

**MINUTES
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, DECEMBER 20, 2023**

MEMBERS PRESENT

Forrest Sanderson called for roll call,

Roger Giese

Ron Benner

Richard Herr

Richard Klose

Jon Klasna

Gavin Williams

Judy Goldsby

Staff,

Kurt Markegard

Forrest Sanderson

Brittnay Harakal

Others attended and some signed in on a sign-in sheet in lobby.

Public Input:

No Public Comments on non-agenda items.

Discloser of Ex Parte Communication

Public Hearing

1. Judy went over the process for the growth management plan that the Yellowstone County Commissioners had tasked the Planning Board to update for Laurel-Yellowstone City-County Growth Management Plan 2023 Update. Judy introduced Kurt Markegard to open the public hearing and Kurt gave a brief review of the Growth Management Plan update and the county and city resolutions. Kurt explained that the planning board has had numerous meetings throughout the summer. Workshop meetings that were publicly noticed in YCN. This meeting was noticed in YCN and Laurel Outlook. We have received over 200 comments. There are some comments that the board may want to consider. Kurt asked that everyone is given due respect. Kurt turned the meeting back over to the chair.

Judy asked that with the number of people at the meeting Judy asked for a three-minute time limit. Judy asked for people to come to the podium and introduce themselves and their address. The meeting was record and the minutes will indicate when on the recording when members of the public spoke to the planning board. See recording for comments.

- a. Steve Krum, 24th avenue, -14 minutes until 17 minutes 29 seconds.
- b. Barb Emineth, 501 Alder Ave,- 17 minutes 40 seconds until 20 minutes and 30 seconds.

- c. Pricilla Bell, 1310 Wild Horse Drive, - 20 minutes and 40 seconds until 23 minutes and 53 seconds
- d. Carol Blades, 1809 Denitis Lane – 24 minutes and 0 seconds until 26 minutes and 0 seconds.
- e. Cara Ronan, 1721 Nicolas Lane and Seitz Ronan. – 26 minutes and 15 seconds until 31 minutes and 0 seconds.
- f. Zack Ditie –1721 Nicolas Lane – 31 minutes and 5 seconds until 33 minutes 15 seconds.
- g. Kasey Felder, 1434 McMullan Lane – 33 minutes and 25 seconds until 34 minutes 41 seconds. Walked away from the microphone so hard to hear her testimony.
- h. Katie Harrison, 2901 6th Ave S. Billings, MEIC – 34 minutes and 55 seconds until 38 minutes and 14 seconds.
- i. Mike Penfold, 3552 Prestwick Rd, -38 minutes and 38 seconds until 40 minutes and 55 seconds.
- j. Kris Glen, 209 Yellowstone Ave, -41 minutes and 10 seconds until 44 minutes and 20 seconds.
- k. Mary Fitzpatrick, 631 Clark, -44 minutes 35 seconds until 46 minutes until 46 minutes 47 seconds.
- l. Aaron Felder 1434 McMullan, -46 minutes and 55 seconds until 48 minutes and 10 seconds.
- m. Julie Holzer, 16 South Platt Red Lodge, - 48 minutes and 25 seconds until 51 minutes and 29 seconds.
- n. Larry Bean, 2905 Harrow Drive Billings, -51 minutes and 42 seconds until 55 minutes and 2 seconds.
- o. Heather Calderwood, 101 Cottonseed Ln, 55 minutes and 40 seconds until 58 minutes and 20 seconds.

Kurt explained that the public hearing is to gather public testimony and is not to be engaged with the public at this time.

Ron Benner asked the chair to be excused as he has a prior engagement and will review the minutes. Ron left at 59 minutes and 30 seconds.

- p. Jessie Gallagos, 1358 Windmill Circle, 59 minutes and 35 seconds until 60 minutes and 15 seconds.
- q. Adele Honor, 1109 Delphinium Billings, 60 minutes and 30 seconds until 63 minutes and 25 seconds.

- r. Mitchell Werbell, representing NWE, Land use Attorney, 63 minutes and 45 seconds until 66 minutes and 57 seconds.
- s. Patrick Certain, West of Laurel, 67 minutes and 14 seconds until 67 minutes and 55 seconds.
- t. Karen Stears, 311 Parkhill Drive, 68 minutes and 10 seconds until 71 minutes 20 seconds.
- u. Phil Gibert, 320Fairway View Drive, 71 minutes and 25 seconds until 73 minutes and 20 seconds.
- v. Lori Herman, 175 South Magelssen Rd, 73 minutes and 35 seconds until 74 minutes and 50 seconds.
- w. Gilbert Berdett, S 56th Street, 75 minutes and 10 seconds until 77 minutes 50 seconds.
- x. Dawn Calderwood, East of Laurel, 78 minutes and 15 seconds until 78 minutes and 59 seconds.

Judy asked three times if anyone else would like to speak and seeing none she closed the public hearing at 79 minutes at 25 seconds or at 7:19 pm.

Judy moved to take a break to let people that wanted to leave could, but Forrest wanted to ask the chair to deviate from the meeting agenda so that the Public Hearing on the Growth Policy could be followed by the growth management policy discussion and possible action.

The meeting was in recess from 82 minutes until 90 minutes and 5 seconds. Judy called the meeting back to order.

Forrest asked if the members of the board wanted to adjust the agenda so that discussion could take place on the item with members of the public present. Gavin motion to adjust agenda at 91 minutes at 40 seconds Klose seconded the motion and after no discussion the vote 6-0.

New Business item #5

5. Klose move to table the resolution to recommend the update to the growth policy by January 17th, 2024, and Gavin seconded the motion. Judy asked for public comment on the tabling motion and Percilla Bell volunteered to help for the next meeting. Cara Ronan asked if there was any more discussion tonight and Judy said that no more discussion will take place tonight. Gil Burdett ask to move to February. Kurt clarified that there was already a motion to table the issue to January meeting and clarified that this is not a zoning issue. Kurt asked to have comments for the growth management policy at future meetings on the policy and explained that the board has three choices to either approve, amend, or reject the update on the policy. Kurt explained that the plan is an update for the betterment of the entire community. Kurt thanked the public for its participation. Steve Krum spoke about the growth policy. Forrest reminded the board that they could table the policy again in January. The vote wat 6-0 to move the growth policy recommendation to January 17th, 2024.

Public Hearing

2. Yellowstone County Subdivision Regulations started at 1 hour and 46 minutes and 30 seconds.

Kurt explained the reasons why the County wants to reaffirm the current subdivision regulations that were adopted in 2017 and match what we are currently doing for subdivision regulations around the City of Laurel.

Judy opened the public comment for the subdivision regulations.

Percilla Bell 1310 Wildhorse Drive, Water issues clay soil. Mandated that soil testing is performed and passed. She spoke from 1 hour 48 minutes until 1 hour 48 minutes and 32 seconds.

Michael Cantrell 1950 Saddleback Drive. Spoke from 1 hour 48 minutes and 41 seconds until 1 hour 51 minutes.

Kurt explained that if citizens have some questions, they could ask staff or the board.

Judy asked 3 times for any more comments. Judy closed the public hearing at 1 hour and 52 minutes.

Public Hearing

3. Zoning Regulations for the City of Laurel 1 hour and 50 minutes.

Kurt explained that the City of Laurel received a grant to amend the zoning regulations for the City of Laurel. The city hired KLJ engineering to write the new zoning ordinances and then Forrest Sanderson left KLJ and started his own business Peaks Planning. Forrest is subcontracted to KLJ and Forrest started speaking at 1 hour 55 minutes and 5 seconds of the changes to the zoning for Laurel City limits. Forrest finished introducing the item of city zoning at 2 hours and 10 minutes at 35 seconds.

Judy asked for public comments on the zoning.

Steve Krum asked questions about the map. He spoke from 2 hours and 11 minutes and 31 seconds until 2 hours 14 minutes. Forrest helped clarify some of Steve's comments.

Aaron Felder got up to speak about the zoning but sat down once he realized that this had nothing to do with county properties.

Judy closed the public hearing at 2 hours 14 minutes and 47 seconds.

General Items

4. Minutes

Gavin moved to approve the minutes from the November meeting Klose seconded the motion and the vote 6-0.

New Business

6. Yellowstone County Subdivision Regulations requested by the County Commissioners Kurt introduced the item at 2 hours 15 minute and 56 seconds. Kurt explained the subdivision regulations and the history of the County approving the subdivision regulations. Kurt also explained the fee schedule for subdivisions and exempt plats. Kurt had not received any comments or emails about the subdivision regulations.

Gavin motioned to approve the subdivision regulations for the County and Klose seconded the motion. Forrest stated that now the board could have a discussion. No discussion from the board so Judy asked for public comments on the motion.

Priscilla Bell spoke at 2 hours 23 minutes and 20 seconds about ag land being subdivided with wells. What is going to happen after this. How do we offer police fire and ambulance. Boundaries? In MT developer complete environmental assessment that is submitted with subdivision take care of water, sewer, stormwater.

Forrest answered the questions Priscilla Bell asked and he spoke about the DEQ having the power to look at subdivision regulations.

Kasey Felder spoke from 2 hours 26 minutes and 28 seconds and asked if the regulations are tied to growth policy. She asked if it would be wise to postpone the regulations.

Forrest answered her questions and stated.

Steve Krum spoke at 2 hours 27 minutes and 50 seconds. Indicated that there is too much information being presented tonight.

Kurt stated that there are statutory regulations to process land subdivisions and that the County did adopt the subdivision regulation in 2017 but didn't have the proper record in place.

Judy asked for a vote on the motion at 2 hours 33 minutes and 52 seconds. The vote was 6-0.

7. Motion for City of Laurel Zoning Regulations. 2 hours 34 minutes and 30 seconds. Gavin moved to approve the Laurel zoning regulations as presented and Richard Herr seconded the motion.

Judy asked for any discussion or public comments. There was no discussion, and the vote was 6-0

Will be forwarded to Council.

8. Yellowstone County's request to consider Zoning Regulations around Laurel in the planning jurisdiction started at 2 hours 36 minutes.

Kurt informed the board that Yellowstone County wants to have adopt zoning as what was thought around Laurel. Kurt asked the board to move this item to a further date to discuss the zoning in the county. Kurt asked Forrest to give the board more information about zoning that the county wants to adopt. Forrest went over part 1 and part 2 zoning regulations. Kurt read the zoning resolution to the

planning board that the County sent over to this board. Forrest also believed the public had a right to know about what is being adopted. Kurt explained that we are still waiting for a Judge to decide who has jurisdiction around Laurel. If the judge rules that that if the City has jurisdiction that this is a moot point.

Kasy Felder spoke at 2 hours 53 minutes and 33 seconds. She asked about the judge's ruling and her opinion is that this isn't right.

Kurt asked Kasy a question about the judges ruling and what to do if they find that there is no zoning around Laurel.

Steve Krum spoke at 2 hours 54 minutes and 50 seconds. Steve said that having no zoning is an assumption.

Gavin asked about going to a public hearing. Forrest stated that the County is trying to go for part 2 zoning. Forrest went on to say that the County's desires are noble but thought maybe interim zoning may be a better way to process zoning.

Kurt went over the interlocal agreement and said that the agreement is silent about zoning.

Gavin moved to table the discussion on county zoning.

Gavin motion to table to until discussion until Jan 17 and Roger seconded the motion. Roger asked Kurt to reach out and ask why this zoning is moving forward. Forrest asked if the board wanted to amend the motion to have staff reach out to and talk to the County. The motion was amended to have staff reach out and get clarification. Kurt explained that he put this on the agenda for the board to discuss and will get more information. Kurt explained that marijuana businesses are being kicked out of Billings and they are calling to find out where they can be around Laurel. Kurt explained the city adopted zoning for marijuana, but the county has not for around Laurel.

The motion passed 6-0.

9. Schedule of Fees and Charges for Planning Items. Exempt plat fees changed by the Montana Legislature. This item started at 3 hours and 12 minutes and 45 seconds.

Kurt explained the fees for exempt plat for inside the City of Laurel should go from \$200.00 to \$400.00. Kurt said that we need this for the City's update to their schedules of fees and charges.

Klose moved to approve the changes from \$200.00 to \$400.00 for exempt plat. Gavin seconded the motion. Jon asked if there are any other fees that need to be charged. Kurt explained that there were no other fees at this time. Kurt also stated there is time that it takes to process planning items and that fees need to cover the items to take care of planning items.

6-0.

Old Business

Other Items

10. Next City/County Planning Board Meeting will be held on January 17, 2024.

The next meeting will be held on the 17th of January.

It was moved by Gavin and seconded by Herr to adjourn the meeting. All were in favor 6-0 meeting ended at 3 hours 16 minutes and 40 seconds.

These minutes are supplemental to the audio/video recording.