compostable waste, and economic opportunity.

Why are Laurel citizens lobbying for urban chickens now? We want them and the benefits that come with keeping them. Covid related supply chain issues from 2020 have many people returning to self-sufficient means to sustain their families. This is in the form of bigger gardens, preserving fruits and vegetables, and raising urban chickens for a steady source of protein.

There are local economic benefits to allowing citizens to raise urban chickens. A bigger sense of community is created in areas that allow chickens. Most chicken keepers tend to have attractive coops which are often purchased from local builders. Chicken keepers may have the opportunity to sell their eggs to local restaurants who appreciate having a fresh, organic supply found right in their back yard. Being able to give your neighbors extra eggs could also strengthen the relationships within our community. Many people in addition to the chicken owners could benefit from allowing citizens to keep chickens.

The following proposal to change Laurel City Ordinance 6.16.010 is taken from successful programs in Montana cities such as Billings, Missoula, Kalispell, and Bozeman.

Proposed changes to Laurel City Ordinance 6.16.010

1. Remove Chickens from the list of “keeping certain animals prohibited”.
2. A permit to keep urban chickens shall have to be applied for and granted by the City of Laurel. Costs for the permit ranges from \$15 to \$25 dollars in other cities.
3. Chickens may only be raised in single family lots. Residents in multiple family lots must obtain permission in writing from all other tenants and landlord prior to applying for a permit.
4. No more than (6) hens are allowed.
5. Roosters are prohibited.
6. No chicken coop shall be within 10 feet of a property line or public right of way.
7. During daylight hours the chickens must be allowed to roam in an outdoor predator proof enclosure or run.
8. Chickens must be in their coop from sunset to sunrise.

9. Coops must be predator-proof and provide adequate ventilation in the summer and warmth during winter months. Coops must accommodate 2 square feet per chicken.
10. Coops must be able to be easily cleaned and maintained by the owner.
11. The owner must not allow noxious odors from the animals or their enclosure to become offensive to neighbors or passerby's.
12. Chicken feed must be stored in rodent proof containers.

Possible Concerns and Possible Solutions

Concern: Chicken waste stinks.

Solution: Limiting the number of allowed chickens to 6 would minimize waste produced by the chickens. The waste that is produced by chickens could create a valuable fertilizer. In addition to producing valuable fertilizer chickens are great for composters, which means less trash being thrown away and more opportunity to recycle.

Concern: Chickens are noisy.

Solution: Allow hens only. Hens do not crow like roosters. Keeping the hens in their henhouse from sunset to sunup would also minimize the possible noise that may happen during the portion of the evening when large amount of people may be sleeping.

Concern: Chickens will be loose around the neighborhood.

Solution: Keeping chickens in a predator proof coop or run would mean that the chickens are enclosed within enclosure and not loose.

Concern: Property values will be affected by chickens.

Solution: Keeping coops tidy would not affect a property value, instead it may create a more desired environment for a homeowner.

Concern: Allowing chickens will open the door to allowing other livestock in the city limits.

Solution: The State of Montana classifies chickens as poultry or fowl. Allowing poultry or fowl would not be the same as allowing livestock.

Concern: Chickens attract rodents and insects.

Solution: Keeping feed in a locked container when not in use would prevent the attraction of mice. Some chickens do eat mice and all chickens eat many insects, including but not limited to grasshoppers.

Concern: Chickens will create an issue for Code Enforcement.

Solution: Require a permit to keep chickens. This allows Code Enforcement to address issues with chicken owners on an individual basis.

Conclusion:

Raising urban chickens has far more benefits than risks. Allowing the people to experience the many other opportunities and benefits of chickens could be a great thing for Laurel's citizens. Thousands of American cities including many Montanan cities have successful programs and encourage the raising of urban chickens. Urban chickens provide a clean, sustainable source of protein in a time when food supply chains have become uncertain. We ask that you allow the citizens of Laurel to raise urban chickens alongside the many other successful chicken owning urban families across the United States.



CITY OF LAUREL
MONTANA
EMERGENCY MEDICAL SERVICES
215 W 1ST ST
LAUREL, MONTANA – 59044
OFFICE: (406) 628 – 1611 | DISPATCH: (406) 628 - 8737



Dear Mayor and City Council,

We are excited to announce that we have EMS providers interested in joining our EMS service as volunteers. We have interviewed the following people and would be excited to bring them onto our team.

- Ross Bunn, paramedic, Ross was a Medic in the Army and also an AMR medic for many years. Ross also spends countless hours volunteering his time to teach at EMT classes. He is currently going through electrician school but misses patient care, teaching EMS providers and running on an ambulance and feels like this would be a perfect fit. I believe he will be a great asset to our team.
- Andrew Zimmermann, EMT, he has EMS experience from serving as a volunteer in Worden for many years. He also spends countless hours volunteering his time teaching at EMT class. Andrew is a hard worker with excellent skills and will be a great fit for our team.
- Mariel Riley, EMT, she is a new EMT, however is currently gaining experience by working at AMR, her goal is to become a paramedic and she works with some of our providers and feels that she would love to spend time volunteering for Laurel to gain greater experience and work with our team.
- Amanda Hemmen, EMT, is a fairly new licensed EMT currently gaining patient care experience in the StVs ED. Her goal is to become a physician but she has a strong desire to provide care in a prehospital setting. We feel that her personality and desire to learn will be a great fit for our team.

Thank you very much for your consideration on these candidates.

Lyndy Gurchiek, NRP, Director
Laurel EMS
215 W 1st Street
Laurel, MT 591044
lgurchiek@laurel.mt.gov
406-860-8233



Laurel Public Library

720 West 3rd St. • ~~P.O. Box 68~~ • Laurel, MT 59044

(406) 628-4961 • library@laurelpubliclibrary.org • www.laurelpubliclibrary.org

March 10, 2021

Mayor Nelson,

The Library Board of Trustees have reviewed the two letters of interest received at the library for the Board vacancies. Either candidate is acceptable to the current participating members. Please advise the candidates of their status as soon as possible. Thank you for your attention to this matter.

Sincerely,

Nancy L Schmidt

Director

Laurel Public Library

406.628.4961

January 20, 2021

Mayor of Laurel and Laurel Public Library trustees
Laurel Public Library
720 W 3rd St.
Laurel, MT

Dear Mayor of Laurel and Laurel Public Library trustees,

My name is Katie Fjelstad and I am interested in becoming a Laurel Public Library trustee. I am a long-time Laurel resident, wife of a Laurel native, and mother of two young children. I am also a registered nurse. I have had a deep love of reading and literature since first grade and three years as a Comparative Literature major at the University of Wisconsin.

I have an interest in helping the Laurel Public Library pursue community goals. I am interested in children's literature in particular, but I have an interest in all types of media and how the library operates. I also work with the elderly and could be a resource to you on how to reach this population.

I work part time and I have been looking for an opportunity to devote energy to a cause in which I feel strongly. Feel free to call me at 406-670-2338 or email me at katiefjelstad@yahoo.com if you have further questions.

Thank you for your time.

Sincerely,

Katie Fjelstad

Boyd 2.1.21 n.c

January 2, 2021

Administrative Assistant
City of Laurel
P. O. Box 10
Laurel, Mt. 59044

Attention: Thomas C. Nelson - Mayor City of Laurel
Nancy Schmidt - Director of the Laurel Public Library

I am writing in regards to a trustee position that is open with the Laurel Public Library board. As I have been a former Trustee and working officer with the Laurel Library board, I feel I have the training and broad work experience that will qualify me to be a part of this very elite group. As a member of the board, I would also be the Rural board member - giving a voice to the patrons living outside your city limits. I understand the importance to actively work with the fellow board members by attending all meetings, trainings and workshops. I also will look forward to working with volunteers and board members on book sales, summer reading programs, any and all activities as needed. I will be available to attend the State Library Federation Meetings which are held twice a year and working with other knowledgeable representatives. There library board members not only exchange ideas, discuss funding but serve as a united front in the educational needs of our communities.

At this time our library is of great importance to the community. It has been named as an essential community area- serving meals to the community children, offering the use of computers, information on what is happening in our area and of course the reading that we have all enjoyed. It is considered the one safe gathering place where everyone can feel welcome.

I believe that as a board member I can offer a knowledgeable talent to your library board, helping the library continue to grow and flourish with the times. I would like to continue to be a part of the team that has helped to keep the doors of the Laurel Library open. I would find it a pleasure to meet with you on a one to one basis at your convenience.

Thank you for your time.



Clair Killebrew
406-690-3411

Rec'd 1.18.21 n.s.

Council handout

- 1) 3-year contract to run July 1 2021 to June 30 2024.
- 2) Detectives pay – removed language “for city cases” from contract – any member assigned to the Detective position will now receive the \$1.00 per hour as incentive pay. “b. Detectives – Union members who are assigned to the detective division **for city cases** will receive an additional one dollar (\$1.00) per hour as incentive pay for these additional responsibilities.”
- 3) Sergeants pay - c. Sergeant – Union members who are assigned to the Sergeant position will receive an additional one dollar and fifty cents (\$1.50) per hour as incentive pay for these additional responsibilities.
- 4) Canine pay – d. Canine Officer – Union members who are assigned to the Canine position will receive a three hundred and fifty dollar (\$350) monthly stipend as incentive pay for the additional responsibilities associated with having a dog.
- 5) TAC/Assistant TAC - e. Terminal Agency Coordinator (TAC) – Union members who are assigned to the Assistant TAC position will receive an additional one dollar (\$1.00) per hour as incentive pay for these additional responsibilities. The Union member who is assigned to the TAC position will receive an additional one dollar and fifty cents (\$1.50) per hour as incentive pay for these additional responsibilities. (For fiscal year 21/22 Assistant TAC will receive incentive pay of fifty (.50) cents per hour and TAC will receive seventy-five (.75) cents per hour and for Fiscal year 22/23 Assistant TAC will receive an additional fifty (.50) cents per hour and TAC will receive an additional seventy-five (.75) cents per hour, in addition to the overall percentage wage increase.)
- 6) Bereavement leave – language shored up to reflect - Upon the death of a member of the employee’s immediate family, an employee may be granted up to three (3) working days off with pay **for the employee’s work period, not to exceed 24 hours for each death.**
- 7) Shift Bid language - b. ~~Police officers and~~ Dispatchers shall bid for shifts three times each year and shall begin on the first Monday **of a new pay week** in the months of January, June and September. Police Officers shall bid shifts three times each year and shall begin on the first Monday of a new pay week in the month of January. Shift bids for the months of May/June and August/September shall be on the first Monday of a new pay week to coincide with the beginning and ending of the school year (Shift bids will coincide with the vacation request. Each employee will have five (5) calendar days

to complete their request at which time it will proceed to the next employee in order of seniority

Language was also added to reflect possibility of part time personnel in the parking/animal control –

g. The work period for part-time personnel shall be assigned as needed by the Employer's Chief of Police or designee.

8) Gym Membership - Section 8. Gym Membership: ~~The City agrees to pay the annual gym membership, up to \$300.00 per year per employee, who elect to participate in the Gym Membership program offered through the City's insurance plan. If the City's insurance plan no longer offers provisions for gym membership, the City agrees to reimburse the employee up to \$300.00 per year for gym membership. Reimbursement will only be made after the employee provides the City a gym membership receipt.~~ ~~The City agrees to pay the annual gym or fitness center membership for each employee at the Locomotion Fitness Center to encourage employee health and wellness. If an employee elects to utilize a different fitness facility, the City agrees to reimburse the employee up to \$300.00 per year for his/her membership. Reimbursement will only be made after the employee provides the City a gym membership receipt showing he/she has in fact paid for the membership.~~

9) WAGES – 3-year contract increases are year 1 and 2 - 2% and year 3 - 3%

2% to base Year 21/22

2% to base Year 22/23

3% to base Year 23/24

CITY HALL
115 W. 1ST ST.
PLANNING: 628-4796
WATER OFC.: 628-7431
COURT: 628-1964
FAX 628-2241

City Of Laurel

P.O. Box 10
Laurel, Montana 59044



Office of the City Planner

January 13, 2021

Regarding the Need for a Traffic/Speed Study at the Intersection of West Main Street and 5th Avenue.

Mr. Mayor and City Council,

I would like to have City Council discuss approving the submittal of a letter to MDT to study the intersection of West Main Street and 5th Avenue. Chief Langve contacted me in the fall to discuss the need for a traffic and/or speed study at the intersection of West Main Street and 5th Avenue. Increased development on the western edge of Laurel and the recent opening of the West Laurel Interchange will bring increased traffic volume into the city. He would like to see some sort of traffic/speed mitigation to handle the steady increase in traffic in that area.

Chief Langve and I would like to see this intersection studied by MDT. MDT can conduct a traffic/speed study of the situation after receiving a letter from the City Council officially stating the request. I would be happy to draft the text of a letter to provide to MDT on behalf of the City Council. I have also provided Chief Langve's letter on the situation. Please let me know if you have any questions about this request. Thank you for your time.

Regards,

Nicholas Altonaga, CFM

Planning Director



LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

Chief of Police Stanley J Langve

September 30, 2020

To whom it may concern,

I am writing regarding traffic concerns on West Main Street in Laurel, MT. Currently the speed limit increases from 25 MPH to 35 MPH as you are west bound on West Main Street near the intersection with 4th Avenue. It then increases to 45 MPH around the 900 Block of West Main Street.

I am a lifelong resident of Laurel and this has been the speed limit configuration for as long as I can recall. Both as a resident and a Police Officer, I have noticed many changes in Laurel over the decades. The City of Laurel is growing as is the area surrounding Laurel. This has meant an increase in businesses, population density, and vehicle traffic. I have long believed that the 35 MPH speed limit from 4th Avenue to the 900 block of West Main Street was too fast and should be reduced to 25 MPH out to the west of Wood's Powr -Grip. With the recent improvements of the West Laurel interchange there will be significant increases to vehicle traffic and development to the west side of Laurel. In my opinion, this is a change that is decades overdue.

I also support a study to determine the feasibility of making the intersection of West Main Street and 5th Avenue a 4-way stop. There is significant traffic that uses the 5th Avenue crossing due to refinery traffic and the Laurel South School. With West Main being a through street, it creates a significant hazard with vehicles and school busses attempting to navigate the increased traffic flow aggravated by the 35 MPH speed zone. A 4-way stop would help traffic getting onto and leaving south 5th Avenue. It would also greatly increase the safety of bicyclists and pedestrians attempting to cross West Main Street.

These two easily implemented and inexpensive measures could be put into place quickly and greatly increase the safety of our motoring, bicycling, and pedestrian public.

Respectfully,

Chief Stanley J. Langve



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board
FROM: Nicholas Altonaga, Planning Director
RE: EBY Trailers – East Railroad Street Variance Request
DATE: March 24, 2021

DESCRIPTION OF REQUEST

A Variance Request Application was submitted by EEC Engineering for the property owner of ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 1B, AMD BLK 1 LT 1 (17), located on East Railroad Street in Laurel. Five (5) variances are being applied for to LMC Chapter 17.26 – Community Entryway Zoning District and Chapter 17.27 – SE 4th Street Overlay District. The affected property is currently not assigned an address. The parcel is zoned Highway Commercial and is within the Community Entryway Zoning District and SE 4th Street Overlay District. The applicant is requesting variances to disregard the bufferyard requirement, sight-obscuring fence requirement, and building design standards. The applicant is requesting four variances to LMC 17.26 – Community Entryway Zoning District including:

- a. 17.26.052 Development Standards Part B: Building Design Standards, Part 1,
- b. 17.26.052 Development Standards Part C: Additional Provisions for Commercial Uses,
- c. 17.26.054 Landscaping Standards part B.1: Bufferyard Requirements.
- d. 17.27.060 Building Design Requirements Part A
- e. 17.27.070 Site Design Requirements Part C.

Owner: TNL Big Sky LLC
Legal Description: ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 1B, AMD BLK 1 LT 1 (17)
Address: E. Railroad St.
Parcel Size: 3.2 Acres
Existing Land Use: Vacant Field
Proposed Variance: Design standards and landscaping standards within the Community Entryway Zoning District and SE 4th Street Overlay District.
Existing Zoning: Highway Commercial, Community Entryway Zoning District, SE 4th Street Overlay District

BACKGROUND AND PROCEDURAL HISTORY

- A pre-application meeting was held in December 2021 with the Planning Director, Building Official, and Public Works Director with staff from EEC Engineering, the representatives of the owner/developer.
- The Variance Application was submitted on January 29, 2021.
- The Variance Application fee was submitted on January 29, 2021.
- A Public Hearing took place at the Planning Board / Zoning Commission meeting on March 17, 2021 to receive public comment and approve, approve with conditions, or deny the variance requests.
- The Planning Board voted to approve the Variances with the updated Staff Conditions.
- A Public Hearing is scheduled at the City Council meeting on April 13, 2021 to receive public comment and approve, approve with conditions, or deny the variance requests.

STAFF FINDINGS

1. The variance application packet is attached and contains the application form, application cover sheet, detailed justification letter, fee receipt, a site plan, building design plans, and the public notice.
2. LMC 17.26.052 Part B states:
 1. All buildings shall be completed on all sides with one of the following finishing material: brick, fluted block, colored textured block, glass, stucco, architectural concealed fastener metal panels, exterior insulation and finishing systems (i.e., Dryvit, etc.), stone or wood. Exposed seam metal buildings shall be prohibited unless covered with an acceptable finishing material.
3. LMC 17.26.052 Part C. Additional Provisions for Commercial Uses states:
 1. Storage of Merchandise. Any permitted storage of merchandise outside an approved building shall be within an area enclosed with a sight obscuring fence at least six feet in height that is architecturally compatible in color and design with the building. However, promotional displays, vehicle sales lots and plant materials may be displayed outside of an approved building or enclosed area so long as they are placed appurtenant to a building wherein the business displays the bulk of its goods for sale. In addition, retail nurseries shall be exempt from the enclosure of plant materials, and displayed merchandise shall not include any used equipment. Bufferyards or required landscaping shall not be used for the displaying of merchandise.
2. LMC 17.26.054 Part B. Landscaping Standards states:
 1. Bufferyard Requirements. All commercial/Industrial land uses are required to place a bufferyard (landscaping strip) adjacent to and along the length of I-90, First Avenue North, or First Avenue South on which the use fronts. Such landscaping buffer shall extend from the edge of the public right-of-way. Placement and landscaping design shall be at the discretion of the developer, and the required trees and shrubs may be clustered to enhance the view of the property from the public right-of-way as long as such uses conform with Section 17.26.052(C) of this code. A local design professional or local nursery must be consulted for assistance with the development of the landscape design. The use of native, drought-tolerant plant material is strongly encouraged. Evergreen trees are

encouraged for bufferyards, and canopy trees are encouraged for parking areas. The planting of trees should be done in such a manner as to provide maximum solar efficiency throughout the site.

- a. The developer shall have the option of one of the following three bufferyards. Bufferyard depth is measured from the property line adjacent to the public right-of-way inward. Any buffer area which overlaps another buffer area shall be subtracted from the total to avoid double counting. The number of trees and shrubs required is per one hundred feet of frontage:
 - (1) Twenty-five foot wide bufferyard: five Canopy or evergreen trees, ten Shrubs
 - (2) Twenty foot wide bufferyard: ten Canopy or evergreen trees, fifteen Shrubs
 - (3) Fifteen foot wide bufferyard: fifteen Canopy or evergreen trees, twenty Shrubs
4. LMC 17.27.060 – Building Design Standards, Part A:
 - A. Exterior materials shall be sufficiently durable to ensure stability, maintainability, and long life. The materials to achieve a rustic western appearance are required. Buildings shall be finished with a minimum 40 percent half log and/or rock accents on the front façade.
5. LMC 17.27.070 – Site Design Requirements, Section C, which states:
 - a. Landscape islands are required at the terminal ends of all parking rows.
6. The applicant and staff discussed 17.26.052.B.1 and the significant design and building costs and opportunity costs to future business operations if the Community Entryway Zoning District codes are fully enforced as compared to similar businesses that currently exist within the same districts. The proposed design incorporates frontage and façade details and changes in materials and textures to keep with a rustic western aesthetic.
7. 17.26.052.C.1 requires a sight obscuring fence for businesses storing merchandise outside of an approved building. The applicant states that the facility will utilize a secure black 6' chain link fence in order to secure the site, as well as ensure full visibility of products for the travelling public.
8. In regard to 17.26.054.B.1, there currently exists a sanitary sewer utility line running along the southern boundary of the property which would present serious future maintenance issues and conflicts with established City of Laurel Public Works standards if a bufferyard was constructed as per code.
9. The Applicant is proposing architectural wood panels with concealed fasteners and exposed Douglas Fir Heavy Timbers as an alternative to the direct log accent requirement as stated in 17.27.060.A. It is stated that this meets the spirit, intent, and purpose of the code, and it would not affect or injure or result in injustice to others.
10. The Applicant is seeking a variance to 17.27.070.C. solely for the parking rows designated for employees. This is a targeted variance solely on areas not accessible to the public, and not visible to the general public accessing the site. This variance has been applied to in order to not limit the potential for frequent maintenance issues and allow flexibility on-site for removing and/or relocating display trailers and equipment from the showroom and storage yard.
11. The Highway Commercial District was established to cater to the tourist, traveler, recreationist, and general traveling public. Requirements to block highway-focused businesses from marketing merchandise goes against the stated goal of the district.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

The Zoning Commission shall review and make determinations on variances through Laurel Municipal Code (LMC) Chapter 17.60.020:

- A. It shall be the duty of the zoning commission to authorize, upon appeal in specific cases, such land use variances from the terms of the zoning ordinances as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinances or regulations will result in unnecessary hardship, and so that the spirit of the ordinances shall be observed and substantial justice done. The zoning commission shall, after a public hearing, make a recommendation to the mayor and council concerning the land use variance application.
- B. The zoning commission shall not recommend that land use variances be granted:
 - 1. Unless the denial would constitute an unnecessary and unjust invasion of the right of property;
 - 2. Unless the grant relates to a condition or situation special and peculiar to the applicant;
 - 3. Unless the basis is something more than a mere financial loss to the owner;
 - 4. Unless the hardship was created by someone other than the owner;
 - 5. Unless the variance would be within the spirit, intent, purpose and general plan of this title;
 - 6. Unless the variance would not affect adversely or injure or result in injustice to others; and
- A. Ordinarily unless the applicant owned the property prior to the enactment of this title or amendment.

RECOMMENDATIONS

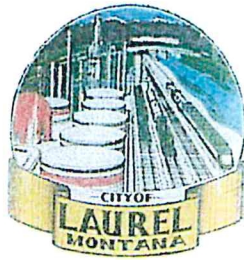
The Planning Director and Planning Board / Zoning Commission recommend the approval of the variances with the following conditions of approval:

- 1. The proposed fencing shall be black six (6) foot high chain link fencing shall be securely affixed and/or anchored.
- 2. The proposed fencing shall not become an eye sore by way of a lack of maintenance and/or repair.
- 3. Ensure dust and gravel control measures are in place to keep road debris off of Public right of way.
- 4. Lot and landscaping must be kept free of weeds as per the City of Laurel Weed Management Plan.
- 5. The development shall comply with the requirements of the Laurel Sign Code.

ATTACHMENTS

- 1. Variance Application Form
- 2. Variance Justification Letter
- 3. Overhead Map with 300ft buffer
- 4. Site Elevations, Design, and Concept Images
- 5. List of Adjacent Property Owners within 300ft.
- 6. LMC 17.60 – Zoning Commission

7. LMC 17.26 – Community Entryway Zoning District
8. LMC 17.27 – SE 4th Street Overlay District



INSTRUCTIONS

CITY-COUNTY PLANNING VARIANCE REQUEST

These application instructions cover appeals from decisions of the Planning Department (and sometimes other officials) and for requests for variances concerning setbacks, structures, heights, lot coverage, etc.

This application form is supplied by the City and must be returned to the City.

The following is a list of information required for submittal to be considered complete.

1. It is mandatory that you meet with the City Planner prior to applying. The City Planner will provide you with a map of the property owners within 300' that you must have certified by a title company.
2. Provide a plot plan drawn to scale on paper not larger than 11"x17" which includes all existing and proposed structures and proposed variance measurements.
3. A set of three mailing labels for each surrounding property owner within the 300 feet.
4. A detailed justification referring to the Laurel Municipal Code Chapter 17.60.020.
5. Application, with fee (\$550 for residential; \$1,100 for commercial), must be made on or before the first day of the month prior to the month it will appear before the Laurel City-County Planning Board.

The public hearing before the City-County Planning Board is held on the 3rd Wednesday of the month at 5:35PM. in the City Council Chambers at 115 W. 1st Street, Laurel. **Applicant or Applicant Representative must be present at the meeting.**

The Laurel City-County Planning Board makes a recommendation to the City Council. The City Council will review the application at Council Workshop and then make a decision on the Council agenda.




Laurel Variance Request Application

This application covers appeals from decisions of the Planning Department (and sometimes other officials) and for requests for variances concerning setbacks, structures, heights, lot coverage, etc.

The undersigned owner or agent of the owner of the following described property requests a variance to the Zoning Ordinances of the City of Laurel as outlined by the laws of the State of Montana.

1. Name of property owner: TNL Big Sky, LLC
2. Name of Applicant if different from above: Chuck Henrichs - EEC Inc.
3. Phone number of Applicant: 406.839.9151
4. Street address and general location: Entrainment Park Sub. Block 1, Lot 1B
E. Railroad St., Laurel, MT 59044
5. Legal description of the property: Entrainment Park Sub., S15, T02 S, R24 E, Block 1, Lot 1B,
AMD BLK1 LT1 (17)
6. Current Zoning: Highway Commercial (HC), Entryway Zoning Districts (EZD)
7. Provide a copy of covenants or deed restrictions on property.

I understand that the filing fee accompanying this application is not refundable, that it pays part of the cost of process, and that the fee does not constitute a payment for a variance. I also understand I or my agent must appear at the hearing of this request before the Planning Board and all of the information presented by me is true and correct to the best of my knowledge.

Signature of Applicant: 

Date of Submittal: 01/28/21

01/28/20

Laurel City-County Planning Board
115 W. First Street
Laurel, MT 59044

RE: City-County Planning Variance Request: Items #1-5

To whom it may concern,

Enclosed you will find completed, all the information required for our submittal to be considered for review and recommendation by the Laurel City-County Planning Board.

1. We met with the City Planner on 12/16/2020, to discuss this project/variance and provided a map of property owners within 300 feet of the property, see attached.
2. See attached 11x17 (Half-Scale) drawings, which includes all existing and proposed structures and proposed variance measurements. 9 sheets: C101, A.1, A.2, A.3, A.4, and four concept renderings (A.5-A.8).
3. See the provided set of three mailing labels for each surrounding property owner within the 300 feet.
4. With the following five proposed variance measures, we provide a detailed justification referring to the Laurel Municipal Code Chapter 17.60.020.
 - A. Reference Section 17.26.052 Development Standards – B. Building Design Standards which states *“All buildings shall be completed on all sides with one of the following finishing materials: ...architectural concealed fastener metal panels.”*

The material under review for this variance request is an exposed fastener vertical metal panel siding, see attached Exterior Elevations and Material Board sheets (A.2-A.4) for full scope. We are proposing the architectural concealed fastener metal panels around the public frontage/entrance section as detailed, which meet the requirements set for under the Building Design Standards. However, at the shop we are proposing an exposed fastener vertical metal panel siding that does not meet the “concealed fastener” standard, a situation very similar to the two neighboring facilities recently completed. The change in materials/texture allows the design to create a sense of hierarchy that helps to define the entrance with more detail and direct visitors. This design approach does in our view meet the spirit or intent of the standard set forth. Based on the Laurel Municipal Code Chapter 17.60.020 #5, we believe the requested variance “would be within the spirit, intent, purpose and general plan of this title” and #6 the requested variance “would not affect adversely or injure or result in injustice to others.”

01/28/20

- B. Reference Section 17.26.054 Landscaping Standards – B. Landscaping Standards which states *“1. Bufferyard Requirements. All commercial/Industrial land uses are required to place a bufferyard (landscaping strip) adjacent to and along the length of I-90...”* Furthermore, it states *“...The number of trees and shrubs required per one hundred feet of frontage: (2) Twenty foot wide bufferyard: ten Canopy or evergreen trees, fifteen Shrubs...”*

The material under review for this variance request item is a proposed 20'-0" Bufferyard that meets the landscaping standard, however, does not provide the required 10 trees or fifteen shrubs per one hundred feet of frontage, see attached Site Plan sheet C101 for full scope. We have taken this direction after meeting with the City on a few recent projects, with the realization that there is an existing Sanitary Sewer line that runs directly under the bufferyard, the full extent of frontage on this property. It was clear that the City was not in favor of putting trees nor shrubs directly above this existing line, under any circumstance. We feel the same, it would be a design flaw and future maintenance issue. Please note, we do not intend to utilize this bufferyard area in any way for our stormwater detention. Based on the Laurel Municipal Code Chapter 17.60.020, we believe the requested variance meets requirement #2 "Unless the grant relates to a condition or situation special and peculiar to the applicant;" the existing location of the Sanitary Sewer line running directly under the bufferyard creates that special situation/condition.

- C. Reference Section 17.26.052 Development Standards – B. Additional Provisions for Commercial Uses, which states *“1. Storage of Merchandise. Any permitted storage of merchandise outside an approved building shall be within an area enclosed with a sight obscuring fence at least six feet in height that is architecturally compatible in color and design with the building. However, promotional displays, vehicle sales lots and plant materials may be displayed outside of an approved building or enclosed area so long as they are placed appurtenant to a building wherein the business displays the bulk of its goods for sale. In addition, retail nurseries shall be exempt from the enclosure of plant materials, and displayed merchandise shall not include any used equipment. Bufferyards or required landscaping shall not be used for the displaying of merchandise.”*

The material under review for this variance request item is leaving in place the existing barbwire fence running along the interstate and providing a new black 6' chain-link fencing, in replace of a site obstruction fence (see attached Site Plan sheet C101 for full scope). M.H. Eby is a leading provider of Trailers, Parts, and Service in Montana and offers a large selection of horse, livestock, flatbed, and bulk commodity trailers, along with truck bodies, associated parts, and more. It is key for the public to have full visibility to M.H. Eby's merchandise available for sale and their service facility. The intent of the proposal is that all sale merchandise for display along interstate I-90 will be outside an approved building and enclosed in the yard area appurtenant to the building. With the proposed existing fencing and new black 6' chain-link fencing, merchandise for sale would be secure and still have the visibility to the public that the sight obscuring fence would not allow. Additionally, the new black 6' chain-link fencing would keep within the aesthetic of the surrounding properties recently completed. Based on the Laurel Municipal Code Chapter 17.60.020, we believe the

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requested variance meets requirement #2 "Unless the grant relates to a condition or situation special and peculiar to the applicant;" and requirement #3 "Unless the basis is something more than a mere financial loss to the owner." The 6' sight obscuring fence creates the inability to display merchandise for sale which is a special situation/condition to a trailer supply/service company and would easily create a basis for more than a mere financial loss.

- D. Reference Section 17.27.060 - Building Design Requirements, Section A which states *"Exterior materials shall be sufficiently durable to ensure stability, maintainability, and long life. The materials to achieve a rustic western appearance are required. Buildings shall be finished with a minimum 40 percent half log and/or rock accents on the front façade."*

The material under review for this variance request is the requirement to finish the front façade with a minimum 40 percent half log and/or rock accents, see attached Exterior Elevations and Material Board sheets (A.2-A.4) for full scope. We are proposing a horizontal architectural concealed fastener metal panel around the top of public frontage/entrance section, with a change in color/panel direction at the more pedestrian level as detailed. Specifically, around the main public entrance, great care was taken in further emphasizing the rustic western aesthetic by utilizing architectural wood panels with concealed fasteners and exposed Douglas Fir Heavy Timbers. We believe this approach would meet the requirements set forth under the Building Design Requirements and achieves its intent by providing a rustic western appearance without the need to add rock accents on the front façade. Our design strategy with this facility is to keep with this rustic western aesthetic throughout the facade, while utilizing the change in color/texture to allow the design to create a sense of hierarchy that helps to define the entrance with more detail and direct visitors. This design approach does in our view meet the spirit or intent of the standard set forth. Based on the Laurel Municipal Code Chapter 17.60.020 #5, we believe the requested variance "would be within the spirit, intent, purpose and general plan of this title" and #6 the requested variance "would not affect adversely or injure or result in injustice to others."

- E. Reference Section 17.27.070 – Site Design Requirements, Section C which states *"Landscape islands are required at the terminal ends of all parking rows."*

The material under review for this variance request item is the proposed concrete surfaced employee parking stalls on the North and South side of the building and not providing a landscape island at the terminal ends of each parking rows. This Variance is limited only to these 2 employee parking areas, which are on the interior of the proposed new fence line and would not be accessible to the public, see attached Site Plan sheet C101 for full scope. The intent of both parking rows is to be employee only and it should be noted, the terminal ends on the public accessible/facing side (east), we are providing landscape islands as required. At both employee parking sections, each is to be hard surfacing (concrete) and laid out in a similar manner to the recent facilities in the area. The Design Intent with not providing these "interior/employee" landscape islands are to limit the potential for frequent maintenance issues and allows for some flexibility when adding or removing display trailers/equipment from the showroom and yard. The proposed design for the public

01/28/20

facing/public accessible parking stalls and related site landscape islands is above and beyond the required/standards set in the site design requirements. For example, we are providing 2,778 S.F. of parking landscaping, while only 480 S.F. of parking landscaping is required. This overall design approach does in our view meets the spirit or intent of the standard set forth and pursuant with precedent set with similar recently completed projects. Based on the Laurel Municipal Code Chapter 17.60.020 #5, we believe the requested variance "would be within the spirit, intent, purpose and general plan of this title" and #6 the requested variance "would not affect adversely or injure or result in injustice to others."

5. See attached completed Laurel Variance Request Application and associated fee of \$1,100 for a commercial property.

Sincerely,



Chuck Henrichs, P.E.
Vice President of Engineering, EEC, Inc.
Owners Representative

Navigation Tools

- Layers
 - Fire locations in the USA
 - Floodplain
 - Sheriff
 - Yellowstone County
 - Public Works
 - Schools
 - Zoning
 - Elections
 - Levy Districts
 - Fire
 - Emergency
 - Cemetery
 - Imagery
- Legend
- Q Find
- Draw
- Measurement
- Print
- Google Street View
- Select and Buffer

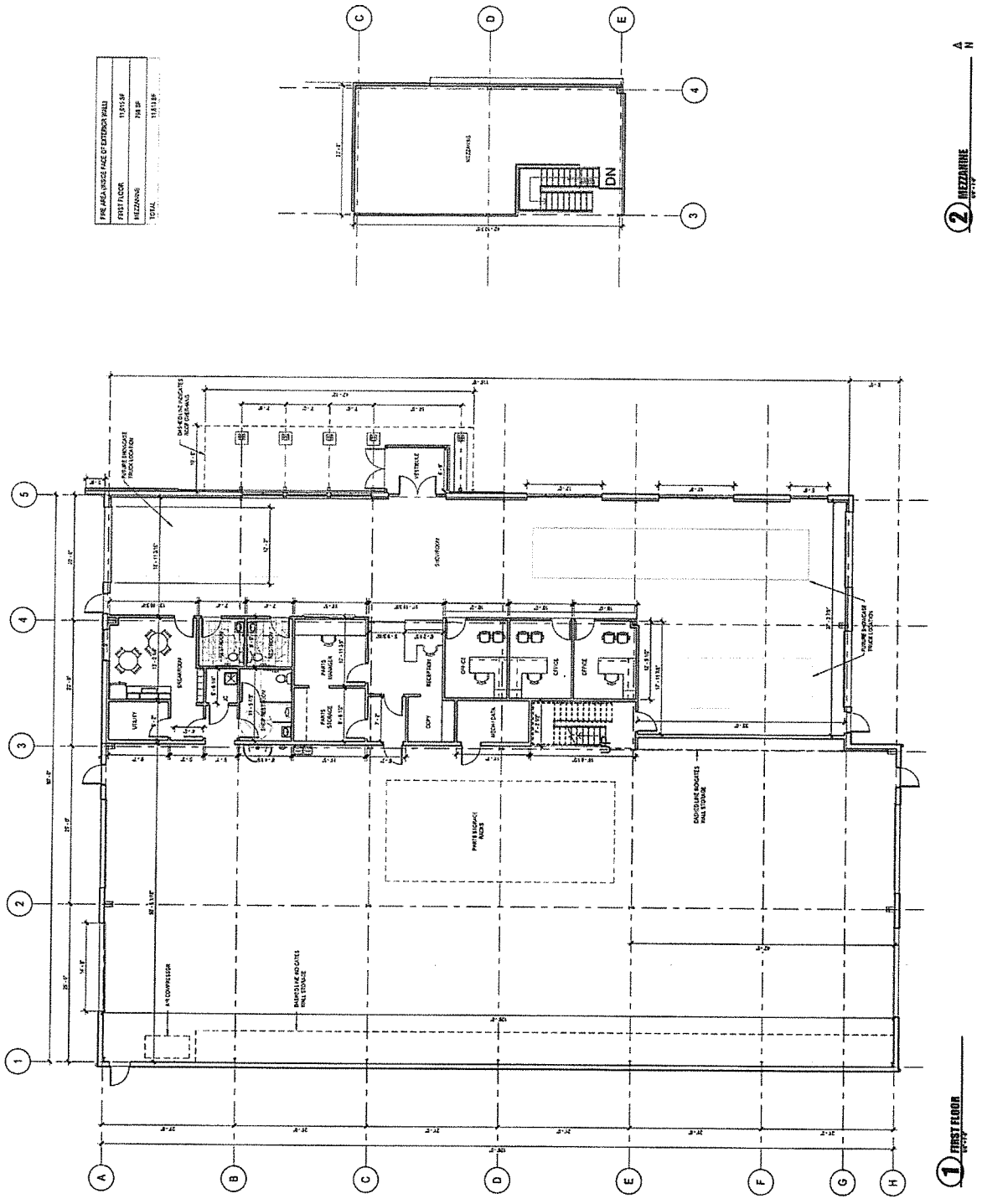
By Attribute **By Shape**

Select A Layer:



04/28/24

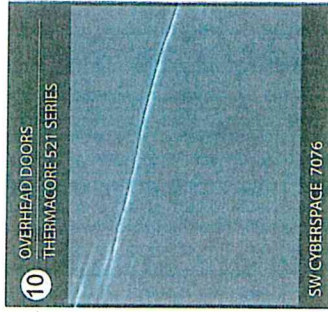
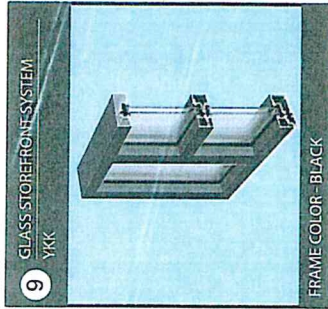
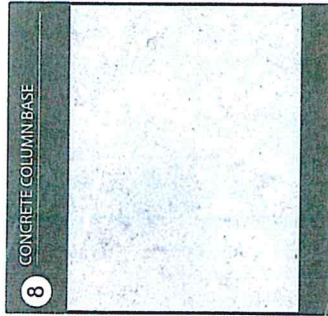
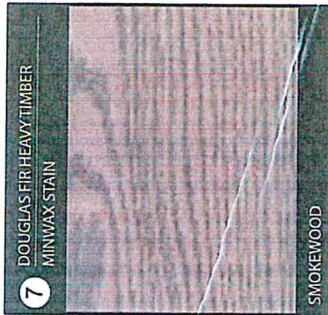
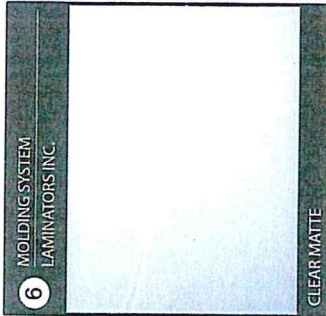
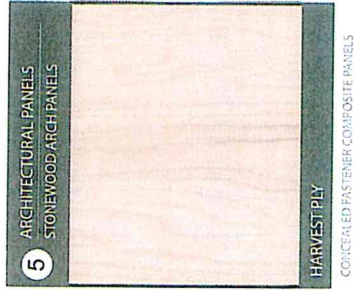
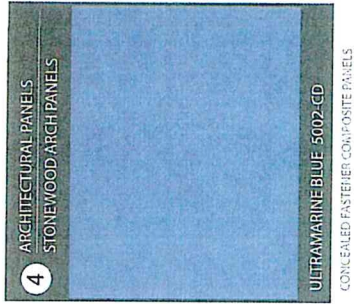
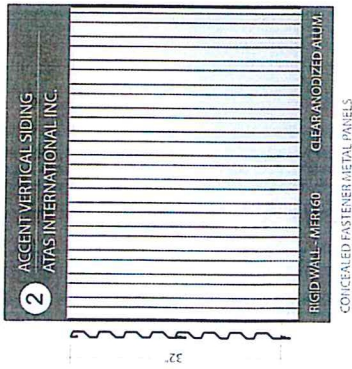
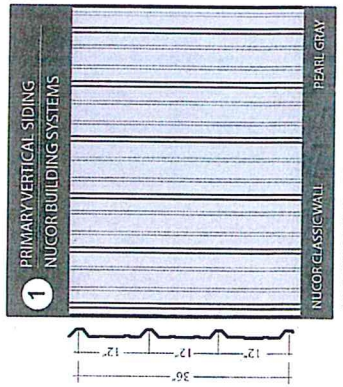
FIRE AREA(S) AND SIZE OF EXTENDED WALL	
FIRST FLOOR	11,041 SF
MEZZANINE	298 SF
TOTAL	11,339 SF



1 FIRST FLOOR

2 MEZZANINE

FLOOR PLAN





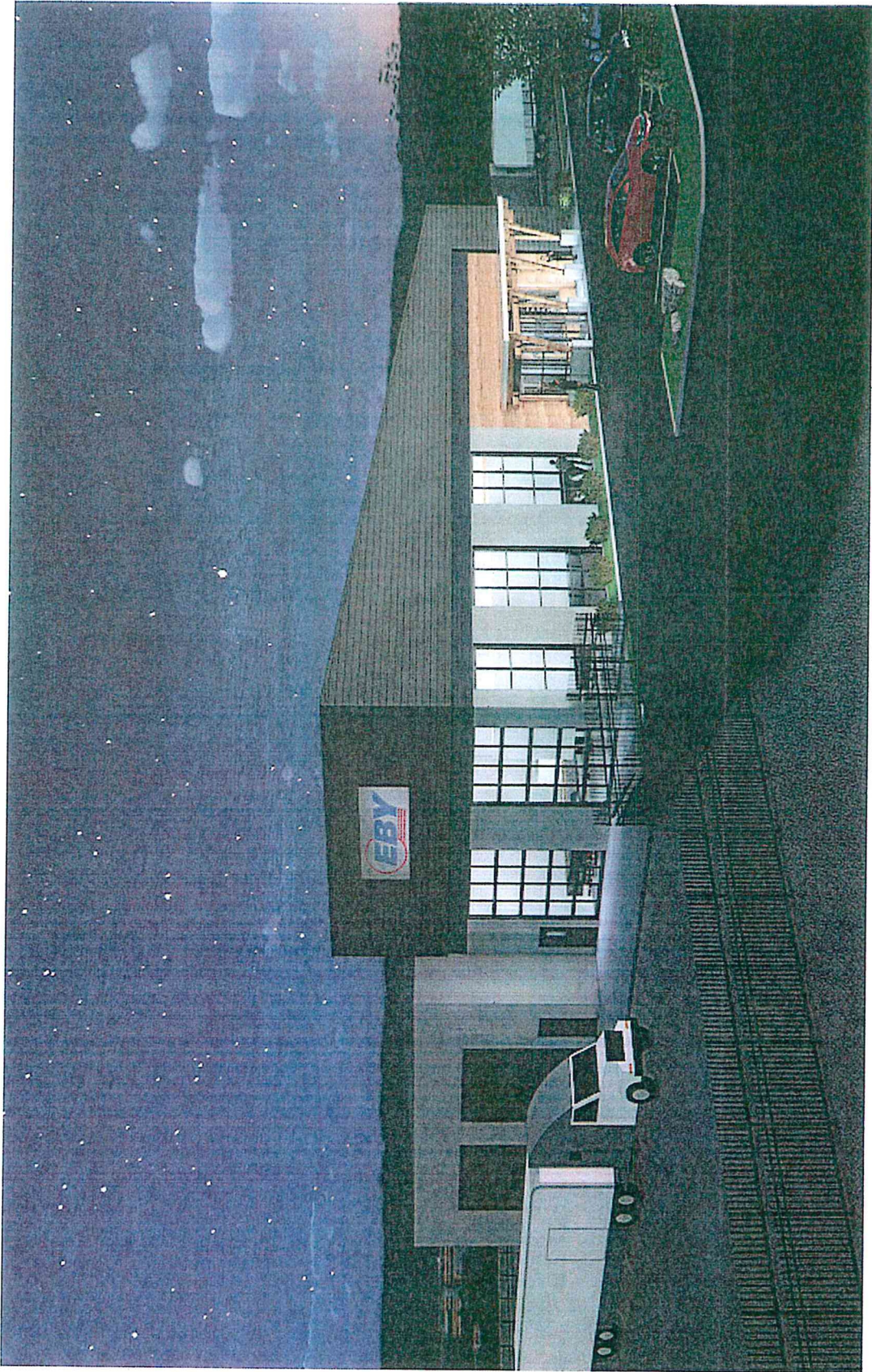
RENDERING - WEST FACADE



RENDERING - ENTRANCE



RENDERING - NORTH / EAST FACADE



RENDERING - SOUTH FACADE

Owner name	Tax Code	Legal Description	Mailing Address
KRUM, TERRY R & JUDITH L	D02667	NUTTING 2ND FILING, S10, T02 S, R24 E, Lot 1, FRAC LOT 1	1311 E RAILROAD ST LAUREL MT 59044
FORSTNER, GEORGE T & IRENE	D02668	NUTTING 2ND FILING, S10, T02 S, R24 E, Lot 1, LESS E65 FT & W 82.40 10 2S 24	1321 E RAILROAD ST LAUREL MT 59044
STRECKER, JOHN JR	D02670	NUTTING 2ND FILING, S10, T02 S, R24 E, Lot 1B, LTS 1 & 2 AMD 1978 GALLATIN T1*	1411 E RAILROAD ST Laurel MT 59044
BOESHANS, NATHAN P & COLLEEN M	D02669	NUTTING 2ND FILING, S10, T02 S, R24 E, Lot 1A, AMEND LTS 1,2	2553 ALPINE VIEW DR LAUREL, MT 59044-9355
FARNES, LEILA A	D02671	NUTTING 2ND FILING, S10, T02 S, R24 E, Lot 2, E 1 A OF LOT 2	1423 E RAILROAD ST LAUREL, MT 59044-3339
MONTANA RAIL LINK	D13144C	S10, T02 S, R24 E, INFORMATIONAL ONLY - CENTRALLY ASSESSED PARCEL IN SEC 10-2S-*	PO Box 16624 Missoula MT 59808-6624
CHS INC	D02712	S15, T02 S, R24 E, FRAC N2NW S OF HWY (LESS C/S 1142 & 1291)	PO Box 909 Laurel MT59044-0909
CHS INC	D02713	S15, T02 S, R24 E, C.O.S. 1142, PARCEL 1, AMIND	PO Box 909 Laurel MT59044-0909
X LAZY H LLC	B03037A	ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 2B	10087 HIGHWAY 12 JOLIET, MT 59041
X LAZY H LLC	B03037B	ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 2C	10087 HIGHWAY 12 JOLIET, MT 59041
X LAZY H LLC	B03037C	ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 2D	10087 HIGHWAY 12 JOLIET, MT 59041
DIEFENDERFER FAMILY TRUST	B03036	ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 1A, AMD BLK 1 LT*	3619 FLAGSTONE DR BILLINGS, MT 59102-0301
DIEFENDERFER FAMILY TRUST	B03036A	ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 1B, AMD BLK 1 LT 1 (17)	3619 FLAGSTONE DR BILLINGS, MT 59102-0301

Chapter 17.60 - ZONING COMMISSION

Sections:

17.60.010 - Powers and duties.

The city-county planning board shall act as a zoning commission whose duty it shall be to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein.

(Prior code § 17.08.010)

17.60.020 - Land use variances issuance and denial—Determination procedure.

- A. It shall be the duty of the zoning commission to authorize, upon appeal in specific cases, such land use variances from the terms of the zoning ordinances as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinances or regulations will result in unnecessary hardship, and so that the spirit of the ordinances shall be observed and substantial justice done. The zoning commission shall, after a public hearing, make a recommendation to the mayor and council concerning the land use variance application.
- B. The zoning commission shall not recommend that land use variances be granted:
 - 1. Unless the denial would constitute an unnecessary and unjust invasion of the right of property;
 - 2. Unless the grant relates to a condition or situation special and peculiar to the applicant;
 - 3. Unless the basis is something more than a mere financial loss to the owner;
 - 4. Unless the hardship was created by someone other than the owner;
 - 5. Unless the variance would be within the spirit, intent, purpose and general plan of this title;
 - 6. Unless the variance would not affect adversely or injure or result in injustice to others; and
 - 7. Ordinarily unless the applicant owned the property prior to the enactment of this title or amendment.

Chapter 17.26 - COMMUNITY ENTRYWAY ZONING DISTRICT

Sections:

17.26.010 - Intent.

The purpose of the Laurel Entryway Zoning District is to regulate outdoor advertising, outdoor advertising signs, and outdoor signs of all types, to provide fair and comprehensive regulations that will foster a good visual environment for Laurel, enhancing the area in which we live, and creating an aesthetic and enjoyable appearance for our visitors and our residents.

The natural landscape in the Yellowstone Valley is a major influence on the form and character of Laurel. Residents appreciate being able to see the Beartooth Range, the river's corridor of trees, and the large expanse of sky. The intent of the Community Entryway Zoning District (EZD) is to promote attractive, high quality development and to provide an appealing image of the city of Laurel to the traveling public and the people of the community and region. Further, it is the intent of this district to maintain a sensitivity toward existing development while preserving scenic vistas and the pastoral ambience and protecting environmentally sensitive areas. Creativity in meeting these requirements is encouraged with the overall intent of all development representing the image and economy of the Laurel area—and not just a reflection of the same commercial buildings, signage, and parking lots that are seen alongside the interstate across the nation.

Projects in the vicinity of large natural areas/corridors shall be designed to compliment the visual context of the natural area. Techniques include architectural design, site design, use of native landscaping, and choices of colors and building materials shall be utilized in such manner that scenic views across or through the site are protected and man-made facilities are screened from off-site observers and blend with the natural visual character of the area.

This overlay district provides requirements that are in addition to the existing, underlying zoning districts in the jurisdictional area of the city of Laurel and are in addition to the signage standards of the city of Laurel Municipal Sign Code. Except for signage applications, residential uses in the Entryway Zoning District are exempt from the provisions herein.

The intent of this section is to:

- A. Promote a physical landscape that will assist in making Laurel an attractive place to live and work and be inviting to new industries;
- B. Encourage creativity in design and quality in site planning and development;
- C. Reduce the level of adverse impacts from the transportation system on adjoining lands;
- D. Promote development patterns in harmony with the goals and objectives of Laurel's Growth Management Plan;
- H. Promote compatible land use transitions with a sensitivity toward existing residential uses.

Non-commercial/industrial uses falling within the EZD are exempt from the requirements of the EZD except as such requirements pertain to signage.

(Ord. 02-31, 2002)

17.26.030 - Location of district.

The Community Entryway Zoning District (EZD) shall extend three hundred feet on either side of Interstate 90 right-of way as it extends through the Laurel Zoning Jurisdiction Area, an area that extends outside the city municipal limits one mile. Specifically, along the interstate the EZD shall extend as described from the east limit of the extra-territorial zoning boundary west to the limit of the west extra-territorial boundary. The district shall also include that area three hundred feet on either side of the north extra-territorial boundary on Buffalo Trail Road south through Laurel on First Avenue to where First Avenue turns into US Highway 212-310

(Ord. 02-31, 2002)

(Ord. No. O15-03, 5-5-2015)

17.26.040 - Application and approval process.

- A. All plans and applications for development shall be submitted to the city-county planning board. All applications involving signs shall be submitted to the public works department which shall provide a copy thereof to the planning board. All applications must be submitted and signed by the property owner, lessee, the contract purchaser, or the authorized agent of the property owner. Approval is required prior to any construction activity.
- B. Each application shall include, but not be limited to, the following information:
 - 1. The name and address of the property owner;
 - 2. The name and address of the applicant;
 - 3. The legal description of the parcel;
 - 4. A map drawn to scale showing the dimensions, acreage, location of the parcel, north arrow, streets and adjacent land uses;
 - 5. A complete site plan drawn to a scale of no less than 1" = 40' showing the dimensions and locations of all structures, streets, paving, parking, landscaping, signage, waterways or other significant features of the development;
 - 6. Complete elevation drawings drawn to scale including the dimensions and height of the structure;
 - 7. Signage Plan specifications, location, and ground lighting pattern (applications for signs only— see Section 17.26.050); and
 - 8. Application review fee.
- C. Within fifteen working days following the submittal of a complete application, the planning director, other city designee, or the public works department (in the case of signs) shall issue approval for development or sign or a denial of the application, unless the applicant consents in writing to an extension of the review period. Should the application be denied, the applicant shall be notified in writing specifying the reasons for the denial.

(Ord. 02-31, 2002)

17.26.050 - Definitions.

All terms shall have the same meanings as defined elsewhere in the city zoning ordinance or city signage regulations. The standard dictionary meaning shall be applied to terms not otherwise defined.

(Ord. 02-31, 2002)

17.26.052 - Development standards.

A. Signage.

1. Review Consideration. Signage in the EZD needs to recognize the relationship between adjacent land uses and the natural features of the location such as existing views and proximity to residences. Although signs perform a function in providing information concerning services, products, and business, a profusion of signs produces a cumulative effect that cancels out individual effectiveness and detracts from the appearance of the community as a whole. All signage shall be reviewed with the following considerations and criteria:
 - a. Use of subdued, low-key colors;
 - b. Location, size, and height that do not obstruct views of the community, the river corridor, traditional open spaces, or the mountains;
 - c. Sign is built of permanent, durable materials;
 - d. Size and location avoids or minimizes the sense of clutter with nearby signs;
 - e. The sign is professionally prepared and finished on both sides;
 - f. The location and placement of the sign will not endanger motorists or pedestrians and does not interfere with the clear vision triangle at street, railroad, or street driveway intersections;
 - g. The sign will not cover or blanket any prominent view of a structure or façade of historical or architectural significance;
 - h. The sign will not obstruct views of users of adjacent buildings to side yards, yards or to nearby open space;
 - i. The sign will not negatively impact the visual quality of a public open space such as a recreation facilities, square, plaza, court yard and the like;
 - j. The sign cannot be seen from the Yellowstone River or any city, county or state park or—if it can be seen—it must be located one thousand feet from the boundaries of such spaces.
2. Only one sign is allowed per parcel of record and there shall be at least one thousand feet between signs.
3. A construction permit is required whenever the sign copy is changed and any alterations to the sign are made.
4. Signs shall be limited to one hundred sixty square feet in copy area.
5. Non-conforming signs are required to be brought into compliance with this section within six years from the date of adoption of this ordinance or upon the earliest occurrence of the following events.
 - a. The sign is relocated or replaced;

- b. The structure or size of the sign is altered in any way;
 - c. The sign suffers more than fifty percent appraised damage or deterioration or the sign is taken out of service for any reason, such as being knocked down by weather or other means;
 - d. If any non-conforming sign is abandoned or voluntarily discontinued for a period of one hundred eighty days, any subsequent use must be in conformity with this ordinance. An abandoned sign is a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found. An abandoned sign is to be removed by the owner within fifteen days of notice from the public works department.
6. No portable signs as described in the city signage ordinance are allowed in the EZD.
 7. Transit Bus Benches. Transit bus benches, with or without advertising, may be placed within the city right-of-way upon application and approval of the ADA coordinator, the transit administrator and in consultation with the public work director. All benches must comply with any applicable city, state, and or/federal standards or regulations. The city may approve a bench provider, with or without advertising, pursuant to its procurement policy, as amended.
 8. Lighting. All sign lighting must incorporate cut-off shields to direct light downward. Luminaries shall not be visible from adjacent streets or properties. A sign's lighting will not cause hazardous or unsafe driving conditions for motorists and will not glare, reflect, or spill onto adjacent business or residential areas.
- B. Building Design Standards.
1. All buildings shall be completed on all sides with one of the following finishing material: brick, fluted block, colored textured block, glass, stucco, architectural concealed fastener metal panels, exterior insulation and finishing systems (i.e., Dryvit, etc.), stone or wood. Exposed seam metal buildings shall be prohibited unless covered with an acceptable finishing material.
 2. Roofs shall be finished with a material that is architecturally compatible in color and design with the construction of the building. Metal roofs, fascia, and mansards shall be limited to the following: standing seam, metal shakes or shingles and architectural metal treatments. All mechanical equipment placed on top of any roof shall be screened by a parapet or other similar architectural apparatus being at least the height of the mechanical equipment. Pitched roofs are encouraged whenever possible.
 3. Long, flat facades that front on the interstate highway, First Avenue North or First Avenue South having more than one hundred lineal feet are prohibited. Buildings over one hundred feet in length shall incorporate one of the following: recesses, off-sets, angular forms, landscaping features or other architectural features such as bell towers, clock towers, to provide a visually interesting shape. The break in the facade shall be minimum of eight feet in length. A single uninterrupted length of a facade shall not exceed one hundred lineal feet. It is encouraged that each offset area contains landscaping or other similar amenities which will complement the offset area.
- C. Additional Provisions for Commercial Uses.
1. Storage of Merchandise. Any permitted storage of merchandise outside an approved building shall be within an area enclosed with a sight obscuring fence at least six feet in height that is architecturally compatible in color and design with the building. However, promotional

displays, vehicle sales lots and plant materials may be displayed outside of an approved building or enclosed area so long as they are placed appurtenant to a building wherein the business displays the bulk of its goods for sale. In addition, retail nurseries shall be exempt from the enclosure of plant materials, and displayed merchandise shall not include any used equipment. Bufferyards or required landscaping shall not be used for the displaying of merchandise.

2. Site Lighting. All outdoor lighting shall be designed, located and mounted at heights no greater than eighteen feet above grade for non-cutoff lights and thirty-five feet above grade for cutoff lights. All outdoor lighting shall be designed and located such that the maximum illumination measured in foot-candles at the property line shall not exceed three-tenths foot-candle for non-cutoff lights and three foot-candles for cutoff lights.
3. Storage of Junk. No person shall store junk, partially or completely dismantled vehicles, or salvaged materials in any commercial zone outside a building. In the case of automobile repair shops, such materials must be enclosed within a building or an area having a sight-obscuring fence at least six feet in height.
4. Solid Waste Area. All solid waste storage facilities shall be located within an area enclosed with a sight-obscuring fence or wall that is architecturally compatible in color and design with the building.

D. Cell Towers.

No wireless communication facilities are allowed in the entryway zone.

(Ord. 02-31, 2002)

(Ord. No. O11-07, 6-7-2011; Ord. No. O16-02, 2-2-2016)

17.26.054 - Landscaping standards.

Landscaping in the form of trees, shrubs, and groundcover serve several purposes: The softening of harsh building forms and paved areas, the absorption of ground water, the reflection of seasonal color change, the provision of sound barriers (such as around utility substations or industrial yards), and urban wildlife habitat.

A. Landscaping Definitions.

Canopy Tree. A species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity. Minimum size of canopy trees shall be two and one half inches in caliper.

Evergreen Tree or Shrub. A tree or shrub of a species which normally retains leaves / needles throughout the year. Minimum size of evergreen trees shall be five feet in height.

B. Landscaping.

1. Bufferyard Requirements. All commercial/Industrial land uses are required to place a bufferyard (landscaping strip) adjacent to and along the length of I-90, First Avenue North, or First Avenue South on which the use fronts. Such landscaping buffer shall extend from the edge of the public right-of-way. Placement and landscaping design shall be at the discretion of the developer, and the required trees and shrubs may be clustered to enhance the view of the

property from the public right-of-way as long as such uses conform with Section 17.26.052(C) of this code. A local design professional or local nursery must be consulted for assistance with the development of the landscape design. The use of native, drought-tolerant plant material is strongly encouraged. Evergreen trees are encouraged for bufferyards, and canopy trees are encouraged for parking areas. The planting of trees should be done in such a manner as to provide maximum solar efficiency throughout the site.

a. The developer shall have the option of one of the following three bufferyards. Bufferyard depth is measured from the property line adjacent to the public right-of-way inward. Any buffer area which overlaps another buffer area shall be subtracted from the total to avoid double counting. The number of trees and shrubs required is per one hundred feet of frontage:

- (1) Twenty-five foot wide bufferyard: five Canopy or evergreen trees, ten Shrubs
- (2) Twenty foot wide bufferyard: ten Canopy or evergreen trees, fifteen Shrubs
- (3) Fifteen foot wide bufferyard: fifteen Canopy or evergreen trees, twenty Shrubs

b. The following criteria shall also apply to the bufferyards.

- i. The landscape strip may be contoured. Berming shall be one foot of rise to four feet of run with a minimum of three feet in height. Depressions shall be no lower than the existing grade of the site.
- ii. All landscaped areas shall contain ground cover such as sod, shrubs, flowerbeds, or organic materials. No more than ten percent of the landscaped area shall contain rock, bark chips, stepping stones, or similar material.
- iii. All landscaped areas shall be sub-irrigated, maintained, and kept free of weeds, debris, and litter. Failure to do so constitutes a zoning violation. Existing mature trees and shrubs should be preserved and will be credited toward landscaping requirements.
- iv. Depth of bufferyard shall depend on density of vegetation.
- v. All new utility lines shall be placed underground.
- vi. New tree plantings shall not be constructed so as to grow into existing overhead utility lines.

C. Off-Street Parking Lot Landscaping.

Landscaping shall be provided within all parking areas as follows:

Parking lots containing more than ten spaces shall contain internal areas of landscaping totaling at least ten percent of the parking area. Each planting area shall contain at least three hundred square feet and at least one major tree and groundcover with irrigation. There must be a clearly designated pedestrian route from the parking lot to the street or main entrance.

1. A minimum of twenty square feet of landscaped area shall be provided for each parking space on parking lots containing more than ten spaces.
2. Two canopy and/or evergreen trees and five shrubs shall be required for every ten parking spaces or component thereof over ten parking spaces.

3. All landscaped areas shall contain ground cover such as sod, shrubs, flowerbeds or organic materials. No more than twenty-five percent of the landscaped area shall contain rock, bark chips, stepping stones or similar material.
4. The minimum width and/or length of any parking lot landscaped area shall be five feet.
5. Internal parking lot landscaping provided shall be proportionately dispersed, at the developer's discretion, in order to define aisles and limit unbroken rows of parking. The maximum horizontal or vertical unbroken length shall be limited to one hundred feet. Landscaped areas provided shall be in a scale proportionate to parking lot.
6. Any development that has parking abutting a required bufferyard, may extend the width of parking landscaping plant material. The minimum bufferyard width and that bufferyard a minimum of five feet and include the additional required landscaping material is required in addition to the parking landscaping.
7. Protection of Landscaped Areas. Landscaped areas within parking lots or the along perimeter of the property must be protected from vehicular traffic through the use of continuous concrete curbs, extruded asphalt or other approved permanent barriers.
8. All new utility lines shall be placed underground.

D. Commercial Uses Abutting Residential Uses.

All commercial uses abutting residential uses shall install a bufferyard. The bufferyard shall be ten feet wide and shall contain ten evergreen and/or canopy trees and ten shrubs per one hundred lineal feet. A solid fence or wall that is architecturally compatible in color and design with the building shall be required on the property line. The fence height shall be a minimum of six feet. Chain link or other wire fencing material is prohibited.

E. Fractions in the Calculation of Number of Trees and Shrubs.

In the calculation of trees and shrubs for bufferyards or parking landscaping, all fractions shall be rounded to the nearest, highest whole number.

(Ord. 02-31, 2002)

Chapter 17.27 - SE 4TH STREET OVERLAY DISTRICT

Sections:

17.27.010 - Intent.

The city of Laurel hereinafter ("city"), in collaboration with the Laurel Urban Renewal Agency, prepared the following set of regulations to preserve and protect the unique nature of the SE 4th Street corridor of the city of Laurel. These regulations are intended to promote, preserve, and enhance the character of the built environment while encouraging a cohesive identity.

In addition to building construction, further elements include, but are not limited to parking and pedestrian connectivity requirements, landscaping, and signage.

This district's requirements are in addition to the existing zoning ordinances found in Title 17 of the Laurel Municipal Code (LMC). Single-family and two-family residential uses in the district are exempt from the provisions herein.

The intent of this section is to:

- A. Promote a physical landscape to make the district an attractive place to live and work;
- B. Encourage creativity in design and quality site planning;
- C. Promote development patterns in coordination with the goals and objectives of the city's growth management plan;
- D. Provide consistency to land uses and design that will protect the investment of property owners in the district.

(Ord. No. O15-04, 5-5-2015)

17.27.020 - District boundaries.

The boundaries of the District are identified in Figure 1.

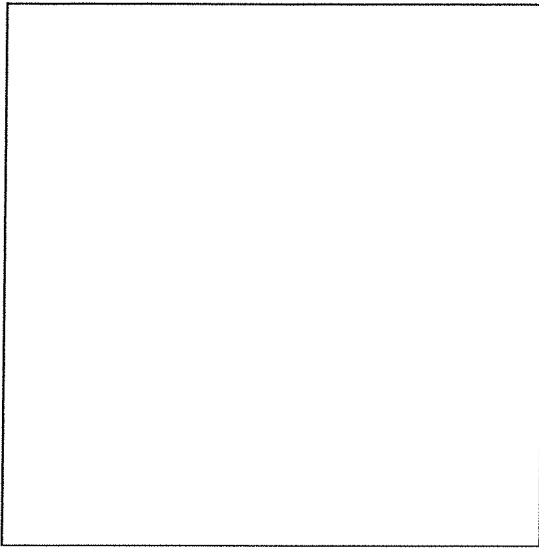
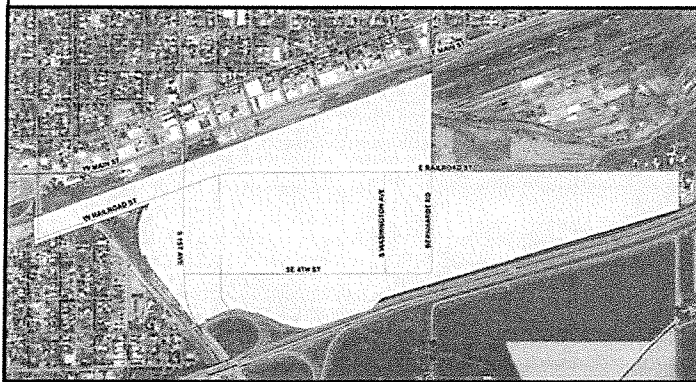


Figure 1 SE 4th Street Overlay District Boundaries



(Ord. No. O15-04, 5-5-2015)

17.27.030 - Application and approval process.

- A. All building permit applications shall be submitted to the city's building official. All permit applications must be submitted and signed by the property owner or the authorized agent of the property owner. An approved building permit is required prior to any construction activity.
- B. Each building permit application must include, but not be limited to, the following information:
 1. The name and address of the property owner;
 2. The name and address of the applicant;
 3. The legal description of the parcel;
 4. A map drawn to scale showing the dimensions, acreage, location of the parcel, north arrow, streets and adjacent land uses;
 5. A complete site plan drawn to a scale of no less than 1"=40' showing the dimensions and height of the structure;

6. A Complete elevation drawing drawn to the scale 1"=40' including the dimensions and height of the structure;
 7. If applicable, signage plan specifications, location and ground lighting pattern; and
 8. Payment of application review fee.
- C. Within fifteen working days following the submittal of a complete application, the planning director, designee, or the public works department (in the case of signs) shall issue approval for development or a denial of the application, unless the applicant consents in writing to an extension of the review period. Should the application be denied, the applicant shall be notified in writing specifying the reasons for the denial. (Ord. No. 002-31,2002)

(Ord. No. O15-04, 5-5-2015)

17.27.040 - Nonconformance.

- A. Any lawful characteristic of the properties existing prior to the effective date of the ordinance that would not be a permitted characteristic under these regulations is declared to constitute a nonconforming characteristic.
- B. Nonconforming structures shall not be enlarged, extended, reconstructed, or structurally altered in an amount greater than fifty percent of its assessed valuation, unless the characteristics of the building are changed to comply with the appropriate regulations.
- C. If any nonconforming structure is damaged by an event including, but not limited to, fire, flood, explosion, wind, or war, in an amount equal to or greater than fifty percent of its assessed valuation, reconstruction must comply with the appropriate regulations. In addition, repair and maintenance may be carried out each year in an amount not to exceed twenty-five percent of the assessed valuation of the structure for that year.
- D. A nonconforming structure may continue pursuant to these regulations, but it shall not be changed in any way except to conform to the regulations herein.

(Ord. No. O15-04, 5-5-2015)

17.27.050 - Definitions.

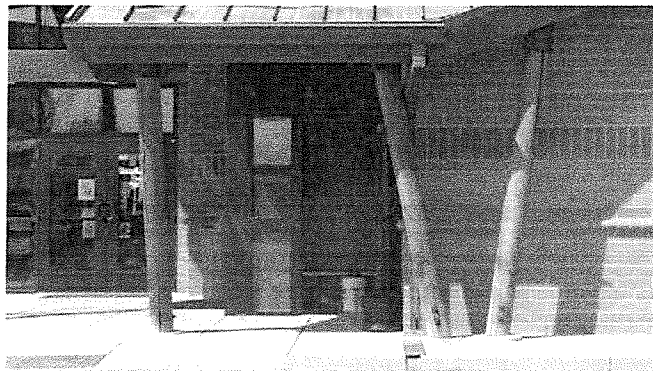
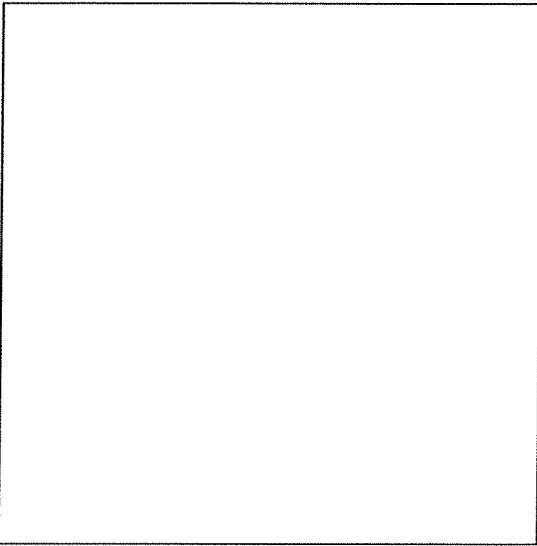
All terms shall have the same meanings as defined elsewhere in the city zoning ordinance or city signage regulations. For purposes of this title, certain words and terms used herein are defined in this chapter.

- A. "Architectural design elements" means an architectural feature consisting of a decorative, three dimensional element, horizontal or vertical, protruding or indented at least two inches from the exterior façade of a building typically utilized to provide additional aesthetic relief to a façade.
- B. "Façade" means the exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and design elements such as expression lines.
- C. "Front façade" means any building face adjacent to the street. In the case of a corner lot, the front façade is the face that the building is addressed.
- D. "Lot line, front" means the boundary abutting a right-of-way, other than an alley, from which the required setback or build-to zone is measured. The front lot line shall be to the street to which the building is addressed.
- E. "Lot line, side" means the boundary line adjacent to the front lot line and may or may not abut a right-of-way depending on lot location from which the required setback or build-to zone is measured.

(Ord. No. O15-04, 5-5-2015)

17.27.060 - Building design requirements.

- A. Exterior materials shall be sufficiently durable to ensure stability, maintainability, and long life. The materials to achieve a rustic western appearance are required. Buildings shall be finished with a minimum 40 percent half log and/or rock accents on the front façade.
- B. Structures not located along SE 4th street are excluded from the forty percent threshold.
- C. Architectural design elements are required on the front façade. Permitted design element materials include any finish of wood, wood timbers or wooden logs.



Architectural Design Element: The wooden timbers in front of the buildings are a prime example of the required design element.

(Ord. No. O15-04, 5-5-2015)

17.27.070 - Site design requirements.

- A. Inter-site circulation is required to provide for orderly and appropriate vehicular traffic between adjacent properties. This will also limit the number of necessary approaches on busy roadways.
- B. Parking exceeding the minimum requirement is discouraged.
- C. Landscape islands are required at the terminal ends of all parking rows.
- D. Pedestrian connectivity from parking areas to buildings shall be provided by interior sidewalks or designated, striped pedestrian crossings.
- E. Shared parking is encouraged when property owners have a written agreement as to the terms of the shared parking. The written agreement is not subject to approval by the city but should be presented if it is applicable to meeting off-street parking requirements. See Figure 2.

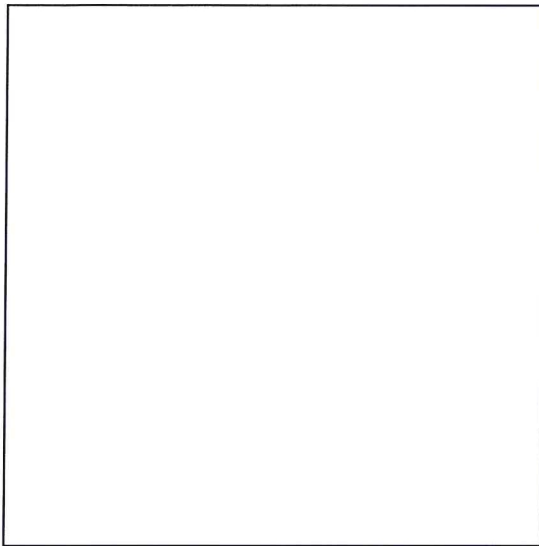
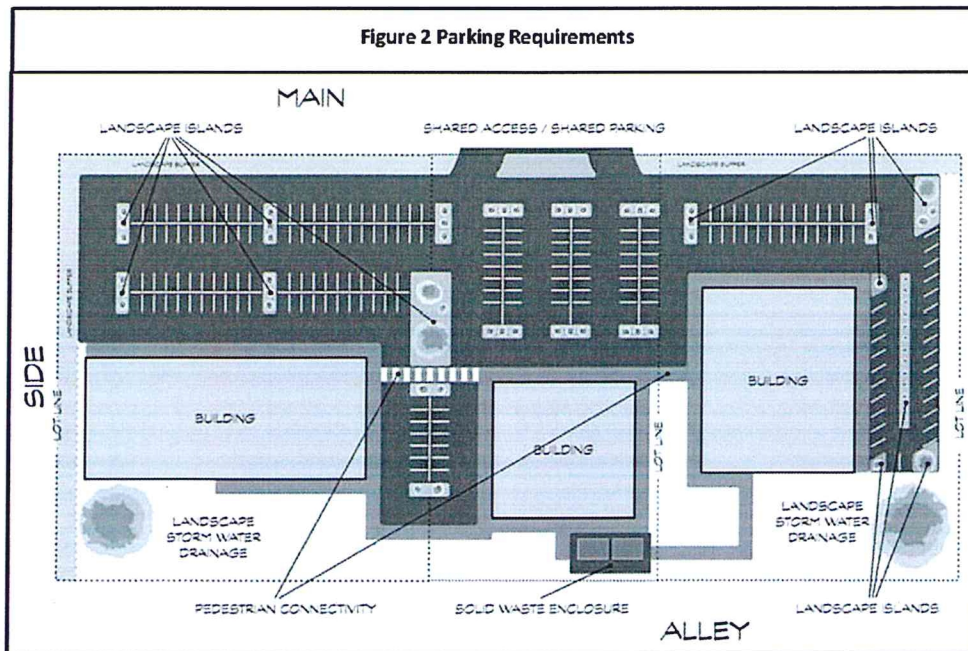
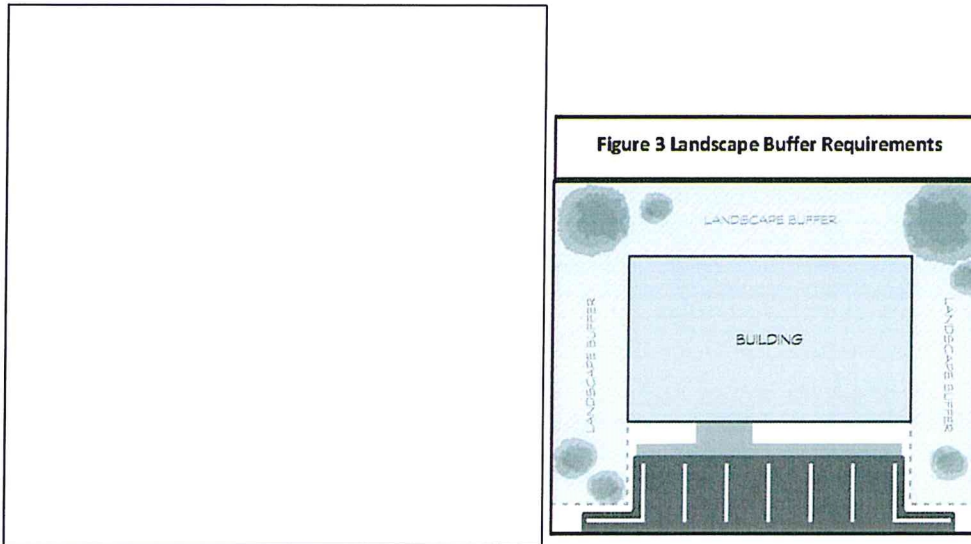


Figure 2 Parking Requirements



- F. Landscaping must be an integral part of the site design. A landscape buffer is required as part of any site development. The buffer shall be designed to provide both screening and aesthetic effect. See Figure 3.



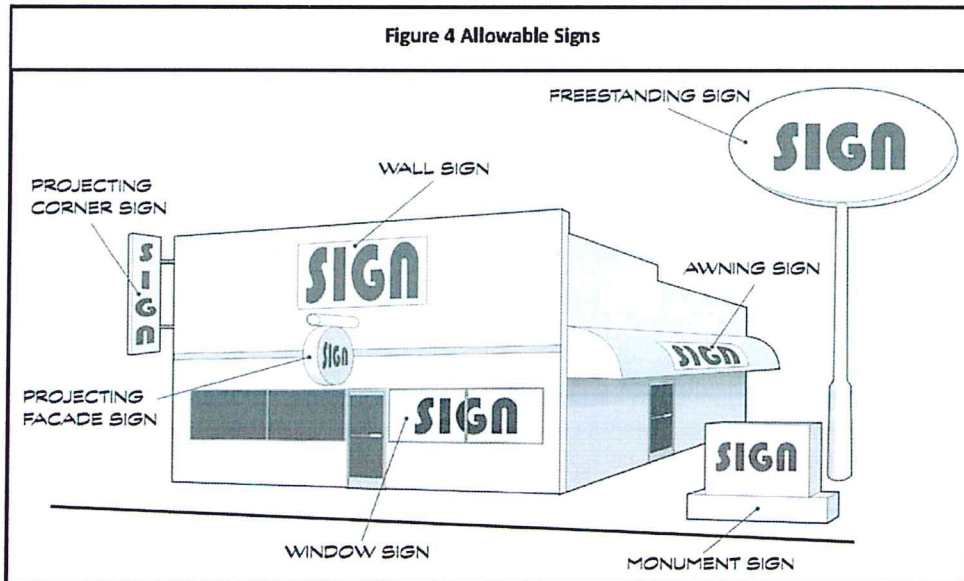
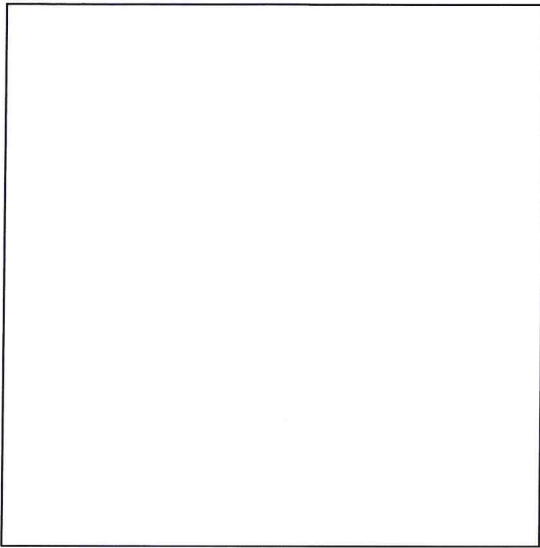
- G. Landscaping should be of an indigenous species or one that is acclimated to the city's climate.
- H. Landscaping shall include a mix of plants, shrubs, sod and trees. A minimum of fifty percent of the trees shall be at least 2.5 inch in caliper size.
- I. Landscaping shall not interfere with clear vision requirements.
- J. If a property is located in this district and the entryway zoning district, parking and landscape requirements of the entryway zoning district shall apply.

(Ord. No. O15-04, 5-5-2015)

17.27.080 - Signage requirements.

Laurel Municipal Code Chapter 17.42 governs signage within the city of Laurel. Exceptions to LMC 17.42 occur only when a property is located in a special zoning district. If a property is located in this District and the Entryway Zoning District, signage requirements of the Entryway Zoning District shall apply.

- A. Allowable sign types include wall signs, window signs, awning signs, corner projecting signs, and projecting signs. See Figure 7.



- B. Illumination is encouraged to be internal. When external illumination is used, it must be focused only upon the sign face and must have cut off shields to prevent light spillage.
- C. Any projecting or corner projecting sign shall not extend above the roofline of the attached building.
- D. Any wall sign shall not exceed 30 percent of the area of any building façade.
- E. Electronic message boards are not permitted in this district.

(Ord. No. O15-04, 5-5-2015)



**AGENDA
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, MARCH 17, 2021
5:35 PM
CITY COUNCIL CHAMBERS**

Public Input: *Citizens may address the committee regarding any item of business that is not on the agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.*

1. Roll Call

The Chair called the meeting to order at 5:45pm

John Klasna
Roger
Evan Bruce
Dan Koch
Judy Goldsby
Nick Altonaga (City of Laurel)
Gavin Williams (arrived at 5:45pm)

General Items

2. Meeting Minutes: February 17, 2021

The Chair presented the minutes from the meeting on February 17, 2021.

Dan Motioned to accept the minutes from February 17, 2021 meeting.
Jon Seconded.
Motion Carried.

New Business

3. Public Hearing: EBY Trailers Variance (E. Railroad St.)

The Planning Director presented the details of the staff report.

Judy questioned where the exact location of the development was. The Planning Director explained that it was located towards the end of E. Railroad street, adjacent to other recent developments.

The Chair Called for Proponents

Chuck Henricks, EEC Engineering
720 Well West Lane, Billings, MT

The civil engineer representing the client on this application as well as previous similar applications. These are similar to the previous variances applied for. The only difference is that this project is within the SE 4th Street Overlay District and provides alternatives to that strict standard.

Rustic Modern versus traditional log and stone façade.

- The Variance for the fastener panels will only be on the east side of the building.

- Roof is architectural concealed fastener panelling, along with the rear portion.
- Bufferyard variance is self-explanatory – Sewer main line exists within the landscape bufferyard area.
- Landscaping islands – Only looking for this for the 8 employee parking spots.
- Have about 6-7x the required parking spots.

Roger: Roof type?

24 gauge

Standing seam, trapezoidal, 3inch tall.

The Chair Called for Proponents

The Chair Called for Proponents

The Chair Called for Opponents

The Chair Called for Opponents

The Chair Called for Opponents

There being none, the chair moved on to Planning Board discussion.

Jon had questions about the number of bays for trailers.

2 exterior, and additional bays inside.

Dan asked about Fire protection.

We are under the square foot requirements for fire suppression systems.

Dan called the question.

The Chair summarized the situation.

Board members discussed additional possible conditions of approval. The Planning Director will update the staff report to suit the situation.

- All applicable building and other permits shall be applied for
- The development shall comply with the sign code.

Gavin Motioned to approve the Variance for EBY Trailers with the staff conditions of approval presented in the Staff Report.

Evan Seconded.

Motion Carried.

4. Public Hearing: 801 E. Main Street Zone Change

Nick presented the findings of the staff report.

The Chair called for Proponents.

Shannon Otis. 3670 Spaulding Ave, Billings, MT

- Owner of the company that owns 801 E. Main St.
- The current parking requirements limit the amount of development on the lot.

- Plan to fix the laydown on the lot in order to fix the landscaping.
- Proposing new curbing along the property.
- The current zoning limits the development due to parking. This zone change focuses on the current rehabilitation.

Roger- Entrances to the rentals? What side will they be on?

The East. Can enter from Main Street and the rear street. Hope to close up the accesses.

Dan: The property line between the car wash and the current building should be considered. That neighboring Convenience store and Car wash – Is there an agreement for shared access?

The alleyway is on the 801 E Main Property, but the owner and the neighboring owner want to keep shared access.

The Chair Called for Proponents

Dan Foos – Owner of neighboring Car Wash and Gas Station. Questions on lots. Sidewalks

- Sidewalks will be on the western edge of the property.
- Stormwater drainage is a concern.
- Can they build across

Shannon – We don't have the current plans to build on the north side.

Parking situation?

Currently will have them behind the building,
Will utilize on-street parking on Alder

Dan Foos –

- Concerned about E. 4th Street access. No problem with on-street parking on Alder. But want to ensure access to the rear of his properties to the East.
- Pins for the driveway – They are at the centerline of the driveway. Need to be sure to

Dan: What will the parking area be composed of?

Shannon: Right now, we are planning to clean it up and put gravel down. And keep the gravel out of the street through curbing.

Dan: Greenery?

Boulevard areas will have greenery.

There are water pooling issues on-site currently.

Need to decide how the water will be channeled.

Roger: Catch basins on the property? Aren't there two on the corners of the property?

The Chair Called for Opponents

Kurt Bradley, Lives across the street. Not necessarily an opponent but wanted to provide comment.

- Dan Foos and his wife have been very good neighbors with maintenance.
- Currently down-wind from this development. Garbage dumping brings an aroma.
- The City tried to put garbage cans in the street and it did not work well.

- Placed the garbage cans on Alder. This caused stray trash to blow into his yard. We HAVE to deal with garbage pick-ups and routes. Street strength? Garbage corrals/enclosures? Have concerns about the situation due to not wanting to pick up stray trash in the front yard. What might help is to ensure that all garbage is bagged.
- Garbage collection currently – Foos property has one can on the block but many adjacent property owners drop their trash in it. Have moved the can down to Alder Avenue due to the bad road conditions. This works better for the garbage route. The cans can fill up very fast.

The Chair Called for Opponents
The Chair Called for Opponents

The board moved on to voting.
Dan called for the question.

Jon Motioned to approve the Zone Change for 801 E. Main Street with the conditions presented in the staff report.
Roger Seconded.
Motion Carried.

5. Sign Review: Jimmy John's, SE 4th Street

Nick presented the Sign permit for Jimmy Johns at the new retail location on SE 4th Street.

What side will the Drive-Thru be on?
East Side.

Gavin Motioned to approve the sign permit for new Jimmy John's location.
Jon Seconded.
Motion Carried.

Old Business

Other Items

6. Ongoing Projects

Casa Linda Subdivision
Cherry Hills Subdivision
Golf Course Annexation and Subdivision
Goldberg Sporting Estates
Dyer PUD In-office.
West Laurel Interchange Planning
BSTF Planning Grant
Downtown Parking Study
Downtown Landscaping and Lighting
Zoning Code Update

Announcements

7. Adjourn

8. Next Meeting: April 21, 2021

Meeting Adjourned at 6:56pm.

The City makes reasonable accommodations for any known disability that may interfere with a person's ability to participate in this meeting. Persons needing accommodation must notify the City Clerk's Office to make needed arrangements. To make your request known, please call 406-628-7431, Ext. 2, or write to City Clerk, PO Box 10, Laurel, MT 59044, or present your request at City Hall, 115 West First Street, Laurel, Montana.

DATES TO REMEMBER



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board / Zoning Commission
FROM: Nicholas Altonaga, Planning Director
RE: 801 E. Main Street Zone Change
DATE: March 24, 2021

DESCRIPTION OF REQUEST

The Owner of 801 E. Main Street has requested a zone change from Community Commercial (CC) to Central Business District (CBD). Shannon Otis, the representative of the property owner, submitted the application packet to the Planning Department on February 17, 2021. The Applicant previously met with the Planning Director on site to discuss the zone change process and what a change of zoning designation would mean.

Owner: Investment Properties Finance Group LLC
Legal Description: NUTTING SUBD, S10, T02 S, R24 E, BLOCK 20, Lot 12A, AMND LESS 2731' FOR MAIN ST (08)
Address: 801 E. Main Street
Parcel Size: 10,939sqft
Existing Land Use: Commercial, vacant (under construction)
Existing Zoning: Community Commercial
Proposed Land Use: Central Business District

BACKGROUND AND PROCEDURAL HISTORY

- Applicant met with Planning Director in January of 2021 to discuss the current project on the property and the zone change process.
- Applicant submitted the zone change application on February 17, 2021.
- A Public Hearing was held at the Laurel City-County Planning Board meeting on March 17, 2021 to receive public comment and approve, approve with conditions, or deny the zone change.
- The Planning Board voted to approve the Zone Change Request with the stated staff conditions.

- A Public Hearing is scheduled at the Laurel City Council meeting on April 13, 2021 to receive public comment and approve, approve with conditions, or deny the zone change.

STAFF FINDINGS

The Applicant is requesting a zone change for the property at 801 E. Main Street. They request a zone change from the existing Community Commercial (CC) designation to the Central Business District (CBD) designation.

- The Applicant has met with the Planning Director regarding the zone change application.
- The Applicant has submitted the application and applicable fees.
- The Applicant has a goal of redeveloping and rehabilitating the parcel in order to build more residential units within the East downtown area.
- The Applicant has stated that the CBD designation provides greater opportunities for future lot development.
- The property is directly adjacent to the current delineated Central Business District.
- The property is one of two commercial properties directly East of the Central Business District zoning district that were not included in that zoning at the time of its establishment.
- The public noticing requirements have been met.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

17.72.060 - Zoning commission action.

- A. The zoning commission shall review and take action upon each application in accordance with the provisions of this chapter, and after a public hearing at which the application shall be presented to the zoning commission by the planning director together with his findings and conclusions on the matter. A report of the commission's recommendation and the planning director's findings and conclusions shall be submitted to the city council.
- B. The zoning commission shall make a recommendation to the city council to:
 1. Deny the application for amendment to the official map;
 2. Grant action on the application for a period not to exceed thirty days;
 3. Delay action on the application for a period not to exceed thirty days;
 4. Give reasons for the recommendation.
- C. The zoning commission shall adopt such rules and regulations for the conduct of public hearings and meetings, which shall be published and available to the public, as well as conflict of interest rules, to ensure that no member is entitled to vote on a matter in which he has an interest directly or indirectly.

RECOMMENDATIONS

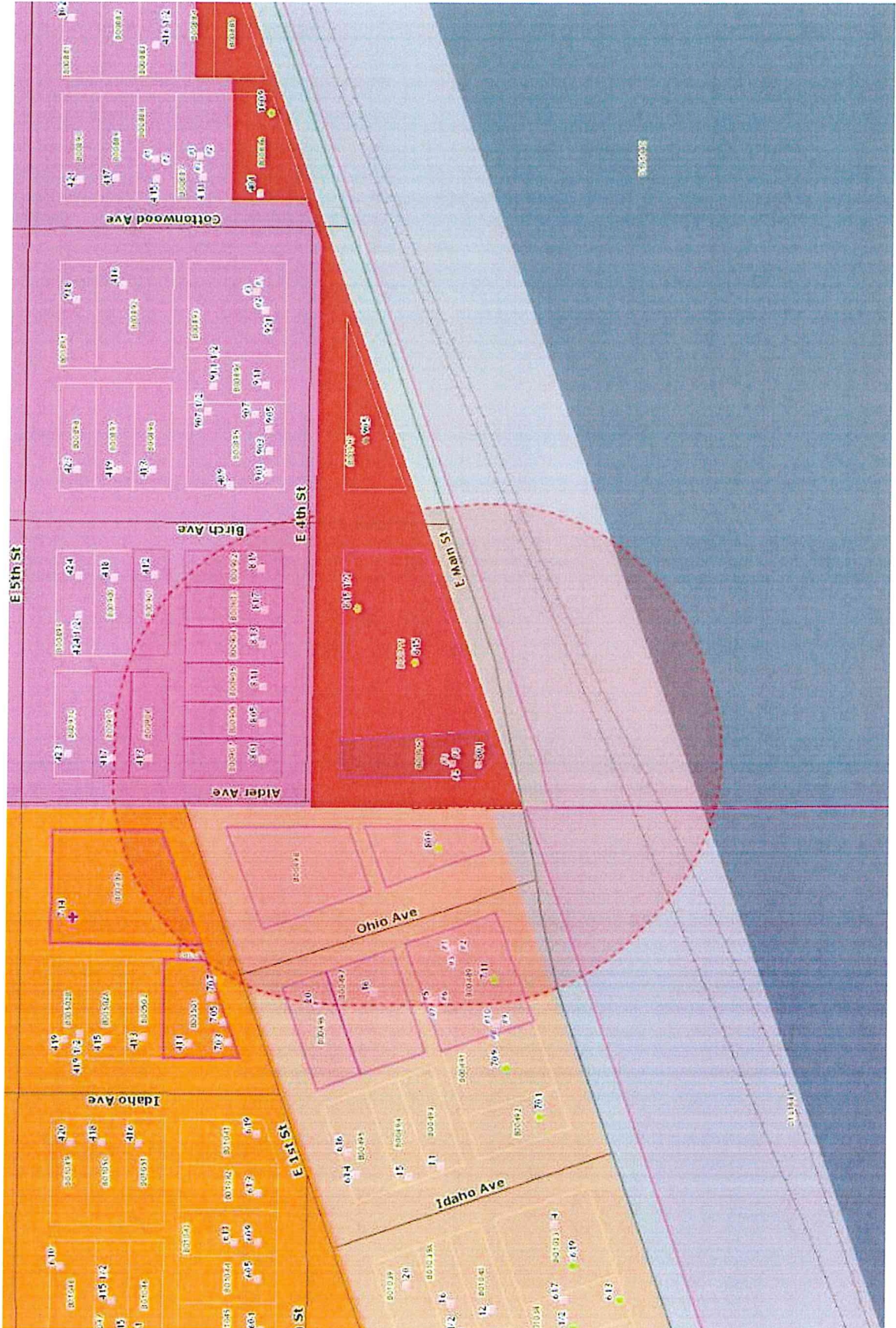
The Planning Director recommends that the Zoning Commission approve the zone change request. The Planning Director has drafted conditions of approval which are presented below.

1. The Owner/Developer shall comply with all the requirements of LMC Chapter 17.72
2. The Owner/Developer shall submit any and all applicable and necessary permits and fees for development of the parcels subject to this zone change approval.
3. The Owner/Developer shall not install and/or operate any uses on parcels subject to this zone change which are not allowable under LMC Chapter 17.16.

ATTACHMENTS

1. 801 E. Main Street Zone Change Application
2. Overhead Map with 300ft buffer
3. Nutting Subdivision Plat (1909)
4. List of Adjacent Property Owners
5. Public Hearing Notice
6. LMC 17.72 – Amendments
7. LMC 17.20 – Commercial-Industrial Use Regulations





2419 11TH LLC
B00501
PO BOX 7128
SHERIDAN, WY 82801-7003

MONSON, CHRIS
B00903
817 E 4TH ST
LAUREL, MT 59044

ARROYO SECO GROUP INC
B00489
7308 EL NIDO
LA VERNE, CA 91750-1127

MONTANA RAIL LINK
D13144C
PO BOX 16624
MISSOULA, MT 59808-6624

BRADLEY, CURTIS J & BONNIE
J
B00904
813 E 4TH ST
LAUREL, MT 59044-2801

MORAN, MICHAEL G
B00908
PO BOX 461
LAUREL, MT 59044-0461

CITY OF LAUREL
B00500
115 W 1ST ST.
LAUREL, MT 59044

PORCH LIGHT LLC
B00906
805 E 4TH ST
LAUREL, MT 59044

DEMARAY, ROGER D &
KRISTINA R
B00497
4207 RIMROCK RD
BILLINGS, MT 59106-1420

RICHARDS, STEVEN W &
JENNY L
B00902
819 E 4TH ST
LAUREL, MT 59044

EAST MAIN DEVELOPMENT
LLC
B00911
1415 RIDGE DR.
LAUREL, MT 59044-1817

SMITH, LANCE E & AMBER
B00496
20 OHIO AVE
LAUREL, MT 59044

HOLYCROSS, DAVID A
B00907
801 E 4TH ST
LAUREL, MT 59044

TOWN & COUNTRY SUPPLY
ASSOCIATION
B00498
PO BOX 367
LAUREL, MT 59044-0367

INVESTMENT PROPERTIES
FINANCE GROUP LLC
B00912
801 MAIN ST
LAUREL, MT 59044

VANDYKE, BECKY L
B00909
417 ALDER AVE
LAUREL, MT 59044

LAUREL CHURCH OF CHRIST
B00499
PO BOX 95
LAUREL, MT 59044-0095

WEATHERFORD, KEENAN
B00901
412 BIRCH AVE
LAUREL, MT 59044

PUBLIC HEARING NOTICE

The Laurel City-County Planning Board and Zoning Commission will conduct a public hearing on a zone change requested for 801 East Main Street. The Zoning Commission hearing is scheduled for 5:35 P.M., in the City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Wednesday, March 17th, 2021.

Additionally, the City Council has scheduled a public hearing for the consideration of the zone change request. The City Council hearing is scheduled for 6:30 P.M., in the City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Tuesday, April 13th, 2021.

The applicant is requesting a zone change from the Community Commercial zoning District to the Central Business District zoning district. The Community Commercial district is intended to accommodate community retail, service and office facilities offering a greater variety than would normally be found in a neighborhood or convenience retail development. The requested Central Business District zoning district is intended to primarily accommodate stores, hotels, governmental and cultural centers and service establishments at the central focal point of the city's transportation system.

Public comment is encouraged and can be provided in person at the public hearings on March 17th and April 13th. Public comment can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1st Street Laurel, MT 59044. A copy of the zone change documentation is available for review upon request at the Planning Department office. Questions regarding this public hearing may be directed to the Planning Director at 628-4796 ext. 5302, or via email at cityplanner@laurel.mt.gov.

Chapter 17.72 - AMENDMENTS

Sections:

17.72.010 - Purpose of provisions.

Whenever the public necessity, convenience, general welfare, or good zoning practice requires, the city council may amend, supplement, or change the regulations in this title, or the zoning boundaries or classification of property on the zoning map, as set forth in this chapter.

(Prior code § 17.84.010)

17.72.020 - Amendment procedure.

Amendments to the text of the title and/or changes in the zoning boundaries or classification of properties shown on the zoning map may be initiated by the city council on their own motion, or upon recommendation of the planning board but no amendment shall become effective unless it shall have been submitted to the zoning commission for review and recommendation. Before enacting an amendment to this title, the city council shall give public notice and hold a public hearing thereon.

(Ord. 96-5 (part), 1996; prior code § 17.84.020 (part))

17.72.025 - Amendment by private property owner.

Amendments to the zoning boundaries or classification of property shown on the zoning map may be initiated by property owners of the land proposed to be rezoned, by the filing with the zoning commission secretary of a zoning change application, which application shall be provided by the zoning commission secretary, and accompanied by all other materials and data required in the application.

(Ord. 01-4 (part), 2001; Ord 96-5 (part), 1996; prior code § 17.84.020 (part))

17.72.030 - Preapplication conference required.

Persons or parties interested in submitting an application for a zoning change shall consult with the planning director and the building inspector, at a joint meeting, if possible, concerning a proposed zoning change, its relation to and effect upon the comprehensive plan, any applicable specific plans or any plans being prepared by the planning department, and whether the proposed change is in conformance with public necessity, convenience, general welfare and good zoning practice.

(Prior code § 17.84.030)

17.72.040 - Application requirements.

- A. Unless initiated by the city council or planning board, all applications for official map amendments must be submitted by the owner of such property, the contract purchaser, or the authorized agent of the owner. An application for an amendment affecting the same property shall not be submitted more often than once every twelve months. The zoning change application shall contain the following information:
1. Name of applicant;
 2. Mailing address;
 3. Telephone number;

4. Accurate legal description of location;
 5. Nature of zoning change requested;
 6. Description of present land uses;
 7. Description of adjacent land uses;
 8. Statement of intended land use;
 9. Statement concerning any expected effect upon the adjacent neighborhood;
 10. Date of preapplication conference;
 11. Names and addresses of adjacent property owners, within three hundred feet;
 12. Signature of applicant;
 13. Payment of all applicable fees.
- B. An application for amendment to the official map shall be made on or before five p.m. of the first day of the month preceding the date of the public hearing before the zoning commission. When the date of submittal falls on a weekend or holiday, the submittal shall be on the following day before five p.m.
- C. An application for a zone change may not be withdrawn or amended after the legal advertising, as required by this section, has appeared for final public hearing before the city council. An applicant may be allowed to withdraw at the time of the zoning commission hearing by a majority vote of the members present without requiring council approval of the withdrawal and without prejudice with respect to the twelve month waiting period providing, however, that no application be allowed to be withdrawn more than once within the twelve month period after application shall have first been submitted.

(Prior code § 17.84.040)

17.72.050 - Planning department evaluation responsibility.

The planning director, upon receiving an application for rezoning of an area or a particular place of property shall do the following:

- A. Consult with other departments of the city or county to fully evaluate the impact of any zoning change upon public facilities and services including, but not limited to schools, drainage, traffic and related facilities;
- B. Study each application with reference to its appropriateness and effect on existing and proposed land use, and references to the comprehensive plan;
- C. In the case of a protest petition filed in the matter of any application for rezoning determine the validity of such petition;
- D. Advertise twice in a newspaper of general circulation in the jurisdictional area of the Laurel-Yellowstone city-county planning board at least fifteen days in advance of the time and place of the public hearing;
- E. Notify, by mail, the applicant or his authorized agent five days prior to the date of the public hearing of the time and place of such hearing;
- F. Notify, by mail, all property owners within three hundred feet of the exterior boundaries of the property subject to the rezoning; of the time, date, place of the public hearing and the existing and proposed classification. Further, he may notify property owners within a radius of more than three hundred feet if he determines that the proposed use of the property would have substantial environmental impact on surrounding land uses;
- G. The planning director shall report his findings and conclusions in writing to the zoning commission, which report shall be a matter of public record.

(Ord. 01-4 (part), 2001; prior code § 17.84.050)

17.72.060 - Zoning commission action.

- A. The zoning commission shall review and take action upon each application in accordance with the provisions of this chapter, and after a public hearing at which the application shall be presented to the zoning commission by the planning director together with his findings and conclusions on the matter. A report of the commission's recommendation and the planning director's findings and conclusions shall be submitted to the city council.
- B. The zoning commission shall make a recommendation to the city council to:
 - 1. Deny the application for amendment to the official map;
 - 2. Grant action on the application for a period not to exceed thirty days;
 - 3. Delay action on the application for a period not to exceed thirty days;
 - 4. Give reasons for the recommendation.
- C. The zoning commission shall adopt such rules and regulations for the conduct of public hearings and meetings, which shall be published and available to the public, as well as conflict of interest rules, to ensure that no member is entitled to vote on a matter in which he has an interest directly or indirectly.

(Prior code § 17.84.060)

17.72.070 - Public hearing—Notice required.

- A. Before taking action on an application for an amendment to the official map, and after presentation of the zoning commission's recommendation, the city council shall hold a public hearing on the application.
- B. The recommendations of the zoning commission shall be published twice in a newspaper of general circulation in the jurisdictional area of the Laurel-Yellowstone city-county planning board, and not less than fifteen days after the first publication of such notice, a final hearing shall be held at the next regular meeting of the city council.
- C. When such proposed amendment has been denied by the city council neither it nor one involving the same tract(s) shall be offered for adoption within one year after such denial.
- D. In case, however, of a valid protest petition against such change signed by the owners of twenty per centum or more either of the lot included in such proposed change, or of those immediately adjacent in the rear of extending one hundred fifty feet therefrom or of those adjacent on either side thereof within the same block, or of those directly opposite thereof extending one hundred fifty feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the city council.

(Ord. 01-4 (part), 2001; prior code § 17.84.070)

17.20.010 - List of uses.



Table 17.20.010 designates the special review (SR) and allowed (A) uses as governed by commercial — industrial use regulations.

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Accessory buildings or uses incidental and customary to a permitted residential use and located on the same parcel as the permitted residential use	A	A	A	A	A	A	A	A	A
Airports	A								A
Alcoholic beverages manufacturing and bottling (except below):							A	A	
1,500 to 5,000 31-gallon barrels per year				SR	SR	SR	A	A	
Less than 1,500 gallon barrels per year				A	A	A	A	A	
Ambulance service			A	A	A	A	A	A	
Antique store				A	A	A	A		
Appliance - (household) sales and service			A	A	A	A	A		
Assembly halls and stadium					SR	SR	SR		SR
Assembly of machines and appliances from previously prepared parts					SR	SR	SR		SR
Auction house, excluding livestock				SR	SR	A	A	A	
Auction, livestock	SR								
Automobile sales (new and used)				A	A	A	A		
Automobile - commercial parking enterprise				A	A	A	A	A	
Automobile and truck repair garage				A	A	A	A	A	
Automobile service station			A	A	A	A	A	A	
Automobile wrecking yard								SR	
Bakery products manufacturing					SR	A	A	A	
Bakery shops and confectioneries			A	A	A	A	A		
Banks, savings and loan, commercial credit unions			A	A	A	A	A		
Barber and beauty shops			A	A	A	A	A		
Bed and breakfast inns	A		A		A	A			
Bicycle sales and repair			A	A	A	A	A		
Blueprinting and photostating			A	A	A	A	A		
Boarding and lodging houses	A		A		A	A			
Boat building and repair						A	A	A	
Boat sales new and used					A	A	A	A	
Boiler works (manufacturing servicing)								A	
Boiler works (repair and servicing)							A	A	
Book and stationery store			A	A	A	A	A		
Bottling works							A	A	
Bowling alleys				A	A	A	A		
Brick, tile or terra cotta manufacture								A	
Bus passenger terminal buildings local and cross country				A	A	A	A		
Bus repair and storage terminals						A	A	A	
Camera supply stores			A	A	A	A	A		
Camps, public					SR	A			A
Car washing and waxing					A	A	A		
Car wash - coin operated			A	A	A	A	A		
Cement, lime and plastic manufacture								A	
Ceramics shop		SR	A	A	A	A	A		
Chemical and allied products manufacture								A	
Child care facilities	A		A		A	A			
Churches and other places of worship including parish houses and Sunday school building	A	SR	A	A	A	A	A	A	
Clinic, animal	A		A	A	A	A	A		
Clinics, medical and dental		SR	A	A	A	A	A		
Clothing and apparel stores			A	A	A	A	A		
Coal or coke yard								A	
Cold storage					A	A	A		
Colleges or universities			A	A	A	A			A
Commercial recreation areas			SR	A	A				A

17.20.010 - List of uses.



Table 17.20.010 designates the special review (SR) and allowed (A) uses as governed by commercial — industrial use regulations.

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Gases or liquified petroleum gases in approved portable metal containers for storage or sale						A	A	A	
Grain elevators	A					SR	SR	A	
Greenhouses	A				A	A	A	A	
Hardware, appliance and electrical supplies, retail sales				A	A	A	A		
Hatcheries	A						SR	SR	
Heliports				SR		SR	SR	SR	SR
Hobby and toy stores			A	A	A	A	A		
Hospitals (for the care of human patients)			A	A	A	A		A	
Hospital, animal		A		SR	SR	A	A	A	
Hotels				A	A	A			
Industrial chemical manufacture except highly corrosive, flammable or toxic materials									SR
Irrigation equipment sales and service					A	A	A	A	
Jails and penal institutes									A
Janitor service				A	A	A	A		
Jewelry and watch sales			A	A	A	A	A		
Kennels – commercial	A				SR	A	A		
Laboratories for research and testing						SR	A	A	
Landfills - reclamation or sanitary									A
Laundries, steam and dry-cleaning plants							A	A	
Laundries, steam pressing, dry-cleaning and dyeing establishments in conjunction with a retail service counter under 2500 sq. ft. in size			A	A	A	A	A		
Laundries, pick up stations			A	A	A	A	A		
Laundries, self-service coin operated			A	A	A	A	A		
Libraries, museums, and art galleries			A	A	A	A	A		A
Lock and gunsmiths			A	A	A	A	A		
Lodges, clubs, fraternal and social organizations provided that any such club establishment shall not be conducted primarily for gain				A	A	A			
Lumber yards, building materials, storage and sales						A	A	A	
Machine shops						SR	A	A	
Manufacturing - light manufacturing not otherwise mentioned in which no excessive fumes, odors, smoke, noise or dust is created						SR	A	A	
Heavy manufacturing not otherwise mentioned or blending or mixing plants						SR	SR		
Meat processing - excluding slaughter plants						SR	A		
Meat processing, packing and slaughter								SR	
Medical marijuana cultivation facility or cultivation facility							A	A	
Medical marijuana dispensary or dispensary							A		
Metal fabrication						SR	SR	A	
Motorcycle sales and repair				A	A	A	A		
Mortuary			A	A	A	A	A		
Motels and motor courts				A	A	A			
Music stores			A	A	A	A	A		
Office building, professional government and private office buildings in which no activity is carried on catering to retail trade and no stock of goods is maintained for sale	SR	SR	A	A	A	A	A	A	SR
Office equipment, supplies and service			A	A	A	A	A		
Optician and optical supplies and sales			A	A	A	A	A		
Oxygen manufacturing and/or storage								A	
Paint and body shops				A	A	A	A	A	
Paint and retail sales			A	A	A	A	A		
Parking, public		SR	A	A	A	A	A	A	A

17.20.010 - List of uses.



Table 17.20.010 designates the special review (SR) and allowed (A) uses as governed by commercial — industrial use regulations.

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Parks, playgrounds, playfields and golf courses, community center buildings - operated by public agency, neighborhood or homeowner's association	A	SR							A
Pawn shops				A	A	A	A		
Pet shops			A	A	A	A	A		
Photographic studios		SR	A	A	A	A	A		
Planing or saw mills								A	
Post-secondary school	A	A	A	A	A	A			A
Prefabricated building materials assembly and manufactures						SR	A	A	
Preschool	A	SR	SR	SR					
Printing, publishing, reproduction and lithography				A	A	A	A	A	
Processing of previously slaughtered meats, including cutting, wrapping, and freezing by freezer and locker provisioners					A	A	A	A	
Public utilities service installations	SR	SR	SR	A	A	A	A	A	SR
Public utilities storage yard						A	A	A	SR
Radio and TV broadcasting stations				A	A	A	A	A	
Radio and TV tower						A	A	A	SR
Railroad yard							A	A	
Real estate office			A	A	A	A	A		
Rental service store and yard					A	A	A		
Repair and servicing of industrial equipment and machinery						A	A	A	
School, commercial			A	A	A	A			A
Scrap yards - storage and processing								A	
Secondhand stores and/or antique store				A	A	A	A		
Sheet metal shops and processing							A	A	
Shoe repair				A	A	A	A	A	
Sign manufacturing, painting and maintenance						A	A	A	
Sign									
Billboards	SR					SR	SR	SR	
On premises	A	SR	A	A	A	A	A	A	
Off premises	SR			SR	SR	SR	SR	SR	
Slaughterhouse	SR							SR	
Sporting goods sales				A	A	A	A		
Storage, compartmentalized storage for commercial rent							SR	SR	
Storage and warehouse and yards							SR	A	
Stone cutting, monuments manufacturing and sales							SR	A	
Sugar and sugar beet refining								SR	
Swimming pools or beaches, public									A
Taxi stands				A	A	A	A		
Theaters, cinema, opera houses				A	A	A			
Drive-in theaters						SR			
Tire recapping and retreading						A	A	A	
Trailer and recreational vehicle sales area					A	A	A		
Travel trailer park (transient)						SR			
Truck terminals, repair shops, hauling and storage yards						A	A	A	
Water and sewage treatment plant	A								A
Wholesale and jobbing establishments						SR	A	A	
Woodworking shops, millwork						SR	A	A	
Zoo, arboretum	SR								A

(Ord. No. O09-01, 3-17-09; Ord. No. O09-07, 7-7-09; Ord. No. O11-01, 2-15-2011; Ord. No. O-14-03, 8-5-2014)

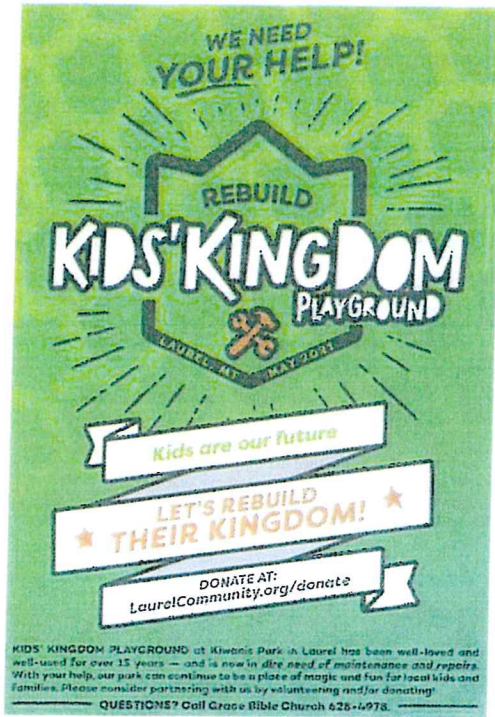
17.20.020 - Zoning classified in districts.



Zoning for commercial — industrial use is classified in and subject to the requirements of Table 17.20.020.
 (Prior code § 17.32.020)

Zoning Requirements	A	RP*	NC*	CBD*	CC*	HC	LI	HI	P
Lot area requirements in square feet, except as noted, 20 acres	20 acres	NA	NA	NA	NA	NA	NA	NA	NA
Minimum yard requirements:									
Front ^(a)	NA	20	20	NA	20	20	20	20	20
Side ^(b)		0	0		0	0	0	0	0
Side adjacent to street		10	10		10	10	10	10	10
Rear ^(b)		0	0		0	0	0	0	0
Maximum height for all buildings ^(c)	NA	25	25	NA	25	45	70	NA	NA
Maximum lot coverage in percent	NA	50	50	NA	50	75	75	75	50
Minimum district size (expressed in acres)	20 acres	2.07	2.07	2.07	2.07	2.07	2.07	2.07	NA
(NA means not applicable)									
*The lot area, yard and lot coverage requirements for 1 and 2 single family dwellings in commercial zoning districts shall be the same as those in the RLMF residential zoning district.									
(a) Arterial setbacks									
(b) Side and rear yards									
(c) Except as provided in the airport zone									

(Ord. No. O-14-03,8-5-2014)



Kids' Kingdom Playground Restore or Rebuild

COST/ANALYSIS/RECOMMENDATION

Grace Bible Church/Playground Restoration Team



LEATHERS & ASSOCIATES, INC.
725 North A1A, Unit C201
Jupiter, FL 33477
(877) 564-6464
<http://www.leathersassociates.com>



INVOICE

BILL TO
City of Laurel
P.O. Box 10
Laurel, MT 59044

INVOICE # 11351
DATE 10/14/2020
DUE DATE 10/29/2020

DESCRIPTION	AMOUNT
Playground Assessment by William Hugill on 10/16-17/20	1,800.00

BALANCE DUE **\$1,800.00**

Make checks payable to Leathers & Associates. We also accept credit cards. Card payments over \$2,000 will be assessed a 2.5% fee. A finance charge of 1.5% per month is added to any outstanding balances after due date.



**Playground renovation Proposal
Kiwanis Park Playground**

City of Laurel, MT
115 West 1st Street
Laurel, MT 59044

DATE: 12/27/20
Project Manager: TBD
Construction Week: 12-16 May 2021

READ THIS ENTIRE PROPOSAL CAREFULLY. IT CONTAINS IMPORTANT INFORMATION FOR YOUR PROJECT.

This proposal constitutes an estimate of the work our office will provide for your project and the associated fees. The fees described in this proposal assume that we are providing standard services based on our community build model as summarized in the "Playground Planning Guide" and this document. **The fees outlined here will vary only if additional work is requested or required.** Examples of work that would generate additional fees include details above and beyond those necessary for us to build the project, a major change in project's scope, or a change of site.

The construction phase will not change except by mutual agreement between Leathers & Associates and the community. Certain conditions may be encountered during construction that significantly affects consultants' total number of hours. Variables such as weather and low volunteer turnout are impossible to identify until the time of construction and may affect the total hour's necessary for construction consultation. However, additional fees will be charged only if construction continues beyond the final scheduled day.

The following pages contain an outline of the remaining services we are to provide. If you have any questions about this proposal, please contact us by 1/27/21. Otherwise, we will assume the proposal is acceptable and will proceed with your project.

The following is an outline of fees for Leathers & Associates' professional services:

<u>Design Phase</u>	\$ 2,500
<u>Construction Phase Fee</u> <i>(The Construction Phase fee confirms your construction date and is due upon acceptance of your proposal.)</i>	\$ 950
<u>Design Development & Construction Documents Phase</u>	
Design Development, Detailed drawings, Rendering	\$ 12,600
Project management services, Materials list	\$ 4,400
<u>Organization Phase</u>	
Organization Phase Fee	\$ 1,900
Estimated travel expenses	\$ 1,200
<u>Construction Consultation</u>	
Construction Consultants (estimated 5 days)	\$ 17,900
Estimated travel expenses. *Hotel accommodations are <u>not</u> included and are typically donated.	\$ 3,000
<u>Estimated materials</u> (TBD upon completion of Schematic design)	\$ 100,000
<u>Sub-total</u>	\$ 145,550
Materials contingency	\$ 2,500
Project contingency	\$ 4,000
<u>TOTAL ESTIMATED BUDGET</u>	\$ 152,050

CONSTRUCTION OPTIONS

Most of our projects are constructed through community volunteers. This process is L&A's heart and soul. The community build method not only saves money but empowers communities with limitless potential and benefits. At the same time, we understand that the community build model may not be an option or the best choice. In those situations, we also can work with contractors, city workers, volunteers, and a variety of combinations. In many cases L&A can also provide a turn-key option for the project. Our goal is to find the right solution for your community and situations.

ASSOCIATED COSTS

An estimate for the proposed scope of work above including L&A fees (design, project management and construction consultation) and all materials is estimated at around \$140,000. It's anticipated that the work can be completed in five days.

As a reminder this is just an estimate until we define the final scope of work and get actual quotes for the materials.

Due the structures age and condition, we have provided an estimated cost to replace the playground with a new design utilizing all of today's latest materials (no wood). Today's playgrounds are expected to last minimally 30 years with minimal maintenance needs.

A custom designed community build replacement estimate is around \$260,000 for a playground with similar square footage as your existing playground. This cost estimate is based on utilizing our community built model.. It's anticipated that the work can be completed in five days. While a renovation is an option, consideration should be given to the total amount budgeted vs. the expected longevity of each option. Also yearly maintenance cost and needs for upkeep must be kept in mind.

Removal or demo of the existing playground is not included in any of these estimates. If neither of the two options above are within an obtainable budget a smaller scope based on a reduced budget could be developed.

NEXT STEPS

Work with L&A to develop a final scope of work based on your budget and our recommendations. Review when you would want the work completed by and develop a timeline from there. Please contact us if you have any questions. We truly appreciate the opportunity to work with your community again.



6100 3rd Ave South, Great Falls, MT 59405

QUOTATION

406 / 454- 0420

FAX ----- 406 / 454- 0439

Quotation #	
P.O. #	

PREPARED FOR:

NAME: Tami
 SCHOOL: Grace Bible Church
 ADDRESS: 917 Washington Ave
Laurel, MT

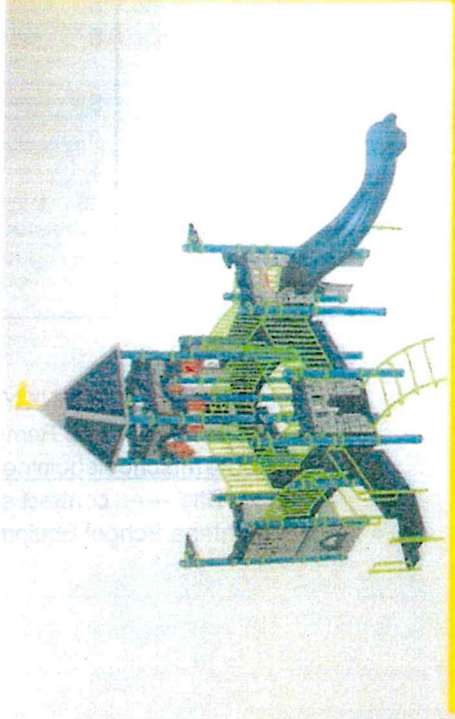
Revised 1-19-2021

INQUIRY #	DUE DATE	COUNTY	DISTRICT	STATE	SALESMAN

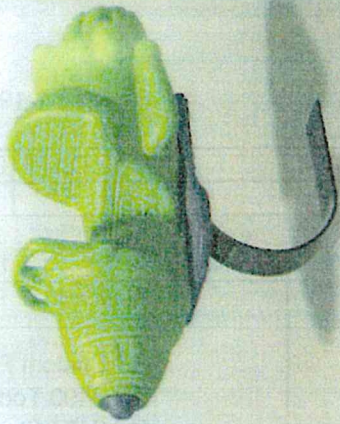
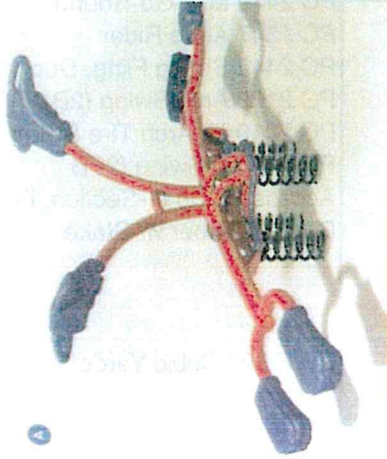
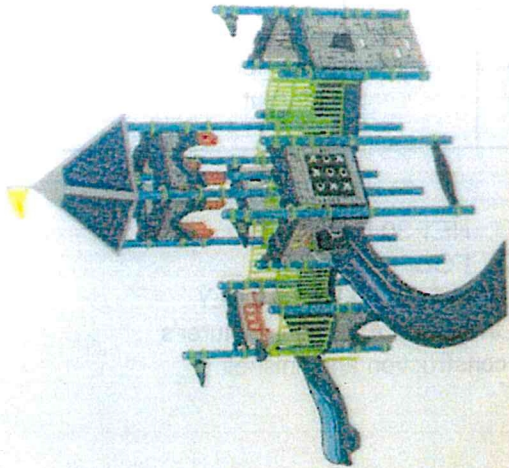
QTY.	UNIT	DESCRIPTION	UNIT PRICE	EXTENDED
		Playcraft		
		R5 Custom Play System - R5053D8FA		
		PC 3490 Toddler Train, Engine		
		PC 2474 Stand-n-Spin (Enclosed)		
		PC 2479 Mini-Go-Round		
		PC 1347 Astro Rider		
		PC 2442 Spring Fling, Duo		
		PC 2120 Arch Swing (2B)		
		PC 2010 7ft Arch Tire Swing		
		PC 2190 T-Swing (2FB)		
		Access Ramp (1-Section, Female Pivot		
		Border Timber w/ Stake		
		Freight	\$	3,200.00
		Equipment Total	\$	74,738.00
		EWF 300 Cubic Yards	\$	5,850.00
		Freight	\$	1,125.00
		EWF Total	\$	6,975.00
		Install of EWF and Equipment	\$	29,500.00
		Total	\$	111,213.00
			\$	121,388.00
		Does not include extreme digging, ground prep or tear out		

TERMS: NET 30 DAYS
 FREIGHT: FOB-----
 PRICES FIRM FOR 30 DAYS ONLY
 SPECIFICATIONS: ALL manufacturer's
 standard construction and finishes.

THANK YOU ----
 BY: Bob Remy
bob@mtschoolequipment.com
 Title ----- contract sales dept.
 Montana School Equipment Co.



Some of the new components of Kids Kingdom Playground



**GRACE CHURCH
TOP VIEW**

ADA ACCESSIBILITY GUIDELINE - ADAAG CONFORMANCE

ELEVATED	ACCESSIBLE	DAMP ACCESSIBLE	GROUND	TYPES
6	6/3	0	3/2	2/2

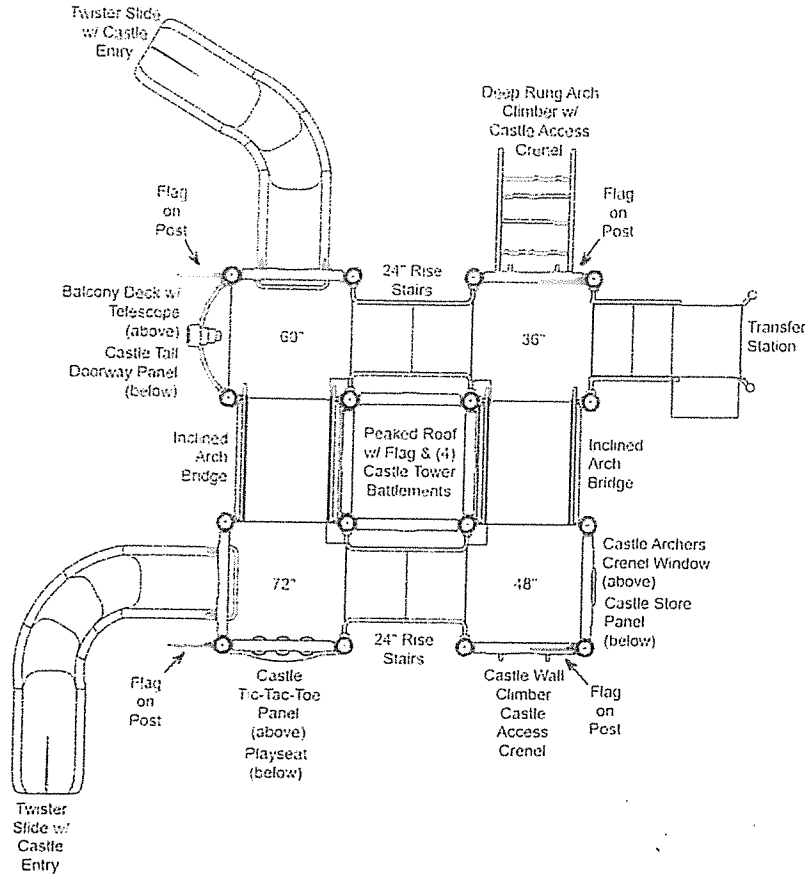


FOR KIDS
AGES
2-12

GENERAL NOTES:

This conceptual plan is based on information provided prior to construction. Detailed site information, including the following, should be obtained, evaluated, and utilized in the final project design. Exact site dimensions, topography, existing utilities, soil conditions and drainage solutions.

WARNING: Accessible safety surfacing material is required beneath and around this equipment that has a critical height value (Fall Height) appropriate for the highest accessible part of this equipment. Refer to the CPSCS Handbook For Public Playground Safety, Section 4: Surfacing.



STRUCTURE#: R5053D8FA

PROJECT#: MSE212D93BB

DATE: 1/18/2021 | DRAWN BY: Alyssa

MIN. USE ZONE: 35' x 36'

PLAYCRAFT REP:

Montana School Equipment Con

**GRACE CHURCH
SITE PLAN**

ADA ACCESSIBILITY GUIDELINE - ADAAG CONFORMANCE

ELEVATED	ACCESSIBLE	RAMP ACCESSIBLE	GROUND	TYPES
6	6/3	0	13/2	4/2



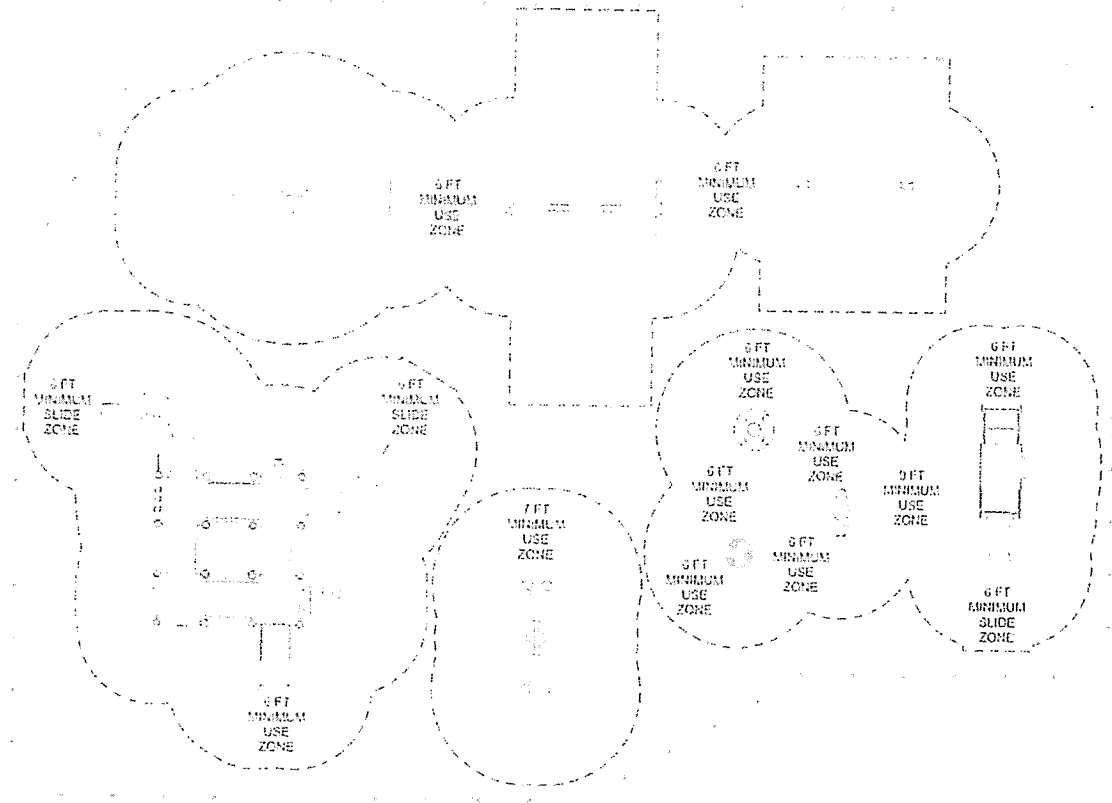
**FOR KIDS
AGES
[Mixed]**

GENERAL NOTES:

This Preliminary Site Plan is based on measurements that were provided in the initial planning phase. All dimensions must be verified prior to the submission of a purchase order. Playcraft Systems will not be held responsible for any discrepancies between actual dimensions and dimensions submitted in the planning phase.

The Minimum Use Zone for a play structure is based on the product design at the time of proposal. Components and structure designs may be subject to change which may affect dimensions. Therefore, before preparing the site, we strongly recommend obtaining final drawings from the factory (available after the order is placed and included in the Assembly Manual).

WARNING: Accessible safety surfacing material is required beneath and around this equipment that has a critical height value (Fall Height) appropriate for the highest accessible part of this equipment. Refer to the CPSCS Handbook For Public Playground Safety, Section 4: Surfacing.



PROJECT#: MSE212D938B

DATE: 1/18/2021 | DRAWN BY: Alyssa

MIN. USE ZONE: 85' x 60'

PLAYCRAFT REP:

Montana School Equipment Con



W 11th St

W 11th St

W 11th St

W 11th St

W 11th St

Mountain View Ln

Mountain View Ln

Mo

4' Grady Chain Link \$9,925.
 4' Black Chain Link \$12,480.

6' Grady Chain Link \$11,385. 4' V2 steel \$20,875.
 6' Black Chain Link \$13,675. New Frame work
 w/ Old Pickets \$15,330.