



**AGENDA
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, NOVEMBER 03, 2020
6:30 PM
ONLINE**

Public Input: *Citizens may address the Council regarding any item of City business that is not on tonight's agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the Council will not take action on any item not on the agenda. If a citizen would like to speak or comment regarding an item that is on tonight's agenda, we ask that you wait until the agenda item is presented to the Council by the Mayor and the public is asked to comment by the Mayor. Once again, each speaker is limited to three minutes.*

Be advised, if a discussion item has an upcoming public hearing, we would request members of the public to reserve your comments until the public hearing. At the public hearing, the City Council will establish an official record that will include all of your comments, testimony and written evidence. The City Council will base its decision on the record created during the public hearing. Any comments provided tonight will not be included in the record or considered by the City Council.

General Items

Executive Review

1. Resolution - A Resolution Of The City Council Adopting The Updated 2020 Yellowstone County Hazard Materials Response Plan.
2. Resolution – A Resolution To Approve The Conditional Use Of The Property Located At 1009 East 6th Street In Laurel For The Construction And Operation Of A Union Meeting Hall At Such Address Within The City Of Laurel. (Public Hearing 11.10.2020)
3. Resolution – Variance for Street Continuity for the Proposed Goldberg Sporting Estates Subdivision (Public Hearing 11.10.2020)
4. Resolution – Variances for Roadway widths and Right-of-Way dedication for the Proposed Goldberg Sporting Estates Subdivision (Public Hearing 11.10.2020)

Council Issues

5. Growth Management Plan

Other Items

Review of Draft Council Agendas

6. Review Draft Council Agenda of November 3, 2020.

Attendance at Upcoming Council Meeting

Announcements

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

File Attachments for Item:

Resolution - A Resolution Of The City Council Adopting The Updated 2020 Yellowstone County Hazard Materials Response Plan.

RESOLUTION NO. R20-_____

A RESOLUTION OF THE CITY COUNCIL ADOPTING THE UPDATED 2020 YELLOWSTONE COUNTY HAZARD MATERIALS RESPONSE PLAN.

WHEREAS, in 1986 the Congress of the United States enacted the “Emergency Planning and Community Right to Know Act” (EPCRA) as Title III of the Superfund Amendments and Reauthorization Act (SARA) to help local communities protect public health and safety and the environment from chemical hazards; and

WHEREAS, the Yellowstone County Hazardous Materials Response Plan helps meet the requirements of Section 303 of EPCRA; and

WHEREAS, the City of Laurel, Montana has worked closely with Yellowstone County Disaster and Emergency Services and the Local Emergency Planning Committee (LEPC) to update a county-wide Hazard Materials Response Plan that will serve the needs of the City of Laurel and Yellowstone County; and

WHEREAS, the Yellowstone County Disaster and Emergency Services (YCDES) Coordinator also serves as the City of Laurel’s DES Coordinator; and

WHEREAS, the City of Laurel supports the 2020 Update to the Yellowstone County Hazard Materials Response Plan as a logical means toward protecting people and property from the potential devastating effects of accidental or intentional hazardous materials spill, release, or threat of release.

NOW, THEREFORE, BE IT RESOLVED that the Laurel City Council hereby adopts the “Yellowstone County, Montana Hazard Materials Response Plan – 2020 Update” as approved by the Montana Disaster and Emergency Services, a copy of which is attached hereto and incorporated herein.

PASSED and APPROVED by the City of Laurel this _____ day of _____, 2020.

CITY OF LAUREL

Tom Nelson, Mayor

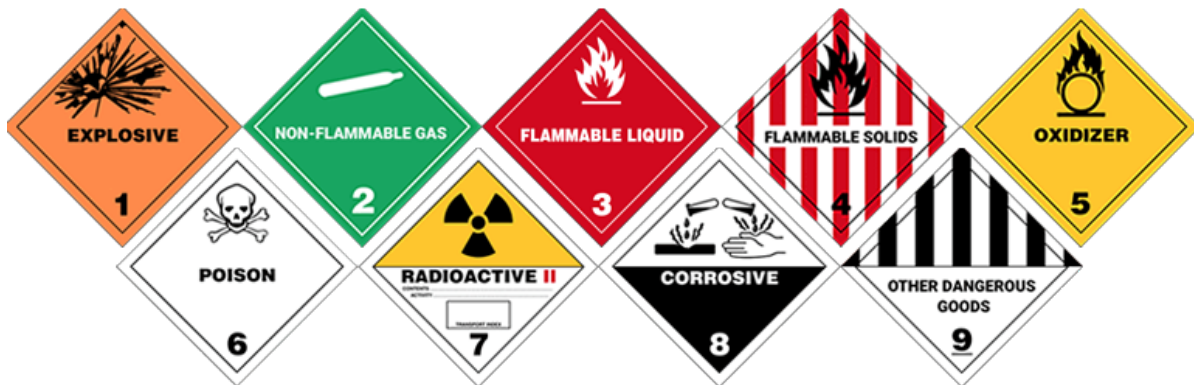
ATTEST:

Brittney Moorman, Clerk-Treasurer

Approved as to form:

Sam Painter, Legal Counsel
Thompson Painter Law, PC

Yellowstone County Hazardous Materials Response Plan



Edition 1 – September 2020

(Supersedes previous editions)

Yellowstone County Disaster and Emergency Services
316 North 26th, Room 3201
Billings, Montana 59101
Tel. (406) 256-2775
Fax (406) 256-6947
<https://www.co.yellowstone.mt.gov/des/>

Yellowstone County Hazardous Materials Response Plan

September 30, 2020

This plan serves Yellowstone County and incorporated cities

Prepared for:



Yellowstone County Disaster and Emergency Services
316 North 26th, Room 3201
Billings, Montana 59101
Tel. (406) 256-2775
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<https://www.co.yellowstone.mt.gov/des/>

By:



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Disaster Technology and Consulting
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Tel (406) 201-1223
www.zylient.com

Montana Department of Emergency Services Contract DMA2020-0026

This plan represents general guidelines, which can be modified by emergency personnel as appropriate.

This plan does not create any right or duty that is enforceable in a court of law.

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Record of Distribution

Organization/ Department	Representative	Signature
Yellowstone County		
Emergency and General Services/DES Coordinator		
911/Dispatch Center		
Board of County Commissioners		
Sheriff's Office		
LEPC		
RiverStone Health		
YC Public Works		
City of Billings		
Administrator/Elected Official		
Regional HazMat Team		
Police Department		
Billings Fire Department		
Billings Logan International Airport Operations		
AMR		
Public Works		
City of Laurel		
Public Works Department		
Mayor/Chief Administrator		
Police Department/Chief		
Laurel Volunteer FD		
Laurel EMS		
Town of Broadview		
Town of Broadview Fire Dept		
Mayor		

Organization/ Department	Representative	Signature
Other Municipalities/Townships		
Lockwood Fire Department		
Worden Fire Department		
Shepherd Fire Department		
Fuego Fire Department		
Blue Creek Fire Department		
Custer Fire Department		
Haley Bench Fire Department		
Tribal		
Crow Nation - Director of Disaster & Emergency Services		
Medical		
St. Vincent Health Care/ Emergency Preparedness Coordinator		
Billings Clinic		
Community/Non-Profit		
American Red Cross		
United Way of YC		
State Agencies		
Montana Disaster & Emergency Services		
Montana DES - District Field Officer		
Montana Dept. of Transportation		
Dept of Natural Resources & Conservation		
Montana Highway Patrol		
Federal Agencies		
Bureau of Land Management & Fire Prevention		
NWS		

Introduction

Purpose

This *Yellowstone County Hazardous Materials Response Plan* provides basic guidelines and establishes policies and procedures in the event of a hazardous materials incident within Yellowstone County. This plan is designed to prepare Yellowstone County (YC) for an incident response and to minimize the exposure to and damage from materials that could adversely impact the environment or human health and safety.

The plan provides guidance for hazardous materials incident planning, notification, and response in accordance with the Emergency Planning and Community Right-To-Know Act (EPCRA), also known as the Federal Superfund Amendments and Reauthorization Act (SARA Title III) of 1986. The *Yellowstone County Hazardous Materials Response Plan* helps meet the requirements of Section 303 of EPCRA, requiring the establishment of a Comprehensive Emergency Response Plan by the Local Emergency Planning Committee (LEPC).

Scope

This plan outlines the roles, responsibilities, procedures, and organizational relationships of all local, state, and federal agencies and private organizations responding to an accidental or intentional hazardous materials spill, release, or threat of release into the environment from a fixed operating facility or as the result of hazardous materials in transit within or impacting Yellowstone County. This plan provides suggested operational guidance and should not supersede or replace individual agency operational response plans during incident response.

This plan is structured to adapt to and meet the challenges of these situations by adopting the National Incident Management System's (NIMS) response framework, allowing government and private entities at all levels to work together in a coordinated manner. This framework facilitates adjusting, tailoring, and transitioning response operations to effectively manage incident response involving chemical, biological, radiological, nuclear, and explosive (CBRNE) materials.

The Yellowstone County LEPC prepared and maintains the 2019 *Emergency Operations Plan (EOP)*, which includes "Emergency Support Function (ESF) 10 - Oil and Hazardous Materials Response." This plan is not intended to replace, but to supplement the EOP and ESF 10.

Authority

In 1986 Congress passed the *Emergency Planning and Community Right to Know Act (EPCRA)* as *Title III* of the Superfund Amendments and Reauthorization Act (SARA). Congress enacted this law to help local communities protect public health and safety and the environment from chemical hazards. EPCRA requires regulated facilities that manufacture, use, or store certain amounts of hazardous chemicals to develop and implement emergency plans, report chemical inventories, and notify authorities in the event of a toxic release.

Montana follows EPCRA reporting requirements, with unique state-specific reporting procedures:

1. Safety Data Sheet (SDS) or chemical list reporting (EPCRA Section 311)
2. Tier II chemical inventory reporting (EPCRA Section 312)
3. Toxic Release Inventory (TRI) reporting (EPCRA Section 313)

4. Facilities must submit reports to the appropriate Tribal Emergency Response Commission (TERC), if applicable

The LEPC is a focal point for Title III activities in the community. As stated in the law, responsibilities of the LEPC include 1) development of an emergency plan, and collection and storage of information provided by facilities, and 2) making that information available to the public.

Federal

1. Emergency Planning and Community Right-To-Know Act, 42 U.S.C. §§11001 et seq. (1986), enacted as Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA; Pub. L. 99-499)
 - EPCRA Sections 304 and 312 amended under America’s Water Infrastructure Act of 2018
 - Emergency Planning and Notification, 40 CFR 355
 - Regulations governing hazardous waste, 40 CFR Part 260
 - Hazardous Chemical Report: Community Right-to-Know; 40 CFR Part 370
2. Stafford Disaster Relief and Emergency Assistance Act (Public Law 100-707), amended by:
 - Pets Evacuation and Transportation Standards Act of 2005 (Public Law 109-308)
 - Disaster Recovery Reform Act (DRRA) of 2018
3. 29 CFR Part 1910 (OSHA) – Subpart H – Hazardous Materials
 - Occupational Safety and Health Standards, Hazardous Materials, Training Curriculum which level of Guidelines, 29 CFR 1910.120(q)
4. Standards for Competence of Responders to hazardous materials/WMD incidents, NFPA 472

State

1. Response to Hazardous Material Incidents, Montana Code Annotated (MCA) 10-3-1201 to 10-3-1218
2. Employee and Community Hazardous Chemical Information Act, MCA 50-78-101 to 50-78-402
3. Local and Interjurisdictional Emergency and Disaster Agencies and Services, MCA 10-3-201

Mission

The mission of this plan is to:

1. Establish a strategy to minimize the adverse effects of hazardous materials upon life, health, property, and the environment
2. Identify community resources for emergency planning, response, and recovery activities
3. Coordinate an effective and efficient response to a hazardous materials incident
4. Establish a community “Hazardous Materials Response Plan” to supplement the 2019 *Yellowstone County Emergency Operations Plan*

Situation and Assumptions

Situation

A hazardous materials incident can happen anywhere within Yellowstone County and involve any potentially hazardous material. The YC LEPC supports county-wide planning in addition to the site-specific planning by businesses, industries, and facilities that use hazardous materials. Residents are best served when response capabilities meet a broad range of hazards.

History shows that the majority of hazardous materials incidents present no health hazard beyond the immediate site of a release. This is due in part to the controls that many facilities employ and to the response capabilities that Yellowstone County has developed. This *Yellowstone County Hazardous Materials Response Plan* addresses the rare incident that may have an adverse health impact beyond the immediate site of a release.

For a plan to be successful, it must be used. Every type of response to a hazardous materials incident should be addressed by the plan to enable an effective transition if the scope of the incident escalates to a major emergency.

A hazardous materials incident may be concurrent with another emergency, in which case the operations of the *Yellowstone County Hazardous Materials Response Plan* will be integrated with the overall response. Examples of these emergencies include but are not limited to: a plane crash, train derailment, marine emergency, and/or acts of terrorism.

Assumptions

Environmental Protection Agency (EPA) guidance is limited to Extremely Hazardous Substances (EHS) and does not address other hazardous materials that may pose hazards to the community. The YC LEPC and the Billings Fire Department Hazardous Materials (BFD HazMat) Response Team support response capabilities for all chemical and physical hazard types, instead of an approach directed at a list of particular chemicals.

The YC LEPC's hazardous materials emergency planning philosophy is more comprehensive than the EPA's "Technical Guidance for Hazards Analysis," (December 1987). The following assumptions are at issue:

1. EPA guidance is limited to Extremely Hazardous Substances (EHS) and does not address other hazardous materials that may also pose risk to the community. The YC LEPC, the BFD HazMat Team, and available local industrial hazardous materials resources support response capabilities for a broad range of chemical and physical hazard types instead of an approach directed at a list of particular chemicals.
2. EPA guidance directs that a hazard analysis be done for each EHS present at a facility. The YC LEPC promotes facility planning to support a comprehensive hazard analysis that considers an "all risk" approach. It is possible that EHS chemicals may not pose the greatest vulnerability at a site and may in fact not even be involved in the incident.
3. A hazards analysis based on the EHS list may mislead the public about chemical hazards in the community. For example, chemicals on the EHS list may not always pose an airborne hazard to the community. Example: Phosphorus (CAS #7723-14-0), when alloyed in carbon steel, may pose an occupational hazard during milling or grinding. Yet in this form it is not likely to pose a hazard to the outside community or the environment.

4. EPA guidance instructs that a vulnerability zone be identified for each facility. In Yellowstone County this could result in identifying the same population several times while missing other at-risk populations in other areas of the County or in neighboring communities. The YC LEPC supports a comprehensive county-wide plan to ensure effective use of its resources for response to a hazardous materials incident anywhere in the county.
5. In addition to the EPA guidance referenced in Items 1-4, a Risk Management Plan (RMP) is required for an owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR § 68.115 - Threshold determination. Compliance with the requirements of this part are to be no later than the latest of the following dates:
 - a. June 21, 1999
 - b. Three years after the date on which a regulated substance is first listed under §68.130
 - c. The date on which a regulated substance is first present above a threshold quantity in a process
6. The owner/operator of a stationary source subject to this section must submit a single RMP to EPA as provided in §68.150 to 68.185. The RMP shall include a registration that reflects all regulated processes.

Organization

1. The initial Incident Commander (IC) at the scene has authority to direct and control emergency actions and is responsible to recognize when an incident exceeds their training and capabilities and to request the assistance of additional resources such as the BFD HazMat Team.

The 2019 EOP specifies the BFD HazMat Team as the “Local Emergency Response Authority” (LERA) for the City of Billings, City of Laurel, Town of Broadview, and all county areas outside those municipalities.

2. Upon incident assessment, the IC will declare a Level of Magnitude (HazMat Level 0, 1, 2, or 3) and announce this declaration to the 911 Dispatcher, who will begin the agency dispatch and notification assigned to that Level of Magnitude.
3. The IC will establish a Command Post from which to direct and oversee all emergency operations. The IC will secure the site with the aid of law enforcement and other available agencies.
4. A Unified Command system will be employed to facilitate a coordinated response by all local, state and federal agencies.
5. Appropriate public alerting means will be employed to deliver information about protective actions.
6. Law enforcement will assist the IC by securing and controlling access to the scene.
7. EMS will assist the IC with on-scene triage, treatment, and transportation of victims, and medically support responding resources (e.g., BFD HazMat Team).
8. Special response teams in addition to the BFD HazMat Team are available from public and private-sector resources, including the BFD Technical Rescue Team (e.g., Confined Space Rescue, Swift Water Rescue), Billings SWAT and Bomb Squad, and Emergency Task Forces.

9. The IC will designate a Joint Information Center (JIC) for media representatives.
10. The Yellowstone County Emergency Operations Center (EOC) may be activated for incidents requiring the coordination of a major response involving multiple jurisdictions or agencies. County EOC activities are coordinated by YC DES. The City of Billings and Yellowstone County operate a joint EOC located at 2300 9th Avenue North, Billings, Montana (basement of Fire Station #1). This location also serves as the EOC for the City of Laurel and Town of Broadview.
11. Additional resources are available from state and federal sources. Support for local response and/or additional capacity can be obtained through chain-of-command and Mutual Aid requests initiated by YC DES to MT DES. If these resources are not locally based, response time is according to their availability and travel distance. One of these resources can be a Federal On-Scene Coordinator for Hazardous Materials Response.
12. In the event of a disaster, MCA 10-3-402 to 403 may apply. While the IC assumes operational authority, only the Principal Executive Officer (PEO) of the affected municipality has authority to issue a local emergency proclamation or disaster declaration. A declaration of a State of Emergency utilizes and expands the authority of the local PEO.

Concept of Operations

Preparedness

Preparedness involves actions designed to save lives and minimize damage. It is raising awareness, planning, and training for appropriate response prior to an emergency.

1. Community Preparedness

Efforts to raise community awareness and preparedness for all hazards is encouraged.

Suggested actions may include but are not limited to:

- a. Signage and communication to residents of major, pre-designated evacuation routes
- b. Promotion of FEMA www.Ready.gov resources, guides, and toolkits
- c. Outreach to vulnerable populations with access or mobility challenges who may need additional assistance during an emergency, including those with special healthcare needs and language barriers

2. Hazard Analysis

a. Hazards Identification

Yellowstone County is an industrialized community with numerous fixed facilities that use, store, and produce a wide variety of hazardous materials. Yellowstone County has several transportation systems:

- Highways (including Interstate Routes 94 and 90 and Montana Highways 3, 47, 87, 212, 312)
- Railroads (BNSF east-west and north-south, Montana Rail Link east-west)
- Pipelines (including hazardous liquid and gas transmission)
- Air (including Billings Logan International Airport)
- Water (including Yellowstone River and tributaries)

An incident could occur anywhere in the County – at a fixed facility that may or may not be subject to the planning requirements of SARA Title III, or during transportation. Further, the incident might involve material(s) on the Extremely Hazardous Substances list, and/or a “non-listed” hazardous material that poses a threat to the community.

An incident in a neighboring county or tribal nation may cross the border and impact Yellowstone County.

b. Risk Analysis

Risk Analysis is an attempt to rank hazards by comparing the probability of a release with the severity of consequences of that release:

- Occurrence:
Yellowstone County has already experienced hazardous materials incidents at fixed facilities and on all transportation systems. The LEPC expects that incidents will continue to occur at similar past rates.
- Consequences:
Yellowstone County has already experienced minor and moderate hazardous materials incidents. The LEPC expects that minor and moderate incidents will continue to occur and that a major incident is possible.

c. Vulnerability Zone

Any part of Yellowstone County may be subject to airborne material during a release of a hazardous material. Therefore, for the purposes of this Plan and its activities, all of Yellowstone County is designated as the “vulnerable zone.”

d. Response Capabilities

Yellowstone County’s hazardous materials response capabilities include the expertise of one regional hazmat response team (BFD HazMat Team) and the resources of 11 fire departments, 4 law enforcement agencies, 4 EMS providers (AMR, Laurel, Lockwood Worden), and 2 healthcare systems (Billings Clinic and Saint Vincent). Further, hazardous materials planning and response activities are supported by private-sector organizations, numerous professional organizations, public safety training programs, and specialized response teams at the state and federal levels.

3. Facility Planning

a. Non-Regulated Facilities

Facilities not regulated by SARA Title III should:

- Maintain a list of 24-hour contact person(s) and submit it to YC DES
- Establish internal procedures for evacuation in the event of a hazardous materials incident

b. Regulated Facilities

Facilities regulated by SARA Title III must meet planning requirements:

- Prepare both an analysis of hazards at the facility (“Facility Hazard Analysis”), and a response procedure for those hazards (“Facility Response Procedure”).

Copies are submitted to 1) the LEPC, 2) the State Emergency Response Commission (SERC), and 3) YC DES.

- Comply with the applicable SARA reporting requirements and OSHA regulations.
- Participate in training programs identified in the “Training and Exercising” section.
- Designate an official (available on 24-hour call) who is capable of participating in a Command Post as a facility representative. This person will have information and the authority to:
 1. Identify the location, type and quantity of hazardous/flammable chemicals or materials
 2. Provide SDS information and technical data on properties of the chemicals or materials present
 3. Implement the Emergency Action Plan for the facility (“Facility Emergency Contingency Plan”), if appropriate and available.

4. Facility Reporting

Yellowstone County’s response is based upon effective planning and training. Primary emergency response is most effective when the community receives prompt notification of an incident. This section provides guidance to facilities and stresses the critical need for prompt and accurate reporting.

a. Reporting Requirement

- A facility must immediately report the release of a reportable quantity of a hazardous substance or extremely hazardous substance to the environment (EPCRA §304, 40-CFR§355.40).
- The report is to be made by **calling all**:
 1. 9-1-1 Dispatch to notify the Community Emergency Coordinator
 2. YC DES: (406) 208-0506
 3. MT DES Duty Officer: (406) 324-4377, alt 406-431-0411
 4. Montana Department of Environmental Quality: (406) 444-0379
- This reporting requirement does not apply to any release that results in exposure to persons solely within the site or sites on which a facility is located (EPCRA §304(d)).

b. Local Reporting Guideline

To better protect safety and to support the primary emergency responders, the LEPC requests that facilities immediately report “Perceptible Exposure” releases by calling 9-1-1.

“Perceptible Exposure” means: any release of a hazardous substance or extremely hazardous substance which is visible, produces a detectable odor or a distinctive taste, or impacts a human or environmental receptor physically, such as causing eye irritation, itchy skin, damaged vegetation, chronic injury, etc.

c. Follow-up Notice

As soon as practical thereafter, a written, follow-up emergency notice shall be submitted to:

- LEPC Community Emergency Coordinator
c/o Yellowstone County Disaster and Emergency Services
316 North 26th, Room 3201
Billings, Montana 59101
- Montana Department of Environmental Quality
See DEQ website for reporting requirements and to submit an online reporting form: <https://deq.mt.gov/DEQAdmin/ENF>

A sample follow-up notification form is provided in Appendix E.

Note: This section is intended to facilitate emergency response and does not guarantee compliance with reporting requirements under any other environmental or health and safety law. There may be other applicable reporting requirements depending on the circumstances of the release.

5. Training and Exercises

a. Training

- The LEPC supports a comprehensive training program for agency personnel and emergency staff to ensure a safe and effective response to hazardous materials incidents.
- Training requirements are established by state and federal regulations. Absent of such criteria, in-service training will be based upon the level of knowledge or skill required to perform the tasks associated with the job assignment. Training deficiencies should be identified through appropriate administrative channels for resolution.
- Title III, Section 303(c)(8) requires training for those responsible to implement chemical emergency plans. Yellowstone County intends to utilize courses sponsored by the federal and state governments and private organizations to fulfill this requirement. Local agencies and facilities will also schedule courses to address the unique concerns and needs of the local hazardous materials preparedness program.
- Local agencies, facilities, and organizations should provide in-service training to satisfy operational needs, to maintain appropriate certification standards, and to comply with applicable regulatory standards. It is recommended that a training officer be designated to establish an annual training program designed to meet requirements. Individual training records should be maintained on all emergency responders.
- The LEPC works in conjunction with the State Emergency Response Commission and community leaders to evaluate the hazardous materials training needs of local emergency response personnel. The LEPC will monitor and/or coordinate local training initiatives to ensure consistency with this plan and will take

advantage of training resources available from all levels of government and the private sector.

b. Exercises

- The LEPC supports a comprehensive exercise program to effectively implement and evaluate the Yellowstone County Hazardous Materials Response Plan.
- Title III, Section 303(c)(9) requires local jurisdictions to establish “methods and schedules for exercising the emergency plan.” An effective exercise program will strengthen response management, coordination, and operations, and identify areas for improvement. Corrective actions can then be taken to improve and refine public safety capabilities.
- Exercises are generally classified into five categories: Orientations, Drills, Table-top, Functional, and Full-scale. Each exercise type varies in activities and resources. Some require simple preparations and execution while others may be more complex and require greater efforts and resources. Each provides its own benefits and should be considered in the development of an exercise program to satisfy community and facility needs.
- Each facility should conduct at least one annual test of their emergency plan. These tests should be coordinated, when possible, with the appropriate fire department. Facilities should conduct an exercise debriefing and within 30 days prepare an after-action report noting corrective action and lessons learned.

Emergency Response

Risk-Based Decision Making

First responders and the Incident Commander, as well as Yellowstone County DES, Billings FD, and the BFD HazMat Team, rely on a risk-based decision making process to manage and mitigate a hazardous materials incident, termed “DECIDE.” More information can be found here:

http://www.henrycoema.org/EMA/HazMat_Training_Materials_files/DECIDE.pdf.

The DECIDE process includes the following steps:

1. **D**etect hazardous material presence
2. **E**stimate likely harm without intervention
3. **C**hoose response objectives
4. **I**dentify action options
5. **D**o best option
6. **E**valuate progress

Levels of Response Magnitude

The Levels of Response Magnitude outlined below describe the impact of a hazardous materials incident on the community and are categorized based on severity as Level 0, 1, 2, or 3. See Table 1. Criteria for determining the incident level include:

- Characteristics of the hazardous material
- Nature of the material release

- Population and area affected (e.g., sensitive ecosystems, waterways, transportation routes)
- Extent of multi-agency and multi-jurisdictional involvement
- Evacuations, injuries, or fatalities
- Technical expertise and equipment needed to safely mitigate the incident
- Duration

The determination of incident level shall be a collective decision between the IC and the BFD HazMat Team. If terrorist activities are suspected, the incident will be classified as a Level III and require federal involvement and additional activities.

1. Level 0 – Non-Emergency Condition

a. Definition:

A hazardous materials incident that is not likely to adversely impact or threaten life, health, property or the environment, where control of the incident is within the capabilities of resources available to the local response jurisdictions.

b. Criteria:

- Incident controlled by the facility or the local response jurisdictions
- BFD HazMat Team advice may be required for technical assistance

2. Level 1 – Controlled Emergency Condition

a. Definition:

A hazardous materials incident that may adversely impact or threaten life, health, property or the environment within an area immediately surrounding the point of release or potential release; where control of the incident is within the capabilities of the resources locally available to responders in Yellowstone County.

b. Criteria:

- Incident can be controlled by the first municipal response agency with the BFD HazMat Team
- Local response jurisdictions with special teams response, as defined in Organization (page 11)
- May require evacuation or sheltering for the area immediately affected by the release or potential release

3. Level 2 – Limited Emergency Condition

a. Definition:

A hazardous materials incident that may adversely impact or threaten life, health, property or the environment beyond the point of release; may be across municipal jurisdictions; where control of the incident is within the capabilities of the resources based within Yellowstone County.

b. Criteria:

- Incident that is beyond the capabilities of the first municipal response agency and requires broad-base community resources
- Evacuation or sheltering of residents or facilities should be considered
- Participation or support by mutual-aid agencies
- Multi-jurisdictional or multi-municipal involvement

4. Level 3 – Full Emergency Condition

a. Definition:

A hazardous materials incident that adversely impacts or threatens life, health, property, or the environment in a large geographic area. Additional resources are required to supplement those available within Yellowstone County.

b. Criteria:

- Serious hazard or severe threat to life, health, and the environment
- Large geographic impact
- Major community evacuation or sheltering
- Multi-jurisdictional involvement
- Requires broad-based resources

Table 1 Summary of Emergency Levels of Response Magnitude.

LEVEL OF RESPONSE MAGNITUDE	PRODUCT IMPACT	AREA OF IMPACT	CAPACITY TO CONTROL
LEVEL 0	Non-Threatening	Confined to site	Local jurisdiction
LEVEL 1	Threat	Within immediate area of release	...PLUS HazMat team and special teams ¹ as requested by the IC
LEVEL 2	Threat	Beyond immediate area of release Multi-jurisdictional	...PLUS broad-based community resources
LEVEL 3	Threat	Beyond immediate area of release Multi-jurisdictional Large geographic area	Broad-based resources are required to supplement those available within Yellowstone County

¹ Special teams as defined in Organization, page 11.

Dispatch & Notification

1. Level 0 – Non-Emergency Condition

Upon declaration of a Level 0 hazardous materials incident, 911 Dispatch may dispatch the following:

- Yellowstone County DES
- Local fire department
- Local law enforcement (tell them this is a Hazardous Materials Incident)
- Local EMS
- Other agencies as appropriate

2. Level 1 – Controlled Emergency Condition

Upon declaration a Level 1 hazardous materials incident, 911 Dispatch may dispatch the following:

- All Level 0 agencies, PLUS:
- BFD HazMat Response Team
- Yellowstone County Fire Warden
- Other agencies as appropriate

3. Level 2 – Limited Emergency Condition

Upon declaration of a Level 2 hazardous materials incident, 911 Dispatch may dispatch the following:

- All Level 1 agencies, PLUS:
- Other regional HazMat teams (e.g., Bozeman, Missoula)
- Other agencies as appropriate – EOC activation determined through consultation with YC DES, the County Fire Warden, and the IC

4. Level 3 – Full Emergency Condition

Upon declaration of a Level 3 hazardous materials incident, 911 Dispatch may dispatch the following:

- All Level 2 agencies, PLUS
- Other fire departments via mutual aid
- Other EMS agencies via mutual aid
- Other regional HazMat teams (e.g., Bozeman, Missoula)
- EOC activated by YC DES
- Other local State and/or Federal agencies as appropriate

Operations

Actions taken by emergency responders shall be based upon the need to protect life, health, property and the environment.

Operations shall comply with applicable OSHA regulations, which may include:

1. 29 CFR 1910.120 – Hazardous Waste Operations and Emergency Response (HAZWOPER)
2. 29 CFR 1910.134 – Respiratory Standard
3. 29 CFR 1910.156 – Fire Brigade Standard
4. Standard Operating Procedures as specified by individual agencies

Approaching the Scene

Emergency responders should approach the scene of a hazardous materials incident from upwind and uphill if possible. **Emergency responders should not pass through a vapor cloud or a spill.**

Arriving at the Scene

1. Emergency responders should meet with a facility representative, or other knowledgeable person, to learn about the incident.
2. Establish a perimeter to isolate the hazard area and deny entry.
3. Address immediate life-threatening situations. If possible, begin decontamination triage.

Identifying the Materials Involved

1. Identify hazardous materials BEFORE exposing personnel or taking remedial action.
2. Binoculars may be used to view placards, license plates, vehicle identification information, and containers for clues about product(s) involved.
3. Obtain shipping papers and/or Safety Data Sheets (SDS). Correct spelling of the chemical name is critical.

Obtaining Hazard and Handling Information

The physical and chemical properties of a product, as well as its hazards and handling information, may be obtained from sources including:

- Safety Data Sheets (SDS)
- Chemical reference books: US DOT – Emergency Response Guidebook, National Fire Protection Association (NFPA) Handbooks
- CHEMTREC 1-800-424-9300
- American Association of Poison Control Centers (800) 222-1222
- Agency for Toxic Substances Disease Registry 1-800-232-4636
- Chemical data base (e.g., CAMEO mobile phone application)
- Plume dispersion and mapping models (e.g., ALOHA or ADASHI)
- E-Plan
- WISER (Wireless Information for Emergency Responders)

On-scene Measurements

On-scene measurements may be taken with direct-reading instruments including, but not limited to:

- Carbon monoxide meter
- Colormetric indicator tubes
- Combustible gas indicator
- Oxygen Meter
- Ph paper
- Radiological survey instruments
- Chemical test/detection equipment
- Multi-gas meter with photoionization detector (“PID”)

Weather

Weather may play an important role in the outcome of a hazardous materials incident. The National Weather Service can supply:

- Wind speed and direction
- Temperature
- Relative humidity
- Precipitation
- Stability of the lower atmosphere
- Forecast

Expertise

Expertise may be obtained from sources including:

- Manufacturer
- Shipper
- Carrier
- Consignee
- Facility representative
- BFD Hazardous Materials Response Team
- Chemical industry personnel
- College and university personnel
- Farm and related industry personnel

Site Control / Hazard Control Zones

The Incident Commander shall establish hazard control zones for emergency responders and the public in accordance with state and federal guidelines:

1. Exclusion (Hot) Zone: area with actual or potential contamination and the highest potential for exposure to hazardous substances.
2. Contamination Reduction (Warm) Zone: transition area between the exclusion and support zones. This area is where responders enter and exit the exclusion zone and where decontamination activities take place.
3. Support (Cold) Zone: area of the site that is free from contamination and that may be safely used as a planning and staging area.

The following factors should be considered in the establishment of hazard control zones:

- Wind speed and direction
- Drainage and topography
- Location of Command Post, Staging, and Emergency Medical Treatment areas
- Access control points
- Decontamination/Entry corridors

Decontamination

1. A decontamination area shall be established for victims and equipment to minimize the spread of contamination.
2. Prior to departing an incident scene, all contaminated personnel and equipment shall be decontaminated as much as possible. Equipment marked for further decontamination must be completely decontaminated before returning to service.
3. It is the Incident Commander's responsibility to see that if decontamination is needed, it is accomplished properly at the scene before any patient is turned over to EMS.
4. Once EMS is on scene, EMS decides patient care in consultation with the BFD HazMat Group Supervisor, Incident Commander, and EMS Medical Director.

Safety and Health

The Incident Commander shall designate an on-scene Safety Officer who shall ensure that emergency responders use personal protective equipment (PPE) and procedures that comply with local, state and federal regulations.

Mitigating the Incident

1. The Incident Commander, in conjunction with facility personnel and other technical specialists, shall develop a risk-based response process and carry-out that plan to avoid unnecessary exposure. A risk-based response is a systematic process by which responders analyze a problem involving hazardous materials/weapons of mass destruction (WMD), assess the hazards, evaluate the potential consequences, and determine appropriate response actions based upon facts, science, and the circumstances of the incident (NFPA 472 3.3.57).
2. Containment and Control:
 - a. Qualified emergency responders may perform containment and control tasks to mitigate the incident and to minimize adverse environmental impacts.
 - b. Containment and control may include: closing valves, plugging or patching holes, transferring material from one container to another, damming, diking, booming,

absorbing, neutralizing, diluting, suppressing vapors, extinguishing, and using water spray to keep containers cool.

- c. If flammable vapors and gases are present, combustible gas indicators may be used to determine the potential ignition area. All ignition sources in that area should be eliminated.
 - d. Some materials are water reactive. Water used to extinguish a fire may create a much bigger problem when it becomes contaminated run-off. If hazardous materials are involved in a fire, it may be best to let the fire burn.
3. In cases where contamination of the environment has occurred, the YC DES and the State of Montana Department of Environmental Quality (DEQ) shall be informed so they may evaluate the situation and take appropriate action.
 4. In cases where contamination of a water-supply system has occurred or may occur, YC DES, MT DEQ, RiverStone Health, and the affected downstream water supplier or community shall be informed so they may evaluate the situation and take appropriate action in accordance with the *Yellowstone County Source Water Protection Plan (2020)* and state and federal laws.
 5. In cases where contamination of a sewer system has occurred or may occur, YC DES, MT DEQ, and the affected sewer agency or community, shall be informed so they may evaluate the situation and take appropriate action in accordance with the *Yellowstone County Source Water Protection Plan (2020)* and state and federal laws.

Radio Communications

Radio Communications are primarily between the incident site and 911 Dispatch for:

1. Dispatch and information exchange among base stations, mobiles, and portables
2. Command of personnel and resources
3. Agency Coordination
 - a. In situations involving mutual aid, or similar multi-agency or multi-jurisdictional response, integration of the various communications systems can be achieved by coordinating information at 911 Dispatch, the Command Post, and/or the EOC.
 - b. If it is necessary to operate a secondary, or alternate communications center, the emergency service agency that regularly controls the channel shall provide personnel to operate the equipment.
4. Support Systems
 - a. Public works, transportation and related agencies have the capacity to provide equipment, vehicles, and personnel to support an incident if needed.
 - b. YC DES can provide a mobile unit with radio, data, and telephone communications equipment designed for Command Post support.
 - c. Amateur radio and TV links can be activated through DES.

Protective Actions

Evacuation, sheltering-in-place, or a combination should be considered in defining protective actions to reduce or eliminate public exposure to hazardous materials that are released during an incident.

1. Evacuation

Evacuating the public is a decision based on information indicating that the public is at greater risk by remaining in or near the hazard area. Information that should be considered in the decision to evacuate includes:

- Severity of dangers
- Population affected
- Availability of resources to evacuate the affected population
- The notification means to provide emergency instructions
- Safe passage for the evacuees, including adequate time
- Availability of reception centers, shelters, and sustenance
- Special needs of evacuees

2. Shelter-In-Place

Sheltering-in-place means advising the affected population to seek protection within the structure they occupy or in a nearby structure. Like evacuation, this decision is based upon hazard analysis. If the danger to the public is mitigated by sheltering-in-place, then it should be employed as a protective measure.

With certain hazards, (e.g. short-term exposure, line-of-sight exposure) the best decision may be to shelter-in-place. One distinct advantage of sheltering-in-place is the relative ease of implementation. Some considerations are:

- Availability of resources
- Time available to take protective actions
- Public's understanding of sheltering-in-place

For some hazards, sheltering-in-place can be enhanced by seeking the most protected refuge in the structure. For chemical, radiological, and some biological hazards it is enhanced by reducing the indoor-outdoor air exchange rate.

3. Combination Protective Actions

There may be circumstances when using both evacuation and sheltering-in-place is appropriate. For example, when time or resources cannot support the immediate need to evacuate a large population, only those closest to the hazard and at greater danger could be instructed to evacuate, while people outside of the immediate area would be advised to shelter-in-place.

4. Implementation of Protective Actions

The Incident Commander(s) shall be responsible to designate personnel in charge of protective actions. Protective actions may require the declaration of a local state of emergency.

- Traffic Control Points and Access Control Points shall be established to direct traffic and people out of the affected area and to prevent entry.
- Sources of transportation capable of supporting an evacuation shall be identified.
- All residents of the affected area should be identified and accounted for.

- Forced entry into homes and businesses shall only be performed if there is a reason to believe that a victim may be inside.
- In the case of persons who refuse to leave their homes during an evacuation order: their names, address, next-of-kin, and time of notification shall be documented.

5. Family Assistance Centers

The evacuees may need to stay at a temporary staging area until a suitable Family Assistance Center can be established. The Family Assistance Center shall be coordinated by the American Red Cross with personnel support from other COADs and/or public health representatives from RiverStone Health.

Public Alerting

Once a decision has been made to evacuate or shelter-in-place, the Incident Commander(s) shall have YC DES and local law enforcement alert the public.

See Appendix F for a Sample Evacuation Announcement and Appendix G for a Shelter-in-Place Announcement.

Public Alerting provides timely and reliable emergency information pertaining to the need for protective actions. For protective actions to be effective, the public must first be alerted that an emergency exists, and second be instructed on what to do. Since a hazardous materials incident is normally a rapidly developing situation, initial public alerting by emergency response personnel is a critical aspect of public safety.

1. When to Alert the Public

- Level 0 – Non-Emergency Condition
This Level of Magnitude does not normally require Public Alerting. However, the Incident Commander (IC) or designated Public Information Officer (PIO) shall respond to public and media requests for information.
- Level 1 – Controlled Emergency Condition
This Level of Magnitude may not require Public Alerting. However, the IC or designated PIO shall respond to public and media requests for information.
- Level 2 – Limited Emergency Condition
This Level of Magnitude may require Public Alerting.
- Level 3 – Full Emergency Condition
This Level of Magnitude requires Public Alerting.

2. Methods of Public Alerting

- Press Release
A press release may be relayed by the PIO or through the JIC to media representatives or made directly to on-scene media representatives.
- Route Alerting

Emergency personnel utilizing emergency vehicles, equipped with a siren, a public address system, and appropriate PPE may drive through the affected area and announce the emergency.

- Residential Door-to-Door Alerting

Emergency personnel, equipped with appropriate PPE, may walk through the affected area and announce the emergency situation on a door-to-door basis.

- Integrated Public Alert & Warning System (IPAWS) / CodeRed Emergency Notification System

Activation of IPAWS and/or CodeRed can only be accomplished by YC DES, pre-designated government officials, or the National Weather Service.

An updated roster of IPAWS-certified personnel is maintained at 911 Dispatch and YC DES.

- Mass Notification

Mass notification through the CodeRed Notification System may be initiated by either 911 Dispatch or YC DES.

3. Public Alert Message Content

Components of a public alert message may include:

- Affected area
- Health hazards
- Protective actions
- Evacuation routes
- Location of Family Assistance Center(s)
- Medical treatment
- Telephone number for mobility impaired to call for assistance

Recovery

Recovery immediately follows emergency response. It involves direction to restore the community to normal conditions and may include the following aspects:

- Request by the Governor for a Presidential Disaster Declaration
- Maintaining access control
- Clearing debris
- Restoring public utilities
- Providing emergency social services (shelter, clothing, food, etc.)
- Rebuilding
- Investigating the incident

- Demobilizing emergency personnel and resources, which may include emergency worker counseling
- Adjusting traffic control perimeters
- Continuing public information – general purpose and health-related
- Maintaining security in restricted areas
- Providing long-term counseling for residents
- Continuity planning for business and industry (economic preservation)

Specific short and mid-term recovery actions should include:

1. Cleanup and Disposal

- a. The cleanup and disposal of hazardous wastes will comply with applicable local, state, and federal regulations
- b. The party responsible for the incident is legally and financially responsible for the cleanup and disposal of hazardous wastes
- c. Emergency responders should understand that if they initiate contact with a commercial cleanup company, they may be held responsible for the costs incurred
- d. If the party responsible for the incident is unknown, unwilling, or unable to accomplish cleanup and disposal, MT DEQ may hire a commercial cleanup company with State funds

2. Relocation and Re-Entry

a. Relocation

In cases where contamination of the environment has occurred and the long-term relocation of residents is necessary, the Montana Department of Health and Human Services (DPHHS) may provide relocation assistance.

b. Re-Entry

Re-entry to an area that has been sheltered-in-place or evacuated shall not be allowed until authorized by the Incident Commander(s).

The Incident Commander(s) shall confer with the YC DES and RiverStone Health and other appropriate officials to establish re-entry procedures that will include:

- A time to return
- Safety precautions
- Health precautions
- Decontamination
- Symptoms of illness as a result of exposure

The PIO shall inform the public of the re-entry procedures. This may be done by the following methods:

- Social media

- News release
- Emergency Alert System / CodeRed
- Mass notification system
- Announcements and/or printed materials at reception or congregate care centers
- Printed materials issued at Traffic Control Points and Access Control Points

Traffic Control Points and Access Control Points shall be maintained, as necessary, to ensure an orderly re-entry by the public.

3. Incident Evaluation

OSHA Standard 1910.120 requires the Incident Commander(s) to debrief and evaluate the emergency response as soon as possible.

a. Incident Debriefing

The IC shall ensure that an incident debriefing occurs as the incident conclusion or as responders leave the scene. The debriefing should include, but not be limited to providing the following information:

- Hazard information
- Exposure signs and symptoms of materials involved
- Name of individual responsible for post-incident medical contact
- Administrative procedures
- Gather name(s) of all outside responders and agencies

b. Critique

The IC shall conduct a critique for all Level 1 or greater hazardous materials incidents. Such critique will review the incident with the purpose of identifying both those areas that worked well and those areas that need improvement. (If requested, YC DES will aid with the critique.) The critique process should include, but not be limited to the following:

- Be held after allowing sufficient time for the emergency to be investigated and appropriate information collected.
- Include at least one representative of each agency that played a role in handling the incident.
- May consist of a single multi-agency meeting or various inter-agency meetings.
- The findings of such a critique, and identity of its participants, shall be documented in writing, in an After-Action Report with Improvement Plan.
- Areas of improvement or changes identified in local or community plans or training will be incorporated in local or community activities as appropriate.

Direction and Control

The Incident Commander(s) will control and direct all activities at the scene in accordance with the Incident Command System (ICS).

If a disaster is declared by the Principal Executive Officer of a political subdivision as described in MCA 10-3-402, the YC DES Director will exercise authority over all disaster operations in the municipality or county in accordance with mission assignments contained in this Plan.

A Command Post will be established by the Incident Commander(s). This is the center from which all emergency operations will be directed. Staffing for the Command Post, as directed by the Incident Commander(s) should be limited to primary responders: fire, law enforcement, EMS, YC DES, communications, and others who may be appointed by the Incident Commander(s).

The news media will assemble at the Joint Information Center (JIC) and when the Incident Commander(s) deems the site accessible, be escorted to the scene staging area (designated by the Incident Commander(s)). If the County's EOC is activated, the EOC Public Information Officer will disseminate information in conjunction with the on-scene PIO.

1. Unified Command

In the event of a Level 2 or Level 3 hazardous materials incident (see response descriptions beginning on page 16), the responders shall utilize Unified Command to provide effective leadership, coordination, and unified on-scene command of emergency response forces.

All on-scene actions shall be consistent with the objective of ensuring the safety of all emergency responders and the public.

A hazardous materials incident may require a broad range of on-scene response organizations including, but not limited to: emergency response personnel from all levels of government; industry representatives; private contractors; and the media. The need for specialized equipment and technical knowledge during response may also be extensive, as are the number of critical decisions that must be made in the area of the incident: containment, emergency worker safety, public protective actions and environmental protection.

This Plan addresses the need to ensure control of a multi-jurisdictional/multi-agency response to a hazardous materials incident and highlights the demand for a unified Incident Command System (ICS) under the direction of the Incident Commanders.

The concept of Unified Command simply means that the main agencies that have jurisdictional responsibilities will have an incident commander as part of the unified command system to contribute to the process of:

- Determining overall response objectives
- Selecting response strategies
- Ensuring joint planning and application of tactical and operational activities
- Maximizing use of available resources
- Public alerting and press releases

Incident commanders from main response agencies and with jurisdictional responsibilities include:

- a. First Responder

The primary responsibility of the first responder is to determine the potential hazards to life, health, property, and the environment resulting from the incident. If it is determined that the incident presents a potentially hazardous situation, the first responder should promptly communicate this to 911. The first responder should then initiate the following actions:

- Evacuate all non-emergency personnel from the hazard area
- Attempt to identify the material(s) involved
- Establish a Command Post
- Determine if community notification, sheltering, or evacuation is needed and the geographical area likely to be impacted
- Isolate contaminated persons in a safe location
- When representatives of the Lead Agency having jurisdiction designate an Incident Commander(s), the first responder should brief the Incident Commander(s) on the extent of injuries, damage and the status of efforts to control the incident

b. Incident Commander

As part of the initial response to a hazardous materials incident, the fire department having jurisdiction shall serve as the Lead Agency. A qualified on-scene member of that fire department shall serve as the Incident Commander.

Using a risk-based response process and the incident response descriptions (beginning on page 16), the Incident Commander shall establish a response plan and declare a Level of Magnitude for the incident. If conditions change, the Level of Magnitude may be upgraded or downgraded as appropriate.

When the designation of the Incident Commander(s) needs to be evaluated, the following factors should be considered:

- Declared “State of Emergency”
- Geographic area affected
- Impact upon the community
- Single or multiple jurisdictions affected
- Number of response agencies
- Operational requirements
- Resources commitments
- Scope and technical complexity of the incident

The Incident Commander(s) must ensure that all participating agencies (local, state, tribal, and federal) are effectively communicating within the designated command structure.

If the designation of Incident Commander(s) changes where the Incident Commander(s) is not physically at the scene, it may be necessary to designate an Operations Section Chief.

c. Emergency Operations Center (EOC)

An EOC provides off-site incident coordination and assistance as required.

YC DES maintains procedures for activating Yellowstone County's EOC.

Upon notification of a Level 2 hazardous materials incident, YC DES shall contact the Incident Commander to assess whether Yellowstone County's EOC needs to be activated and the degree to which it should be staffed.

d. Command Responsibilities

Level 0 – Non-Emergency Condition

Implement incident command. The Incident Commander shall:

- Establish contact with a facility representative
- Determine the number and type of response units that are needed to handle the incident
- Evaluate the need to declare a higher or lower Level of Magnitude
- Respond to public and media requests for information

Level 1 – Controlled Emergency Condition

The above activities, plus:

- Establish a Command Post
- Establish liaison with the Facility Emergency Coordinator
- Ensure that all appropriate agencies are represented in the Command Post
- Designate Sections and Section Chiefs, as appropriate

Level 2 – Limited Emergency Condition

The above activities, plus:

- Consult with YC DES about activating the EOC
- YC DES shall notify and brief the PEO of the affected political subdivision
- The PEO of the affected political subdivision shall evaluate the need to declare a State of Emergency, in accordance with MCA 10-3-402

Level 3 – Full Emergency Condition

The above activities, plus:

- The Incident Commander(s), YC DES, Fire Warden, EMS Coordinator, Sheriff, Public Health Director, local officials (including local law enforcement), and the PEO shall reevaluate the existing designation of the Incident Commander
- MT DES coordinates the application of the state's resources in an emergency

Special Considerations for Weapons of Mass Destruction (WMD) and Other Intentional Releases of Hazardous Materials

Typically, units from law enforcement, fire, and EMS will all be dispatched to a WMD incident in which an intentional nuclear, chemical or biological exposure is claimed to have occurred or is imminent. Priorities for emergency response personnel are similar to other types of hazardous materials event responses. However, there are some special circumstances that should be considered and implemented.

- In incidents involving a known or suspected WMD, a request for the Federal Bureau of Investigation (FBI) should be made. According to the National Response Plan and Presidential Directives, the FBI is the lead federal agency for incidents involving chemical, biological, or nuclear weapons. This means that the incident site should be considered a federal crime scene.
- A request to the Montana National Guard 83rd Civil Support Team should be considered.
- A request to the Billings Fire Department Bomb Squad should be considered.
- Increased media attention to these incidents may require an early assignment of a PIO.
- A safe assessment of the entire scene, using extreme caution to avoid exposing or contaminating any additional personnel, should occur.
- Any victims should be medically evaluated, documented, and, when possible, debriefed by law enforcement authorities before leaving the scene.
- Handling any device that is suspected of containing potentially hazardous nuclear, chemical, or biological materials should be kept to an absolute minimum. This is important to both preserve evidence and to reduce the number of people that are potentially exposed to harm. Emergency responders should not handle suspect letters or other materials.
- Personnel should be aware that the device could be "booby-trapped" and that there may be a secondary device in the vicinity.
- Because of the possibility of a secondary explosive device, **do not use radios or cellular phones within 50 feet of the incident scene.**
- Set an appropriate evacuation distance of at least 300 feet.
- Notification to YC DES is required.

Mission Assignments

Incident Commander

The senior official from the Lead Agency will, upon arrival, normally serve as the Incident Commander. Assignment of responsibilities to all other emergency response units will be coordinated by this individual. The Incident Commander shall:

1. Establish the Incident Command System (ICS) structure and staff the Command Post to handle the operation. ICS unit responsibilities may include:
 - Life safety and rescue operations
 - Evaluation of incident cause and response risk
 - Scene security
 - Public alerting, evacuation, or shelter-in-place announcements

- Fire suppression
 - Spill containment and leak control
 - Re-entry and recovery
2. Direct on-scene operations to ensure that objectives are identified, and assignments are made including hazard assessment and First Responder briefings
 3. Coordinate actions through support agency representatives who will retain control of their respective forces under the ICS
 4. Designate a hazard area, define its limits, and establish other zones as needed
 5. Determine the need for public alerting, sheltering-in-place or evacuation and notify the appropriate agency representative who will initiate actions
 6. Establish functional sections to support operations, in accordance with the ICS. Functional sections may include:
 - Resources Unit (within the Planning Section)
 - Situation Unit (within the Planning Section)
 - Medical Unit (within the Logistics Section)
 - Communications Unit (within the Logistics Section)

Fire Service

1. Fire Department

As the Lead Agency, the Senior Fire Officer present should take actions to implement the ICS. Fire Department responsibilities may include the identification of materials, bringing fires under control, and the containment of spills. The fire department coordinates and notifies appropriate authorities to implement the safe removal of the product and may monitor the cleanup and decontamination of the site.

2. Billings Fire Department Hazardous Materials Response Team:

- BFD HazMat Team will provide overall technical assistance in conjunction with the on-scene qualified industrial representative
- BFD HazMat Team may identify the product, its potential hazards, and provide this information to the Incident Commander
- BFD HazMat Team may make entry into the hot zone to control, contain, and stop the leak and/or spill
- BFD HazMat Team operations and recovery will be conducted in accordance with appropriate state and federal regulations

3. County Fire Warden

If requested by the Incident Commander, or if conditions warrant, the Yellowstone County Fire Warden shall:

- Serve as the on-scene fire liaison
- Act as the principal coordinator for mutual aid requests and the BFD HazMat Team
- Provide technical advice and assistance as required

Law Enforcement

Law enforcement duties may include securing the immediate area and limiting access at the scene of the incident; rerouting traffic; public alerting; and possible incident investigation in the case of accidental or criminal intent.

Emergency Medical Service (EMS)

EMS will coordinate on-scene emergency and non-emergency medical care, treatment, and transportation for victims of a hazardous materials incident. EMS will assure adequate resources are available for the rehabilitation and treatment of first responders operating at the incident. They will also ensure that EMS mutual aid plans are implemented.

A release of hazardous materials into the environment may cause multiple injuries and/or casualties. EMS may be needed to provide medical care to those injured and/or exposed (e.g., facility employees, emergency responders, the public). Furthermore, a hazardous materials incident may require mutual aid among EMS providers and hospitals.

1. EMS is in charge of all patient care at the scene. Patient care decisions are the providence of the senior EMS provider at the scene and may be made in consultation with a physician via online medical control.
2. Yellowstone County EMS Administrator

The emergency medical responsibilities of the EMS Administrator include the following:

- On scene EMS liaison
- Coordination of EMS activities with the Incident Commander, EMS responders, YC DES, area hospitals, and RiverStone Health, and in accordance with mutual aid agreements, as required
- In response to a mass casualty event, coordination with YC DES to implement mass casualty response procedures outlined in 1) ESF #8 Public Health and Medical Services (2019 EOP), 2) "Mass Fatality Management Procedures" (Appendix I, 2019 EOP) , and 3) *Disaster Medical Health Plan for Billings, Laurel, Broadview, and Yellowstone County* (2011)

3. Hospitals

Hospitals shall provide primary medical care to persons who are injured and/or exposed to hazardous materials.

Public Health - RiverStone Health

RiverStone Health serves as the Lead Agency for Yellowstone County Public Health. Incident responsibilities include, but are not limited to:

1. Serving as the local representative of the Montana DPHHS
2. Notifying the appropriate state agencies of those incidents that result in the exposure of hazardous materials to the public

Coroner

Coroner services in Yellowstone County are provided by the Sheriff's Office in conjunction with the Department of Justice Medical Examiner's Office. Coroners shall provide for the management of the deceased in accordance with "Mass Fatality Management Procedures" (Appendix I, 2019 EOP).

Public Safety Communications (9-1-1 Dispatch)

The Billings City/County 911 Communications Center is responsible for, but not limited, to the following:

1. Serving as the community point-of-contact for persons reporting hazardous materials incidents
2. Activating dispatch/notification protocols for appropriate responders
3. Maintaining communication with the Incident Commander
4. Relaying critical information to responders on their operating channels
5. Maintaining 911 Dispatch communication services for the duration of the incident
6. Ensure notification of pipeline officials via emergency contact numbers **BY REQUEST**
7. Coordinate activation of community warning systems as directed by IC
8. Notify nearby critical operations and vulnerable populations (i.e. schools, hospital, government)

Disaster and Emergency Services

YC DES responsibilities include, but are not limited to:

1. Designating an on-scene liaison to facilitate response
2. Keeping the Principal Executive Officer fully informed of all operations
3. Supporting emergency response forces at the Command Post
4. Establishing an EOC in accordance with emergency plan protocols or by request of the Incident Commander and/or the Principal Executive Officer
5. Coordinating staffing and functions of the EOC
6. Collecting, displaying, and disseminating information in the EOC
7. Coordinating with MT DES regarding support from state and federal agencies
8. Coordinating support from private agencies and volunteer groups
9. Directing volunteer civil response organizations
10. Coordinate local damage assessment and survey

Emergency Operations Center

Depending upon the incident other governmental agencies may be required to support containment, control, and recovery. These requests could include transportation, public works, equipment, specialized personnel, materials, and communications. The Incident Commander(s) may request such support directly or via the YC EOC.

The EOC will coordinate:

1. Agencies within County government, city government, the community, and the private sector
2. Command and control on behalf of the Principal Executive Officer (upon MCA 10-3-402 declaration)
3. State and federal agency response

Public Information Officer

1. Facilities and public agencies should develop media relations plans. Such plans should designate spokespersons who are available on 24-hour call and who are prepared and authorized to discuss an emergency situation with the media.
2. The spokesperson designated to speak on behalf of the Incident Commander is the Public Information Officer (PIO)
3. The PIO should establish a Joint Information Center (JIC) where the media can obtain information.
 - The JIC should be located in a safe and secure area
 - Allowing media representatives into the Command Post is not recommended, as it can be disruptive to the operation. However, cooperation with the media is essential to ensure that the public is informed of the situation and what precautions and/or protective actions are necessary.
4. As appropriate, the PIO, in conjunction with a facility spokesperson, should make joint media releases
5. The PIO should assist in coordinating media requests for information
6. Facilities and public agencies should not make media releases without coordination with, and approval from, the PIO

Facility Operator/Transporter

Representatives are responsible to report a hazardous materials release that is greater than the reportable quantity and/or conditions that could result in an incident that may affect personnel and/or the environment. In addition, a facility operator or transporter representative shall:

1. Implement the facility emergency response plan and provide supplies, trained personnel, and equipment to mitigate the emergency
2. Provide management and technical support to the Incident Commander
3. Coordinate incident remediation and recovery (i.e., clean up company, service restoration)

Principal Executive Officer

If a State of Emergency is declared in accordance with MCA 10-3-402, the Principal Executive Officer (PEO) is responsible for, but not limited to, the following functions:

1. Participate with the YC EOC, which coordinates the efforts of volunteer agencies, state and federal authorities, public utilities, and other support agencies during the emergency response, recovery, and re-entry phases
2. Brief other elected and appointed officials about the nature of the emergency

3. Designate a spokesperson who is prepared and authorized to discuss the emergency with the media. The spokesperson and the Incident Command PIO shall make joint news releases as appropriate and coordinate media requests for information.
4. Request state aid through MT DES if the emergency is beyond local capability
5. Ongoing communications with and support to the Incident Commander for on-scene operations

Locally-Based Resources

The Incident Commander may request support from other local government agencies as required to support the incident response and recovery, e.g. transportation, public works, specialized equipment and personnel, and materials.

Community Organizations Active in Disasters

1. Montana211 *2-1-1, www.montana211.org
2. United Way Yellowstone
3. Team Rubicon
4. The Salvation Army
5. American Red Cross

Congress established the American Red Cross as the principal organization to undertake relief activities during time of disaster. Red Cross services include:

- Identifying and staffing emergency shelters
- Providing food for victims and emergency workers
- Assisting with evacuation and distribution of emergency supplies
- Lead Agency to coordinate volunteer relief agencies in disaster operations

Response Organizations

YC DES and/or BFD maintain a list of qualified cleanup resources. Hazmat Cleanup resources:

State and Federal Agencies

State and federal laws may require the notification of other governmental agencies. Such notification is generally the responsibility of the facility/transporter responsible for the materials involved in the incident. Generally, the primary role of these agencies will be to assist the local emergency response agencies and ensure that the parties responsible for the incident provide adequate cleanup and decontamination. In most cases, state and/or federal personnel will only be dispatched to the scene of major incidents.

Support

At the basic level, emergency response operations are initiated with locally-based responders using local procedures and plans. However, any thoughtful planning must recognize the potential need for additional outside resources. Such planning must outline the basic processes and established guidelines which govern the requesting, integration, and management of such aid.

In Montana, there are two major mechanisms in place to solicit outside resources: 1) the emergency declaration process outlined in state statutes, and 2) mutual aid agreements and policies that were established either multilaterally by the state or region, or unilaterally between various agencies.

Special Requirements

Hazardous Materials Response Plan - Review

As required by statute, the LEPC performs an annual review of this *Hazardous Materials Response Plan*. Comments, corrections, or suggestions on any part of the Plan should be forwarded to:

Local Emergency Planning Committee
c/o Yellowstone County Disaster and Emergency Services
316 North 26th, Room 3201
Billings, Montana 59101

Hazardous Materials Response Plan - Distribution Summary

1. State Emergency Response Commission
2. Members of the LEPC
3. All municipalities within Yellowstone County
4. All police, fire, and EMS agencies providing service in Yellowstone County
5. All 'covered facilities' within Yellowstone County (as defined by PL 99-499)
6. The local media
7. Yellowstone County Commissioners
8. The plan is posted on the Yellowstone County LEPC/DES website

Local Emergency Planning Committee

The YC LEPC complies with structure and process mandates:

1. The Committee carries 11 Core Membership categories that comprise essential PI relationships in addition to General Membership categories that support the LEPC purpose and activities
2. The Committee meets on the second Thursday of each month at 1:30pm, in the Emergency Operating Center, Billings Fire Station #1, 2305 8th Avenue North (in the basement)
3. Committee meeting minutes are disseminated to LEPC members and published on the DES website

Since the LEPC's inception, many new environmental regulations have been passed into law. As environmental legislation has expanded, the LEPC's role has also grown.

1. SARA Title III requires the LEPC to:
 - Maintain emergency plans and community right-to-know programs
 - Improve preparedness through training and education
 - Conduct exercises to test plans and procedures
 - Receive emergency notifications and activate the Plan

- Receive and file SARA Title III reports
2. The Hazardous Materials Transportation Safety Act of 1990 requires the LEPC to:
 - Plan, train, and prepare for transportation incidents involving hazardous materials
 3. The Clean Air Act Amendments of 1990 (including section 112r, Risk Management Planning), requires the LEPC to:
 - Improve coordination of facility and community emergency plans by sharing information
 - Provide information for facility emergency response plans
 - Provide information for facility Risk Management Plans
 - Review plans for SARA Title III related issues
 4. The Occupational Safety and Health Act requires the LEPC to:
 - Improve safety of emergency responders and facility workers through employer activities
 - Provide guidance on response planning and training requirements
 - Provide information for facility process safety plans
 - Provide information for facility emergency response plans
 5. The Oil Pollution Act of 1990 requires the LEPC to:
 - Improve planning and response for oil and hazardous materials discharges to water
 - Coordinate the local community Plan with facility plans
 6. The Pollution Prevention Act of 1990 requires the LEPC to:
 - Reduce risk by promoting source reduction and pollution prevention measures

Glossary

Billings Fire Department (BFD) Regional HazMat Team –Regional hazardous materials response team that provides local expertise for all hazmat events. The Team coordinates with six other regional teams across Montana to respond to hazmat incidents anywhere in the state. They are designated as the “Local Emergency Response Authority” (LERA).

CBRNE Materials – Chemical, biological, radiological, nuclear, and explosive materials.

Chairperson of the Local Emergency Planning Committee (LEPC) – Principal Officer of the LEPC. The Chairperson shall be subject to the control of the LEPC and shall, in general, supervise and control all of the business and affairs of the LEPC.

CodeRed -- The Yellowstone County CodeRed Emergency Notification System provides the public with the ability to receive voice, text, and/or email notifications generated by government and public safety officials. More information is available from the Yellowstone County Emergency Management Information Line at 406-256-2775.

Command Post (CP) – The Command Post is the nucleus of the decision-making process at any incident. There is only one CP for the incident. In a Unified Command Structure where Incident Commanders from several agencies or jurisdictions are involved, the responsible individuals

designated by their respective agencies would be co-located at the CP. If needed, planning and logistics functions are also performed at the CP.

Covered Facility – see “Facility” definition.

Disaster and Emergency Services (DES) – DES is the focal point of emergency services in Yellowstone County for all hazards incidents as well as local, state and national security emergencies. DES develops, maintains, and administers a comprehensive emergency management plan designed to save lives and protect property through prevention, mitigation, readiness, response, and recovery.

Emergency Manager – The Director of Disaster and Emergency Services is the Yellowstone County Emergency Manager.

Emergency Operations Center (EOC) – When activated, an EOC is a protected site where representatives of government (municipal, county, state, or federal) and private sector agencies convene during disaster situations to make decisions, set priorities, and coordinate resources for response and recovery.

Emergency Operations Plan (EOP) – Yellowstone County ICS guidelines are included in the *Yellowstone County Emergency Operations Plan (2019)*.

Extremely Hazardous Substance (EHS) – Chemical substances that could cause serious irreversible health effects from accidental release. See Appendix A for information resources about the EHS list, known as the “List of Lists.”

Facility – (A) Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock or aircraft, or (B) any site or area where a hazardous substance has been deposited, stored, disposed of, placed or otherwise come to be located, at which an extremely hazardous substance is present in an amount in excess of the applicable threshold planning quantity; except for the purposes of the release requirement for which “facility” means any of the items listed in (A) or (B) at which a hazardous chemical is produced, used or stored. The term does not include any consumer product in consumer use or any vessel.

Fire Warden – In Yellowstone County, this person is responsible for all rural fire operations, coordination, and response activities.

Hazardous Chemical – Any chemical exposure that poses a physical hazard or health hazard.

Incident Command System (ICS) – An organized system which defines standard operating procedures and roles and responsibilities used to manage and direct emergency operations as outlined in NIMS and the *Yellowstone County Emergency Operations Plan (2019)*.

Joint Information Center (JIC) – A JIC is a place which receives and processes information from the Command Post and/or the EOC, about the event for accurate and timely dissemination to the news media and the public. Media representatives report to the JIC for official information about the event.

Local Emergency Planning Committee (LEPC) – The Local Emergency Planning Committee.

National Incident Management System (NIMS) – The National Incident Management System (NIMS) guides all levels of government, nongovernmental organizations, and the private sector to work together to prevent, protect against, mitigate, respond to and recover from incidents.

Perceptible Exposure – Any release of a hazardous substance or extremely hazardous substance which is visible, produces a detectable odor or a distinctive taste, or impacts a human or environmental receptor physically, such as causing irritated eyes, itchy skin, damaged vegetation, chronic injury, etc.

Principal Executive Officer (PEO) – The mayor, presiding officer of the county commissioners, or other chief executive officer of a political subdivision (MCA 10-3-103, Item 11).

Protective Actions – Official direction to evacuate the area or to shelter-in-place as precaution from harmful exposure.

Public Alerting – Decisive action to notify the public and to direct them to take specific actions. Several means can be used by public officials.

Public Information Officer (PIO) – This is the spokesperson for the event. This person is responsible to develop information about the incident and release information to the news media and other agencies, after authorization from the Incident Commander(s) or the EOC Manager.

Release – Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the environment (including the abandonment or discarding of barrels, containers and other closed receptacles containing any hazardous substance or pollutant or containment), but excludes (a) any release which results in exposure to persons solely within a workplace, with respect to a claim which such persons may assert against the employer of such persons, (b) emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel or pipeline pumping station engine, (c) release of source, byproduct or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954, if such release is subject to requirements with respect to financial protection established by the Nuclear Regulatory Commission under 170 of such Act, and (d) the normal application of fertilizer.

Reportable Quantity (RQ) – Determined by the EPA and set forth in Appendix A. For all other hazardous substances, the Reportable Quantity (RQ) is one pound.

Risk Management Plan (RMP) – A document that assists the preparer in foreseeing risks, estimated impacts, and define responses to risks.

Safety Data Sheet (SDS) – Formerly known as a Material Safety Data Sheet (MSDS). Information sheet(s) about a chemical product including: emergency responder precautions, protective actions, emergency treatment, and the physical characteristics of the product, among others.

Site – All contiguous property owned or leased by the owner or operator of the facility at which the release occurred, but does not include property across a public right of way.

State of Emergency – In the event of a disaster, rioting, catastrophe or similar public emergency, or in the event of reasonable apprehension of immediate danger, and upon a finding by the Principal Executive Officer (PEO) of a political subdivision that the public safety is imperiled within the territorial limits of the county, city, town or village, the PEO of that political subdivision may proclaim a State of Emergency within any part or all of the territorial limits of such local government. Following such proclamation, the PEO of the political subdivision may promulgate local emergency orders to protect life and property or to bring the emergency situation under control in accordance with MCA 10-3-402).

Threshold Planning Quantity (TPQ) – The quantity established by the EPA for each extremely hazardous substance (EHS) stored or processed at an industry facility that can pose a health risk should an accidental release occur. See Appendix A for information resources about EHSs and TPQs.

Unified Command – A method for all agencies or individuals who have a jurisdictional responsibility and in some cases for those who have functional responsibility at the incident, to contribute to:

1. Determining overall objectives for a safe resolution of the incident
2. Selecting a strategy to achieve these objectives
3. Ensuring the maximum effective use of all resources

Appendices

Appendix A - List of Extremely Hazardous Substances

1. Available by telephone:

The most current edition is available from the Federal Environmental Protection Agency's "Emergency Planning and Community Right-to-Know HOTLINE":

1-800-424-9346 (select option #4, Monday - Friday, 10:00 a.m. – 5:00 p.m. EST)

Ask for Document EPA 550-B-19-003 (June 2019) which is known as the "List of Lists."

2. Available electronically:

https://www.epa.gov/sites/production/files/2015-03/documents/list_of_lists.pdf

Information at the website includes:

LIST OF LISTS

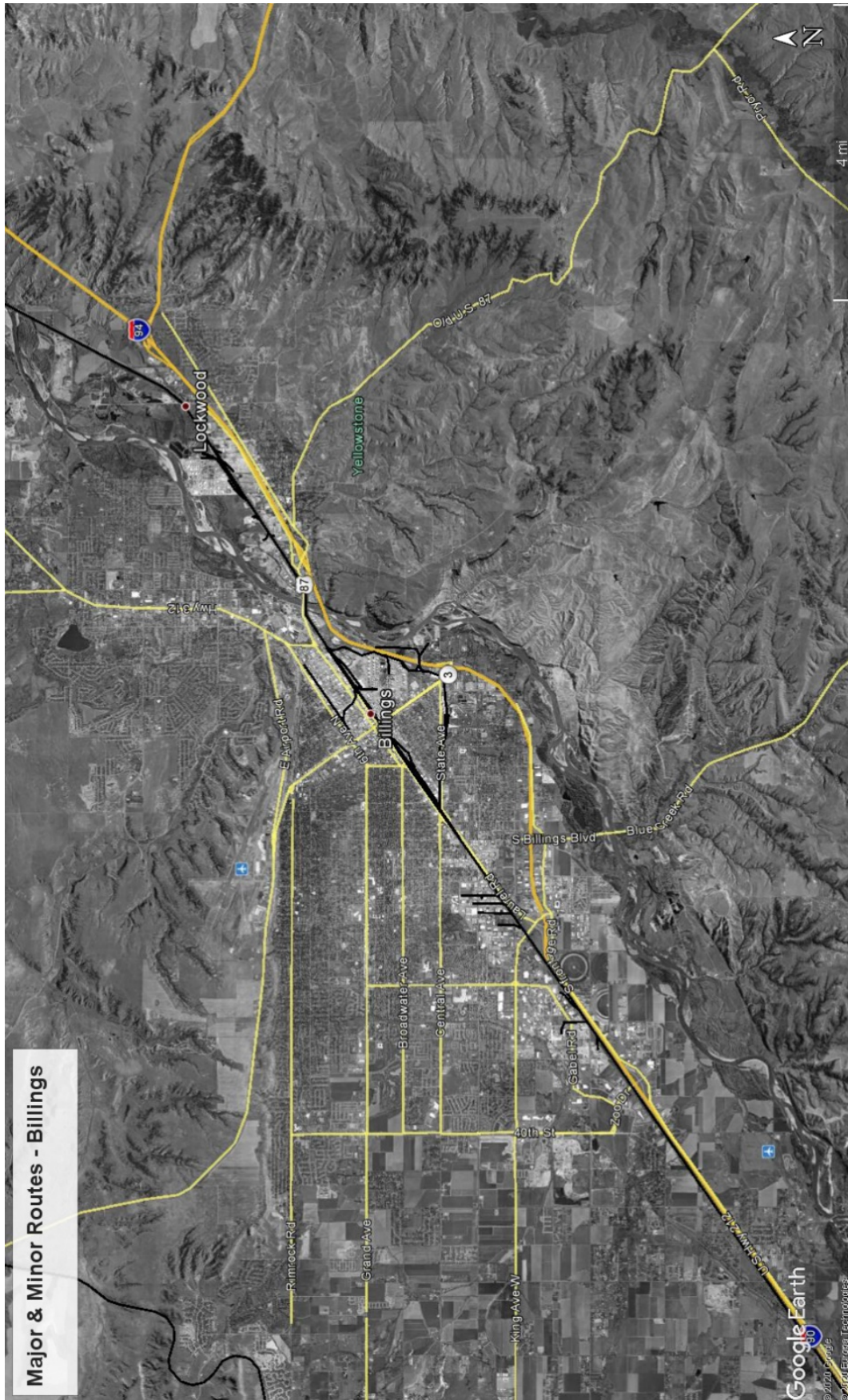
Consolidated List of Chemicals Subject to the Emergency Planning and Community Right to-Know Act (EPCRA), Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and Section 112(r) of the Clean Air Act

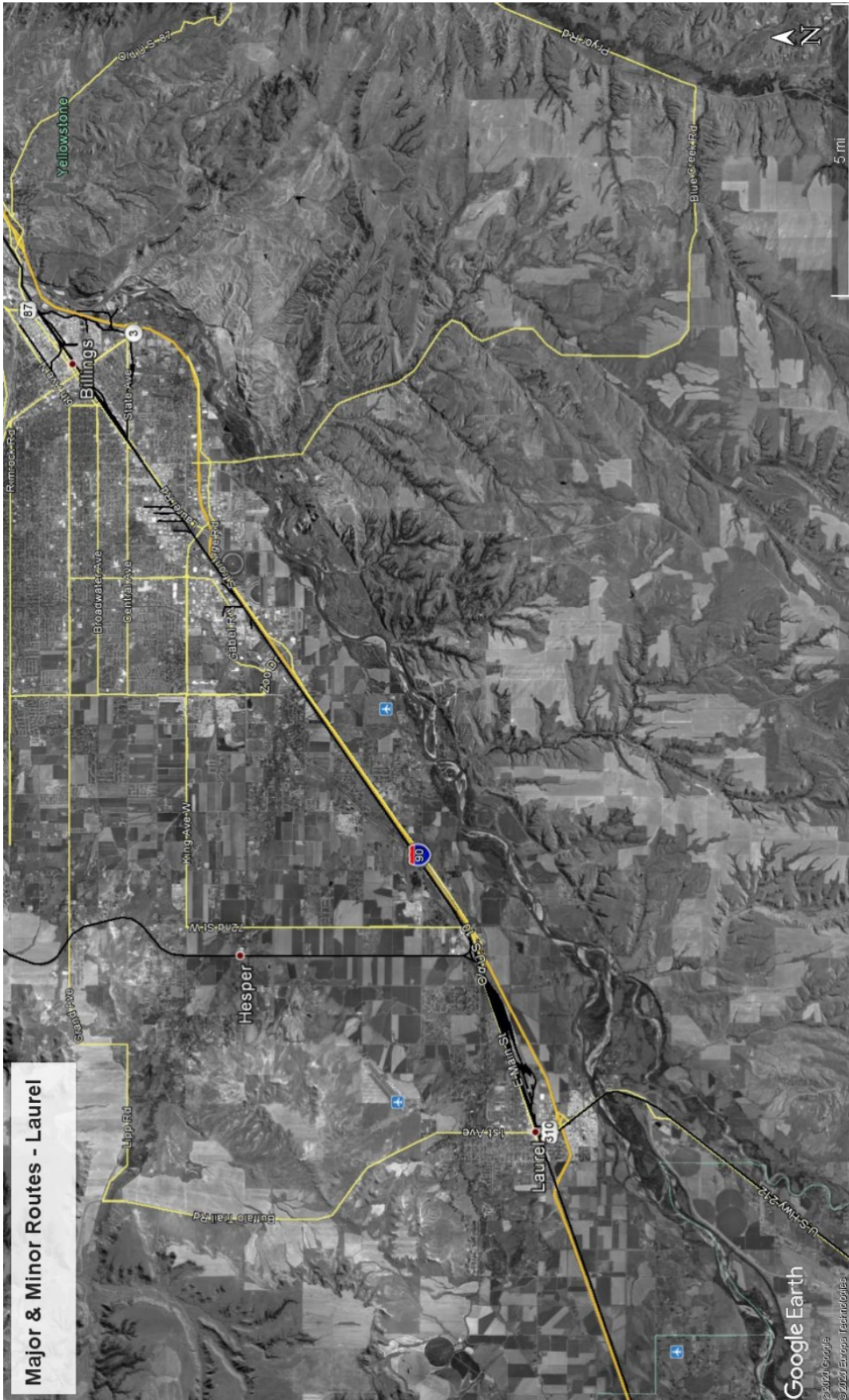
This consolidated chemical list includes chemicals subject to reporting requirements under the Emergency Planning and Community Right-to-Know Act (EPCRA), also known as Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA), the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and Section 112(r) of the Clean Air Act (CAA). This consolidated list does not include all hazardous chemicals subject to the reporting requirements in EPCRA sections 311 and 312, for which Safety Data Sheets (SDSs) must be developed under OSHA's Hazard Communication Standard (29 CFR 1910.1200). These hazardous chemicals are identified by broad criteria, rather than by enumeration. There are over 500,000 products that satisfy the criteria. See 40 CFR Part 370 for more information.

Appendix B - Map of Major Transportation Routes

The following maps appear in the following pages:

1. Major & Minor Routes – Laurel
2. Major & Minor Routes – Billings
3. Major & Minor Routes – Lockwood







Appendix C - Telephone Roster

This telephone roster is provided as a summary listing of agencies and organizations that have interest and involvement in chemical emergencies. Plan holders are encouraged to develop an emergency telephone roster to facilitate recall. However, because of update requirements, changes must be made by plan holders on a continuous basis. On an annual basis this appendix will be officially updated. Numbers not preceded by an area code are "406."

Local Emergency Responders	
Police/Sheriff/Fire/EMS From outside Yellowstone County	9-1-1 406-657-8200
Billings Fire Department HazMat Response Team	9-1-1
YC DES After hours & weekends	9-1-1 406-208-0506
YC Fire Warden	406-208-0506
Local Government Agencies	
RiverStone Health / DPHHS	406-247-3200
YC Public Works After hours & weekends	406-208-0555 406-208-9077
Billings Public Works	406-657-8230
Laurel Public Works	406-628-4796
State Agencies	
Montana Highway Patrol	1-855-467-3777
Montana Dept of Transportation	406-657-0217
Montana DES	406-324-4777
Montana DEQ	406-431-0014
Support Organizations	
American Red Cross	1-800-272-6668
ChemTech	1-800-424-9300
Poison control	1-800-222-1222
Industry Resources	
CHS Refinery	406-628-5200
Phillips 66 Refinery	406-255-2560

Exxon Refinery	406-657-5320
Montana Rail	1-800-338-4750 1-800-498-4838
Cenex Pipeline, LLC	1-800-421-4122
ExxonMobil Pipeline Co.	1-800-537-5200 406-657-5320
Front Range Pipeline, LLC	1-800-421-4122
Montana Dakota Utilities Co.	1-800-638-3278
NorthWestern Energy	1-888-467-2669
Phillips Pipe Line Co	1-800-231-2551 1-877-267-2290 406-255-5617
Plains Pipeline, L.P.	1-800-708-5071
WBI Energy Transmission	1-888-859-7291
BNSF	1-800-832-5452

Appendix D - Requesting Billings Fire Department Hazardous Materials Response Team

Dial 9-1-1 to request activation or consultation on possible activation of the Billings Fire Department Hazardous Materials Response Team.

Be prepared to provide your name, address, phone number, and incident information.

Appendix E - Sample Incident Reporting Form

Hazardous Materials Incident Information Summary

Company Name		Date			
Address					
Name of Person Calling					
Call Back Phone #					
Location of Incident					
Nature/Cause of Release	Leak	Fire	Explosion	Derailment	Traffic Accident
Chemical Name					
Time Release Started/Discovered					
Duration of Release			(could be continuing)		
Estimate of Quantity Released (lbs., gal., etc.)					
Material Released Into: (could be more than one)			Air	Water	Ground
Number of Injuries or Deaths					
Any known or anticipated health risks associated with this release					
If so, what information should be released to news media?					
Suggested precautions (public warning, traffic control, in place sheltering, crowd control, evacuation, down river problems, etc.)					
For further information, contact			Phone		

NOTE: SARA, Title III, Section 304 requires written follow-up report with additional information. Please forward to:

Yellowstone County LEPC
 c/o Yellowstone County Disaster and Emergency Services
 316 North 26th, Room 3201
 Billings, Montana 59101

Appendix F - Sample Evacuation Announcement

Evacuation Announcement

"The following message is from _____. A Hazardous Materials Emergency exists at _____ (location) _____. All persons must evacuate an area bordered by (North) , (East) , (South) , (West) . ***(Repeat one time, then continue)***

Please follow these main evacuation routes: **(List routes)**

Please cooperate by checking on persons in your neighborhood who may live alone. If they do not have transportation, please assist them. If you know housebound or mobility impaired persons who require assistance, contact _____.

You should prepare to spend a minimum of one day away from home. You should take sufficient quantities of personal care items and prescription drugs for this time period.

We remind you to take the following steps:

1. Secure your home and property.
2. Turn off all lights and electrical appliances.
3. Turn down heating systems (or turn-off air conditioning systems).
4. Drive carefully. Proceed calmly to your destination, obeying all traffic laws.
5. Please obey the police and others who will be directing traffic along the evacuation routes.

If you need a place to stay, please go to _____ (location) _____.

Pets (will/will not) be allowed inside the congregate care centers. However, bring your pets and facilities will be provided for their care.

Do not use the telephone except to REPORT emergencies. Do not call government offices. You will be kept informed of the situation through this Emergency Alert Station.

The preceding message is an announcement from _____ regarding an order by _____ to evacuate all persons living in the affected area. For further information, please stay tuned to this station."

(This message shall be repeated every five minutes.)

Appendix G - Sample Shelter-in-Place Announcement

Shelter-in-Place Announcement

"The following message is from _____. A Hazardous Materials Emergency exists at _____ (location) _____.

If you live, work, or are traveling within the following area, you should take shelter by going inside a building:

The area is bordered by (North) , (East) , (South) , (West) . ***(Repeat one time, then continue)***

If you are traveling through the affected area, roll-up windows, close air vents, turn off heaters and/or air conditioners. If shelter is not immediately available, place a handkerchief, towel or other similar item snugly over your nose and mouth until you can get indoors.

Take shelter indoors and do the following:

Close all doors, windows, shades and drapes, sealing gaps with wet towels or wide tape.

Stay away from windows.

Turn off heating systems, air conditioners or fans.

Extinguish fireplaces and close fireplace dampers.

Keep pets inside.

(Read this statement only if school is in session:)

Do not telephone or go to the school your children attend. They are in a covered protected environment. You will be notified when they are bussed home or when it is safe to retrieve them, including instructions on where and how.

Do not use the telephone except to REPORT emergencies. Do not call government offices. You will be kept informed of the situation through this Emergency Alert Station.

The preceding message is from _____ advising people affected by this emergency to take shelter. For further information, please stay tuned to this station."

(Thereafter, this message shall be repeated every five minutes.)

Appendix H - Reference List

Websites

- Agency for Toxic Substances and Disease Registry (ATSDR) Toxicological Profiles
<https://www.atsdr.cdc.gov/toxprofiledocs/index.html>
- American Chemistry Council (ACC)
www.americanchemistry.com
- American Petroleum Institute (API)
www.api.org
- American Railway Car Institute (ARCI)
www.rsiweb.org
- Association of American Railroads (AAR)
www.aar.org
- Bureau of Explosives (BOE)
<http://boe.aar.com>
- Chemical Hazards Emergency Medical Management (CHEMM)
<https://chemm.nlm.nih.gov/>
- Chemical Transportation Emergency Center (CHEMTREC)
www.chemtract.org
- The Chlorine Institute (CI)
www.chlorineinstitute.org
- Compressed Gas Association (CGA)
www.cganet.com
- Department of Homeland Security/Transportation Security Administration (DHS/TSA)
www.tsa.gov
- Department of Transportation (DOT)
www.dot.gov
- Emergency Response Guidebook (ERG)
<https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2020-08/ERG2020-WEB.pdf>
- Environmental Protection Agency (EPA)
www.epa.gov
<https://www.epa.gov/epcra/cercla-and-epcra-continuous-release-reporting>
- The Fertilizer Institute (TFI)
www.tfi.org
- Montana Code Annotated (MCA)
<https://leg.mt.gov/bills/mca/index.html>
- Montana Department of Environmental Quality (DEQ)
<https://deq.mt.gov/DEQAdmin/ENF>
- National Fire Protection Association (NFPA) Standard 472 & 473
www.nfpa.org

- National Propane Gas Association (NPGA)
www.npga.org
- National Response Center (NRC)
<http://www.nrc.uscg.mil/>
- New York State Office of Fire Prevention and Control (OFPC)
www.dhSES.ny.gov/ofpc/
- Nuclear Regulatory Commission (NRC)
www.nrc.gov
- Occupational Safety and Health Administration (OSHA)
www.osha.gov
- Railway Supply Institute (RSI)
www.rsiweb.org
- Radiation Emergency Medical Management (REMM)
<https://www.remm.nlm.gov/index.html>
- The Sulfur Institute (TSI)
www.sulphurinstitute.org/about/index.cfm
- Transport Canada (TC)
www.tc.gc.ca
- United States Coast Guard (USCG)
www.uscg.mil
- Wireless Information System for Emergency Responders (WISER)
<http://webwiser.nlm.nih.gov/>

Emergency Telephone Numbers

- CHEMTREC 1-800-424-9300 or 202-887-1255
- CHEM-TEL 1-800-255-3924 or 813-979-0626
- DEC Oil/HazMat Spill Hotline 1-800-457-7362
- Department of Defense (for incidents involving military shipments)
 - Dangerous Goods 1-800-851-8061
 - Explosives & Ammunition 703-697-0218
- National Response Center 1-800-424-8802

County & Federal Resources

- *Emergency Operations Plan – Yellowstone County, 2019*
Includes Emergency Support Function (ESF) 10 - Oil and Hazardous Materials Response
https://www.co.yellowstone.mt.gov/Des/plans/EOP_2019.pdf
- *Yellowstone County MultiHazard Mitigation Plan, 2019*
<https://www.co.yellowstone.mt.gov/des/plans/>

- *Hazardous Materials Incidents: Guidance for State, Local, Tribal, Territorial and Private Sector Partners*, August 2019
https://www.fema.gov/media-library-data/1566393023589-8134367aaf67f65c7a159453c0b8c27b/Hazardous_Materials_Incidents.pdf
- *Disaster Medical Health Plan for Billings, Laurel, Broadview and Yellowstone County*, 2011
Available upon request from YC DES
- *Yellowstone County Source Water Protection Plan, 2020*
Available upon request from YC DES

Books

- DOT Emergency Response Guidebook
- Firefighter's Handbook of Hazardous Materials by Charles J Baker
- NIOSH Pocket Guide to Chemical Hazards
- Quick Selection Guide to Chemical Protective Clothing by Kristen Forsberg & S.Z. Mansdorf
- Hazardous Chemicals Desk Reference by Richard J Lewis Sr.
- Hazardous Materials Reference Book Cross Index by Daniel J Davis & Julie A Davis
- Handbook of Hazardous Chemical Properties by Nicholas P Chevemisino
- Hawley's Condensed Chemical Dictionary by Richard J Lewis Sr.
- The Merck Index
- The First Responders' Guide to Agricultural Chemical Accidents by Charles R Foden & Jack L Weddell

Smartphone Apps

- AskRail
- ERG 2020
- Gas Detection
- EMD PTE
- Hazmat Chemical Suit Guide
- Mobile REMM
- Rail Crossing Locator
- OSHA Heat Safety Tool
- Confined Space and Rope
- FEMA
- WISER
- HazmatIQ eCharts

Appendix I - Use of Social Media

Yellowstone County DES may utilize social media to communicate evolving incident information to the public, including the use of the YC DES Facebook page. Information released through social media does not replace public alerts sent via CodeRed or IPAWS, such as Shelter-in-Place or Evacuation Announcements.

The BFD HazMat Response Team may utilize social media to communicate evolving incident information to the public in cooperation with the PIO, JIC, and YC DES.

Appendix J - LEPC By-Laws

LEPC By-Laws are available on the YC DES website: <https://www.co.yellowstone.mt.gov/des/lepc/>. A signed copy is also on record in the Clerk & Recorder's office, recording number 3198806.

BY LAWS LOCAL EMERGENCY PLANNING COMMITTEE YELLOWSTONE COUNTY (MT)

Revised and Adopted, December 10, 2014

ARTICLE I. NAME, PURPOSE & OFFICE

SECTION 1.1 NAME

The name of this organization shall be the Yellowstone County Local Emergency Planning Committee LEPC, herein after referred to as the "LEPC". All power of the LEPC is vested in its membership with limited powers given to the Board of Directors.

SECTION 1.2 PURPOSE

The purpose of the LEPC shall be:

1. To carry out for County of Yellowstone and its political subdivisions those responsibilities required of the LEPC pursuant to Public Law 99-499, Superfund Amendments and Reauthorization Act of 1986 (SARA), Title III, and related regulations including but not limited to:
 - Developing, training, and exercising of a hazardous material emergency response plan for Yellowstone County and its political subdivisions;
 - Developing procedures for receiving and storing hazardous material information from Yellowstone County businesses and processing requests from the public under the community Right-to-Know provisions of Title III, SARA; and
 - Establishing provisions for public notification of LEPC activities.
2. To plan, develop, train and exercise community emergency response plans for all other risks and hazards identified in Yellowstone County including but not limited to flooding, wildfires, major structure fires, winter storms, tornadoes, terrorism, etc.
3. To implement further related activities as may hereafter be legally required by the Federal Government, the State Emergency Response Commission (SERC), or the LEPC.
4. To develop and maintain a compliance checklist as an attachment to the bylaws which shall be used in an annual compliance review.

SECTION 1.3 BUSINESS OFFICE

The organization's principal office shall be located in Billings, Montana. The LEPC's most current Annual Report shall identify the location of the principal office.

ARTICLE II. MEMBERSHIP

SECTION 2.1 MEMBERSHIP

1. *Membership.*

Any person or firm engaged in business and who subscribes to the principles and purposes of the LEPC is eligible for membership. If a corporation or other entity holds membership, the entity shall be considered one member though more than one representative may participate and attend meetings.

LEPC membership shall include representatives of entities needed to ensure close mutual aid relationships and effective regulatory compliance and those who support the purpose and activities of the LEPC. This shall include but not be limited to representatives from the following groups or organizations: elected officials, law enforcement, emergency management; fire response; emergency medical services; health officials, local environmental groups, hospital personnel, transportation; owners and operators of facilities subject to reporting under the Emergency Planning and Community Right-to-Know Act (EPCRA); broadcast and/or print media; schools, faith-based groups, and .volunteer and public assistance agencies

2. *Membership Appointments*

LEPC members are officially appointed for an indefinite term, and must be reviewed by the SERC annually. A membership application shall be completed and submitted to the Secretary by any group or organization wishing to become a member of the LEPC. At that time, they will be added to the notification distribution list and listed in the annual report for that year as new members. Completion of the Annual Report, submission to the County Commissioners shall constitute official appointment of new members who will be forwarded to the State Emergency Response Commission (SERC) and added to the official roster.

3. *Membership Rights and Expectations*

Membership entitles members to receive notification of meetings, copy of minutes and opportunity to participate in activities, committees and discussions. Members shall support the purpose of LEPC, keep informed and participate when possible in meetings and activities. Only active/voting members may vote.

4. *Membership Categories*

Active/Voting Members: Member firms or organizations that have been represented at more than 50% of the regularly scheduled meetings during the previous year and identified as such as of the record date shall be classified as active members with voting privileges. One vote will be accorded each entity regardless of the number of individuals affiliated with that entity who attend meetings and participate.

At-large Members: Individuals with expertise in areas of LEPC concerns and not associated with a member organization will be classified as at-large members. These persons do not need to be carried on the official roster.

5. *Termination of members.*

The LEPC may suspend or terminate a member from the LEPC if the LEPC has made a good faith determination that it is in the best interests of the LEPC to do so. In addition, the LEPC may only suspend or terminate a member from the LEPC pursuant to the following procedure, which shall be carried out in good faith. The procedure provides:

- the LEPC must, by first class mail, give the member written notice of the suspension or termination not less than 15 days' prior to the effective date of the proposed action and an explanation of the reasons for it; and
- an opportunity for the member to be heard, orally or in writing, not less than 5 days before the effective date of the suspension or termination by the LEPC.

Notwithstanding the above provisions, the LEPC shall consider a membership terminated if the member fails to make payment of annual dues, if dues are required, or if the member fails to attend meetings for two full calendar years or notify the LEPC of their desire to remain as active members

SECTION 2.2 DUES

The LEPC shall determine the amount of annual dues, if any, to be paid by each member. The LEPC may establish a different amount of dues to be paid by different types of membership. The LEPC may terminate members for non-payment of annual membership dues. The LEPC may notify members of nonpayment of dues and may provide a grace period in which to pay dues.

SECTION 2.3 MONTHLY MEMBERSHIP MEETING

The members shall convene monthly meetings on the second Thursday of each month, at the hour of 1:30 o'clock P.M., or at another time on another day within the month that the LEPC agrees upon. Meetings shall be open to the public and persons attending who do not wish to become members shall sign-in as a guest. Unless otherwise indicated, all minutes are considered public record. Matters of confidentiality and vulnerability shall not be included in public record minutes.

SECTION 2.4 SPECIAL MEMBERSHIP MEETINGS

The Chairperson, the Board, or the members may call a special membership meeting for any purpose or purposes described in the meeting notice.

SECTION 2.5 PLACE OF MEMBERSHIP MEETING

The LEPC may designate any place as the meeting place for any monthly, annual or special meeting of the members. The members may change the meeting place if a majority of the members entitled to vote at the meeting agree to another location. If the LEPC does not designate a meeting place, then the members shall meet at the principal office of the organization.

SECTION 2.6 NOTICE OF MEMBERSHIP MEETING

Required notice. The Secretary of the LEPC shall deliver notice of the membership meeting to each record member.

Manner of Communication. The Secretary of the LEPC may deliver to member's notice of the membership meeting by e-mail, written notice, through a regular publication, or by a newsletter of the organization. The notice must be given in a fair and reasonable manner; it must be in writing and state the place, day and hour of any monthly, annual or special membership meeting. If the LEPC determines that e-mail, or a written notice, or notice by a regular publication or a newsletter of the membership meeting is impracticable, the Secretary of the LEPC may give notice of the membership meeting by means of a newspaper of general circulation in the area where it is published.

Adjourned Meeting. If the members adjourn any membership meeting to a different date, time, or place, the Secretary need not give notice of the new date, time and place, if the new date, time, and place are announced at the meeting before adjournment. However, if the LEPC fixes a new record date for the adjourned meeting, or must fix a new record date, then the Secretary must give notice, in accordance with the requirements of paragraphs (b) of this section, to those persons who are members as of the new record date.

Contents of Notice The notice of meetings shall include a description or agenda indicating the meeting's purpose or purposes. If the purpose of the meeting is to amend bylaws or adopt policies a copy or summary of information to be presented shall be sent prior to the meeting.

SECTION 2.7 FIXING OF RECORD DATE

The LEPC has fixed, in advance, a date, referred to as the record date, for the purpose of determining which members, as of a certain date, are entitled to receive notice of a member meeting. The LEPC may also fix specific rights for members of record as of the record date. The record date shall be the December meeting unless otherwise determined.

SECTION 2.8 MEMBERSHIP LIST

Contents of List. After the LEPC fixes a record date for notice of a meeting, the officer maintaining the LEPC's record books, shall prepare a complete record of the members entitled to the notice of the meeting and provide the list to the SERC.

Inspection. The membership list must be available for inspection by any member, beginning 2 business days after the Secretary gives notice of the meeting for which the list was prepared. The list shall be located for inspection at the LEPC's principal office. A member, the member's agent, or attorney is entitled, on written demand, to inspect the list during regular business hours. The member shall be responsible for any reasonable inspection expenses.

Limitations on Use of Membership List. Without consent of the LEPC, a membership list or any part of it may **not** be obtained or used by any person for any purpose unrelated to a member's interest as a member of the LEPC. Membership lists shall **not** be distributed to members except for the sole purpose of conducting LEPC business.

SECTION 2.9 MEMBERSHIP QUORUM

For the purpose of official LEPC business, a quorum shall be considered 40% of LEPC active/voting members present at the meeting. Once a vote is represented for any purpose at a meeting, the LEPC shall deem it present for quorum purposes for the remainder of the meeting and for any adjournment of the meeting unless a new record date is or must be set for that adjourned meeting.

SECTION 2.10 VOTING OF MEMBERSHIP

Each member (subject to the provisions of section 2.1.4) is entitled to one vote on each matter voted on by the Active/Voting Members. If a membership (one entity) stands of record in the names of two or more persons, the vote of one name shall bind all names on that one membership. Three-fourths (3/4) affirmative vote is required for member approval of LEPC merger and dissolution, and for major asset transfers. A majority vote shall carry on other matters requiring member action, unless otherwise stated in these bylaws.

SECTION 2.11 LEPC RECORDS

The LEPC shall keep a permanent record of the minutes of all meetings of:

- its members
- the board of directors

The LEPC shall maintain appropriate accounting records, including a quarterly report of fiscal balances to the membership.

ARTICLE III. BOARD OF DIRECTORS

SECTION 3.1 GENERAL POWERS

All LEPC powers shall be exercised by or under the authority of the members of the LEPC. The Board of Directors shall exercise only those powers given to it by the members of the LEPC and consists primarily of conducting the business and affairs of the LEPC when the LEPC cannot meet.

SECTION 3.2 COMPOSITION OF THE BOARD

The current officers of the LEPC and the past chairperson of the LEPC, if still active and involved, shall compose the Board. Each director shall have one vote on any matter that comes before the Board. Each director shall hold office for the period of time they are officers *or* until removed in accordance with section 3.3. All Directors shall represent Active/Voting members of the LEPC and it is desired that the directors represent different member organizations/agencies.

SECTION 3.3 REMOVAL OF DIRECTORS

A director (officer) may be removed if a majority of the LEPC members present at a duly constituted meeting vote for the removal.

SECTION 3.4 DIRECTOR VACANCIES

If a vacancy among the directors occurs on the Board, the LEPC may fill the vacancy, by appointing another officer. If the directors remaining in office constitute less than a quorum of the Board, they may continue to conduct business as needed.

SECTION 3.5 REGULAR MEETINGS OF THE BOARD OF DIRECTORS AND NOTICE

The Board shall hold regular meetings as necessary in the absence of the meetings of the LEPC. The Board's Secretary shall give oral, electronic or written notice of any director meeting at least 2 days before the meeting. The notice shall include the meeting place, day and hour.

SECTION 3.6 DIRECTOR QUORUM

A majority of the number of directors shall constitute a quorum for the transaction of business at any Board meeting.

ARTICLE IV. OFFICERS

SECTION 4.1 NUMBER OF OFFICERS

The officers of the LEPC shall be a Chairperson, a Vice-Chair, a Secretary, and a Treasurer. The LEPC shall elect these officers. In addition to the duties specifically set forth in these bylaws, each officer shall perform any other duties that the LEPC may assign to the officer. The LEPC may appoint other officers and assistant officers, as it deems necessary. The same individual may simultaneously hold more than one office in the LEPC.

SECTION 4.2 ELECTION AND TERM OF OFFICE

The LEPC shall elect officers of the LEPC for a two year term unless determined otherwise by the LEPC at the time of election. There are no limits on the number of terms that may be served. In the event of failure or lack of opportunity to hold elections, the existing officers shall remain in office until new officers are installed.

SECTION 4.3 NOMINATION OF OFFICERS

The chair shall appoint a nominations committee to facilitate the election of officers. A slate will be announced one month prior to elections. If there is a desire to submit additional nominations these must be submitted to the nominating chair in writing, and signed by a nominator and seconder, at least 10 days prior to the election.

SECTION 4.4 REMOVAL OF OFFICERS

The LEPC may remove any officer in the manner specified in section 3.3.

SECTION 4.5 CHAIRPERSON

The Chairperson shall be the principal officer of the LEPC. The Chairperson shall be subject to the control of the LEPC, and shall, in general, supervise and control, in good faith, all of the business and affairs of the LEPC. The Chairperson presides at all meetings of the LEPC. The Chairperson may sign, with the Secretary or any other proper officer of the LEPC, any formal or legal LEPC documents requiring authorized signature on behalf of the LEPC. The chairperson also shall facilitate the development and presentation of an annual report, serve as the public liaison/contact for the LEPC and the TIER II reporting contact along with the secretary.

SECTION 4.6 VICE-CHAIR

The Vice-Chair shall perform, in good faith, the Chairperson's duties if the Chairperson is absent, dies, is unable or refuses to act. If the Vice-Chair acts in the absence of the Chairperson, the Vice-Chair shall have all the Chairperson's powers and be subject to all the restrictions upon the Chairperson. If the Vice-Chair is unable or refuses to act, then the ~~Secretary~~ *Treasurer or another designated active member* shall perform the Chairperson's duties.

Annually, during the first quarter of the calendar year, the Vice Chair shall be responsible for ensuring Bylaws and Compliance reviews are conducted and results reported to the LEPC.

SECTION 4.7 SECRETARY/INFORMATION COORDINATOR

The Senior Administrative Coordinator of the Billings Fire Department shall serve as secretary/information officer of the LEPC unless for some reason it is determined that another active member needs to be selected.

The Secretary shall:

1. Attend meetings & create and maintain the minutes of the proceedings of the Board and of the LEPC

2. Provide that all notices are served in accordance with these bylaws or as required by law
3. Be custodian of the LEPC records
4. When requested or required, authenticate any records of the LEPC
5. Keep a current register of the post office and e-mail address of each member
6. Distribute minutes of meetings and other relevant information to the LEPC membership
7. In general perform all duties incident to the office of Secretary.
8. By virtue of the role, the Secretary shall serve as the Information Coordinator for the LEPC. In this role, the Secretary shall be responsible for processing requests for information from the public under Section 324 of the EPCRA, including Tier II information under Section 213. Requests for information shall be documented and the Chairperson shall be notified of such requests.

SECTION 4.8 TREASURER

The Yellowstone County Director of Emergency Services shall serve as Treasurer of the LEPC unless for some reason it is determined that another Active/Voting member needs to be selected.

The Treasurer shall:

1. Have charge and custody of and be responsible for all funds and securities of the LEPC
2. Receive and give receipts for monies due and payable to the LEPC from any source, and deposit all moneys in the LEPC's name in banks, trust companies, or other depositories that the LEPC shall select
3. May sign and issue all LEPC checks, drafts or other orders for payment of money, and notes or other evidence of indebtedness
4. Submit the books and records to a Certified Public Accountant for annual audit or review
5. Provide a quarterly fiscal report to the membership
6. In general perform the entire duties incident to the office of Treasurer.

SECTION 4.9 PAST CHAIRPERSON

In order to keep continuity in the LEPC and its proceedings, the Past Chairperson, may serve on the Board of Directors.

ARTICLE V. SUBCOMMITTEES

Work may be divided among subcommittees to facilitate planning and allow members to specialize and help the LEPC work on several projects at once. The number and type of subcommittees created shall depend on the need and goals of the LEPC. Subcommittees may be formed or disbanded as needed. Subcommittee membership does not need to be limited to LEPC members.

SECTION 5.1 STANDING SUBCOMMITTEES

Standing Subcommittees of the LEPC are those with an on-going responsibility and shall include

- Exercise Design
- Grants
- CAER [Community Awareness and Emergency Response] / Citizens Corps
- Health & Medical Advisory Group (HMAG)
- Conference
- Crisis Communication/PIO
- Communications
- Training

The LEPC shall utilize these standing subcommittees to more narrowly focus on critical hazardous material, safety and/or disaster planning issues. These committees report their activities and recommendations to the LEPC. The Chairperson of the LEPC, with the approval of the LEPC, shall appoint subcommittee chairpersons who must represent Active/Voting members

SECTION 5.2 MEMBERSHIP OF THE STANDING SUBCOMMITTEES

All members of the LEPC are encouraged to volunteer to serve on at least one Standing Subcommittee. The LEPC Chairperson shall ensure that all committees have sufficient participation to carry out their assigned tasks. The Standing Subcommittees may have non-voting, non-LEPC members as necessary for advice and expertise.

SECTION 5.3. MEETINGS OF THE STANDING SUBCOMMITTEES

Each Standing Subcommittee may hold a meeting between consecutive monthly membership meetings of the LEPC. Additional meetings of the Standing Subcommittees may be called by the chairperson of those subcommittees or by the Chairperson of the LEPC as deemed necessary. The subcommittee chair shall make certain that reasonable participation occurs for discussion and decision-making. Activities shall be reported to the LEPC and recommendations for actions that obligate the LEPC or its members shall be presented for approval.

SECTION 5.4 DUTIES OF THE STANDING SUBCOMMITTEES

The Exercise Design Subcommittee.

The Exercise Design Subcommittee is responsible for planning, coordinating and conducting annual or semiannual exercises that reflect on the hazards that pose a risk to Yellowstone County. The Yellowstone County Disaster and Emergency Services Director is a required member of this committee by nature of his/her duties.

The Grants Subcommittee.

This Grants Subcommittee may seek out, apply for and accept grant funds on behalf of the LEPC. Such grants will adhere to the purpose of the LEPC and include but are not limited to:

- promote/enhance public awareness of emergency response activities,
- provide awareness, training and exercising of emergency response personnel,
- enhance public alerting, warning and notification and provide equipment for emergency
- support hazardous material and other natural disaster response capabilities

The Community Awareness and Emergency Response (CAER) ~ Citizens Corps Council Subcommittee.

The CAER/CCC Sub-committee shall coordinate and oversee activities designed to fulfill the purpose of CAER and Citizens Corps which is:

- Promote and encourage citizen participation and awareness to make Yellowstone County safer and more secure through personal preparedness, training and volunteer service.
- Offer citizen education through the Community Emergency Response Team (CERT) program designed by the Department of Homeland Security (DHS).
- Provide coordination of national CCC programs such as CERT; Medical Reserve Corps (MRC); Volunteers in Police Service (VIPS); Neighborhood Watch Program (NWP) and others on an as needed and as funded basis.
- Promote community awareness about potential hazardous materials, natural disasters, and other emergencies
- Advise the public of appropriate actions to take in hazardous, man-made, environmental and natural emergencies and disasters.

Health & Medical Advisory Group (HMAG)

The mission of the Health & Medical Advisory Group is to ensure the coordination of the Yellowstone County public health system for the purpose of preventing, preparing, responding, and recovering from events that may impact the health of our community. The HMAG acts as a liaison in the area of awareness for both first responders and the public in the event of large or small scale health related issues. A Community Psychological First Aid Committee shall serve as a sub-committee of the HMAG.

The Conference Subcommittee.

This Conference Subcommittee is responsible for arranging, coordinating and conducting an annual LEPC conference at the request of the LEPC. If the opportunity arises, the Conference Subcommittee may choose to combine an LEPC conference with another closely-related conference with approval of the LEPC.

Communications Subcommittee

The Communications Subcommittee is charged with the development of plans / protocols for emergent communications in Yellowstone County, including maintaining a list of resources. The plans / protocols should address the concept of "who communicates what when on what system/device."

Crisis Communications / Public Information Officers (PIO)

The Crisis Communications / Public Information Officers (PIO) Subcommittee shall develop and maintain the protocols, procedures and structure for a Joint Information System (JIS) that can be used to provide information in a timely, accurate and accessible manner to the public, local officials, responders and the media during a disaster while maintaining information security concerns when communicating about potentially vulnerable communities during times of crisis.

The Joint Information System includes plans for a Joint Information Center (JIC) as well as identification of a jurisdiction lead Public Information Officer and a plan to incorporate social media regionally and geographically to extend the effectiveness of safety alerts that the public needs most during emergencies.

Training Subcommittee

The Training Subcommittee is responsible to promote/enhance LEPC member awareness of training opportunities and/or facilitate training to the membership. The training subcommittee should ensure records are being maintained of training, including NIMS obligations.

SECTION 5.5. AD HOC COMMITTEES.

The Chairperson may establish/dissolve ad hoc committees as necessary to perform specific *short-term* functions of the LEPC and to address unique LEPC issues as needed. The Chairperson of the LEPC, with the approval of the LEPC, shall appoint the Chairperson and members of ad hoc committees. The LEPC shall provide a specific charge, a defined scope of work, time constraints, reporting actions, and other appropriate requirements for each ad hoc committee.

ARTICLE VI. MISCELLANEOUS

SECTION 6.1 CONTRACTS

The LEPC may authorize any officer or officers, agent or agents, to enter into any contract or execute or deliver any instruments in the name of and on behalf of the LEPC and such authorization may be general or confined to specific instruments.

SECTION 6.2 FISCAL YEAR

The fiscal year of the LEPC shall begin on July 1 of each year and end on June 30th of the following year. The LEPC administrative year shall be 12 consecutive months beginning on January 1st each year.

SECTION 6.3 ANNUAL REPORT

The LEPC shall generate an annual report of activities and accomplishments following its December business meeting. Each sub-committee shall generate independent reports that will contribute to the total LEPC report. The report shall be considered public record and be provided to the County Commissioners and the City Councils of each incorporated city in the county.

SECTION 6.4 AMENDMENTS

- *General.* Any amendment to these bylaws must be approved by a majority vote of the Voting members of the LEPC.
- *Notice of Meeting to Vote on an Amendment.* If the LEPC or the members seek to have the amendment approved by the members at a membership meeting, the Secretary of the LEPC shall give written or electronic notice to the members of the proposed meeting, in accordance with section 2.6.

ARTICLE VII. REVISION AND ADOPTION

REVISED AND ADOPTED THIS 10th DAY OF December, 2014, EFFECTIVE UPON ADOPTION.

, CHAIR

, VICE-CHAIR

ATTEST:
_____, RECORDING SECRETARY

Annex – Reporting Facilities

A list and maps of Tier II Reporting Facilities in Yellowstone County, as received into E-Plan by September 15, 2020, is available as an Annex to this Hazardous Materials Response Plan.

For security purposes, the Annex is not included with the Plan or posted on the YC DES website. Freedom of Information Requests should be addressed to:

Yellowstone County Clerk and Recorder
PO Box 35001
Billings, MT 59107
Phone: (406)256-2785

File Attachments for Item:

2. Resolution – A Resolution To Approve The Conditional Use Of The Property Located At 1009 East 6th Street In Laurel For The Construction And Operation Of A Union Meeting Hall At Such Address Within The City Of Laurel. (Public Hearing 11.10.2020)

RESOLUTION NO. R20-___

A RESOLUTION TO APPROVE THE CONDITIONAL USE OF THE PROPERTY LOCATED AT 1009 EAST 6TH STREET IN LAUREL FOR THE CONSTRUCTION AND OPERATION OF A UNION MEETING HALL AT SUCH ADDRESS WITHIN THE CITY OF LAUREL.

WHEREAS, the application has been made to the City of Laurel by United Steelworkers Local 11-443 (“Union”) for authorization to demolish and construct a new meeting hall at 1009 East 6th Street; and

WHEREAS, the Union has continuously utilized the location and property as its union hall for meetings and other social events for a substantial number of years; and

WHEREAS, the existing non-conforming use of the existing structure dates back to the 1920s and the structure now requires demolition and reconstruction; and

WHEREAS, applicant Steve Jansma filed the application with the City on behalf of the Union and the application was reviewed by Staff and the City County Planning Board, sitting as the City’s Zoning Commission; and

WHEREAS, a public hearing was held by the Zoning Commission and no opposition to the application was received; and

WHEREAS, the Zoning Commission recommends the City Council’s approval of the Conditional Use Application subject to the conditions contained in the Staff Report which is attached hereto and incorporated herein; and

WHEREAS, the City Council held a public hearing on _____ and received public comment and input regarding the application.

NOW THEREFORE the City Council of Laurel hereby adopts the recommendation of the Zoning Commission and hereby approves the proposed and continued conditional use for the property located at 1009 East 6th Street; and

BE IT FURTHER RESOLVED, that such approval is subject to City Ordinances, Rules and applicable Regulations and the specific Conditions contained in the Staff Report which is adopted by the City Council and incorporated herein as part of this resolution.

Introduced at a regular meeting of the City Council on _____, 2020, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel this ___ day of _____, 2020.

APPROVED by the Mayor this ___ day of _____ 2020.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer, Clerk-Treasurer

Approved as to form:

Sam Painter, Civil City Attorney



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board / Zoning Commission
FROM: Nicholas Altonaga, Planning Director
RE: Conditional Use Permit – USW Local 11-443
DATE: October 28, 2020

DESCRIPTION OF REQUEST

A Conditional Land Use application was submitted by Steve Jansma on behalf of the United Steelworkers Local 11-443. USW Local 11-443 proposes to demolish the existing union meeting hall and construct a newly designed and updated structure in its place. An approval of a conditional land use is required to rebuild and continue the use of the site as a union meeting hall because this use is not described or defined within the zoning district it resides in.

Owner: Pace Pioneer Local 8-443
Legal Description: NUTTING SUBD, S10, T02 S, R24 E, BLOCK 6, Lot 13 - 24
Address: 1009 East 6th Street
Parcel Size: 42,000 sqft.
Existing Land Use: Union Meeting Hall
Proposed Land Use: Union Meeting Hall
Existing Zoning: Residential Limited Multi-Family

BACKGROUND AND PROCEDURAL HISTORY

- Resolution 13-50 was approved on August 6, 2013 which granted a three-year window for the Union to enlarge, update, and reconstruct the existing Union Hall which was then classified as a nonconforming use within the RLMF zoning district.
- Planning Director met with the Applicant on September 9, 2020 to review the application form and required documentation.
- Planning Director met with the Applicant on September 23, 2020 to receive the Application Fee and conceptual design images of the proposed conditional use.
- A public hearing for the Conditional Land Use took place at the October 21, 2020 Planning Board meeting.

- The Planning Board voted on October 21, 2020 to approve the Conditional Land Use application with the suggested staff conditions.
- A public hearing for the Conditional Land Use has been placed on the November 10, 2020 City Council meeting agenda.
- The public hearing requirements of 1762.030 have been met.

STAFF FINDINGS:

The Applicant is requesting approval of a conditional land use to reconstruct and operate a union meeting hall on the property of 1009 East 6th Street in Laurel. This use is not specifically delineated or defined within Chapter 17 of the Laurel Municipal Code. As such, a Conditional Land Use Application was required to conduct the proposed rebuild of the site and continue to operate the property as its existing use as a union meeting hall. The following findings have been noted by the Planning Department after reviewing the Conditional Land Use application and supplementary documents.

- USW Local 11-443 has operated a union hall at 1009 E 6th Street for many years without an interruption in its use.
- The long-term operation of the union meeting hall at 1009 East 6th Street has had little to no known impact on the quality of life of surrounding residents.
- The reconstruction of the union meeting hall will include improved paved parking areas and landscaping.
- The current meeting hall building dates back to the 1920s and is in dire need of repairs.
- The current Union Hall building would require significant repairs and revitalization to continue functioning as it stands.
- The current Union Hall building and associated parking areas and landscaping are not aesthetically pleasing.
- The current use of the building and its lack of definition under the LMC as a union hall does not allow the Union to perform improvements or upgrades to the site.
- The Applicant has prepared conceptual plans to include adequate access and off-street parking.
- The demolition of the current structure and proposed new union meeting hall will include updated landscaping and parking on site.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA:

“17.62.020 – Requirements” contains the review criteria for the Zoning Commission to discuss and recommend actions on conditional land uses. The text of this subchapter is included below.

No structure or land use may be used for any purpose other than those allowed within a zoning district as specified in the zoning ordinance unless either a variance has been granted (under Chapter 17.60 or 17.64 of this code) or a conditional land use permit therefor has been provided. The zoning commission may recommend and the city can require any information that will allow the decision makers to comprehensively evaluate and decide on applications for conditional uses brought before them. The zoning commission may recommend and the city can require, after consideration of the application for

conditional use, those conditions under which such land use may be allowed to include but not be necessarily limited to the following:

- A. Adequate ingress and egress with concern for vehicular and pedestrian safety and convenience, traffic flow and control, and emergency access as reviewed and approved by the city public works director;
- B. Adequate off-street parking and loading with attention to vehicular and pedestrian safety and traffic flow;
- C. Conditions that control, specify, or plan for the generation of odors, noise, hours of operation, signage, or impact on the neighborhood of natural systems;
- D. Adequate landscaping, screening, mitigation of impact on adjacent property and buffering; and
- E. Compatibility with adjacent and neighborhood land uses and Laurel's GMP.

STAFF SUGGESTED CONDITIONS:

The Planning Director recommends the approval of the Conditional Land Use application to operate a union meeting hall at 1009 East 6th Street in Laurel. The Planning Director suggests the Planning Board/Zoning Commission and City Council consider the following conditions of approval.

Condition seven (7) was added by request of Planning Board members and the applicant was notified of this new condition.

- 1. No land uses shall be established on site that are not specifically included in this approval.
- 2. Any land use not specifically included in this approval shall be considered a violation of the City of Laurel zoning ordinance.
- 3. New construction regarding the approved conditional use shall apply for building permits when applicable.
- 4. The approved land use shall comply with the zoning requirements of the district the property falls within.
- 5. The approved land use shall comply to the City of Laurel Sign Code
- 6. The approved land use shall comply with the City of Laurel off-street parking requirements
- 7. Landowner will work with the city if noise abatement becomes an issue for the surrounding neighborhood

ATTACHMENTS:

- 1. Conditional Land Use Application
- 2. Map of 1009 E 6th Street with 150ft buffer
- 3. List of property Owners within 150ft of 1009 East 6th Street
- 4. Public Hearing Notice
- 5. USW Union Hall Concept Plan
- 6. USW Union Hall Concept Image
- 7. LMC 17.16 – Residential Districts
- 8. LMC 17.62 – Conditional Land Uses
- 9. Resolution R13-50



**AGENDA
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, OCTOBER 21, 2020
5:35 PM
LAUREL 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: 5:35PM

Evan Bruce
Roger Giese
Dan Koch
Jon Klasna
Judy Goldsby
Nick Altonaga (City of Laurel)
Ron Benner (arrived at 5:40PM)

General Items

1. Public Hearing: USW Conditional Land Use for 1009 East 6th Street

The Chair moved the USW Conditional Land Use Public Hearing to the front of the agenda.

The chair opened the public hearing and asked the Planning Director to present the item. The Planning Director presented the items included in the agenda packet and summarized the situation and department findings.

The Chair called for proponents.

Steve Jansma, 2618 North Ramshorn Laurel, MT 59044

Mr. Jansma acted as a representative for the USW on the project. He provided additional information on the building and the situation. The building dates back to the 1920s. They are looking to reconstruct the building. We had previously gone through the neighborhood in 2013 and got signatures and approvals but were not able to make the time frame for the reconstruction. The design provided in the packet is very close to what they are hoping to finish at that time.

Keith Crookston, 3719 West Old Highway 10.

Local Union President. I think its been 10-15 years since the city came in and basically condemned the building. The building is not handicapped accessible, no means of egress, and prior to that we used to rent that hall out on a consistent basis for events but after that instruction by the city came out we basically could not do that.

It will give the city a nice building where those kinds of things can be held. We did that in the past and we are looking forward to doing it again. It will look nice and be a nice addition to the community.

The chair called for proponents.
None came forward.

The chair called for proponents.
None came forward.

The chair called for opponents.
None came forward.

The chair called for opponents.
None came forward.

The chair called for opponents.
None came forward.

The Chair closed the Public Hearing.

Planning Board members discussed the situation.

Ron: On the design, are there any plans for noise abatement for any evening events?

Keith Crookston: we normally have allowed for events during the daytime hours, but years ago no one ever had made complaints about the activities.

Since 2013 there has been more construction and residences created.

Ron: At other union meeting halls they have basically functioned as a private bar, will that be the case here?

Keith Crookston: there will be no regular bar function. There is alcohol served at union meetings but not like that. For many years there was not a problem with noise or alcohol with the surrounding neighborhood.

Judy: Was here in 2013, the parking was on the north side of the building, how will this work?

Keith Crookston: The new building will be built to the north of the existing building, plan to demolish the existing building, and adapt that are into more parking.

Dan: To go along with the abatement, would there be any fencing installed?

Keith: Will think on that because we have had the same situation for many years without a fence present.

Nick provided his suggested conditions for approval. These could include the possibility of abatement installed in the future.

The Chair entertained a motion on the conditional land use.

Dan motioned to approve the conditional land use with an additional condition that there will be noise abatement through fencing and/or visual guard.
Ron seconded.

Discussion took place on this motion.

Keith Crookston: What is there now has been there for many years, and what we are required to do for more funds. Do not like to be mandated for something which may not be needed.

Planning Director mentioned that the condition can be situational, not a mandate. Stated like: "Will work with the city if noise abatement becomes an issue for the surrounding neighborhood."

Motion was amended to suite this situation.

Dan Koch motioned to approve the conditional land use with an additional condition that the property owner will work with the city if noise abatement becomes an issue for the surrounding neighborhood.
Ron Seconded.
Motioned Carried.

2. Public Hearing: Variance for Street Continuity for the Proposed Goldberg Sporting Estates Subdivision

The Chair opened the public hearing. The Chair directed the Planning Director to present the item.

The Planning Director presented the Variance 1 items that were included in the agenda packet and summarized the situation and department findings and background in the staff report.

Initial discussions by members took place on related but unaddressed issues stemming

Evan: Would like to see the existing roadway (previously called Ponderosa) to be extended.

Ron: What is south of the current Mulberry Avenue?

The Planning Director reviewed the YC GIS and found an existing structure present on the lot south of Mulberry Ave.

Jon: Question about extending the roadway.

Ron: Getting through town is tough enough, and if they want it to be an isolated area, they need to know that there are already traffic and access problems. Traffic flow is a major concern. There is no good controlled access. Thinks it should align with Mulberry.

Ron: If this realigns with Mulberry it could prompt new development for E 7th Street.

Evan: Have read that the winding roads of a subdivision have impacted emergency response vehicles. Kind of disagree with some points in the staff report.

The Chair opened the floor to public comment.

The Chair called for proponents.
None came forward.

The Chair called for proponents.
None came forward.

The Chair called for proponents.
None came forward.

The Chair called for opponents.

Ed Onaszko – 1602 E 8th Street, Adjacent property owner. I know that people are going to want to develop this property. Our main concern is the safety of that size of a development. Dr. Benner brought up the traffic amounts coupled now with Regal trailer court. This could be 300+ vehicles added to the roadway. How will the traffic pattern change along E 8th and the surrounding roadways? I have been there for 40 years and have seen the area change. This planned subdivision will bring in more children. Safety is a concern for all of us. It doesn't seem like it will impact me or my property other than the traffic. And what is going to happen to East 8th to accommodate that traffic? The Middle School is west down East 8th street. Will sidewalks and road be redeveloped all the way down to the school? With the increase in traffic lately, cars move 40-60 miles an hour. We are concerned about that.

The Planning Director responded to the comment. As properties along East 8th Street annex into the city and develop or are redeveloped, they will be required to bring the adjacent roadway and pedestrian areas up to city standards. This includes curbing, gutter, sidewalks.

Dan: Eleanor Roosevelt portion is considered a trail in some sources, and no one even knows the specifics. The East 8th street portions need to be figured out and established. We need to establish the routes of East 8th and Eleanor Roosevelt and figure out how to access those lots before we go further with that. Can we hold off on this until the city or developer can figure out the situation?

The Planning Director responded to the comment. The developer/owner has previously provided a title report on the segment of roadway that is immediately near the proposed subdivision. This area is where we should focus on for these discussions.

Ed Onaszko: It might be advantageous to have a straight shot into the subdivision which would alleviate some of the pressure off of East 8th Street.

Board members discussed how this redesign could be a better solution to traffic flow.

The Chair asked for opponents.
None came forward.

The Chair asked for opponents.
None came forward.

The Planning Director provided a summary of the departments and the board's decision-making and suggested conditions.

Since there is no further public comment, the Chair closed the public hearing

The Board had additional thoughts on the variance application.

Roger: What I find disturbing is that they have submitted this 3 times, and none of the parties have been here at the hearings to provide additional information. I have questions I want to ask them, but they aren't here. It shows a bit of disrespect for the board. And this is a big project, its not just a couple of houses.

Roger suggested the Board move forward with a motion.

Roger Motioned to deny the variance request for Street Continuity with the staff recommendations as discussed.

Jon Seconded

Motion Carried.

Ron added one more point to the discussion: The idea and concept is good, but the street alignment needs to happen, for both Krieghoff and towards the corner near East Main Street.

3. Public Hearing: Variances for Roadway Widths and Right-of-Way Dedication for the Proposed Goldberg Sporting Estates Subdivision

The Chair opened the public hearing. The Chair directed the Planning Director to present the item.

The Planning Director presented the Variance 2 and Variance 3 items that were included in the agenda packet and summarized the situation and department findings and background in the staff report. The two variances involve right-of-way widths and right-of-way dedication.

Planning Board members had minor questions about the situation, with clarifications needed for items presented in the Staff Report.

The Chair opened the floor for public comment.

The Chair called for proponents.
None came forward.

The Chair called for proponents.
None came forward.

The Chair called for proponents.
None came forward.

The Chair called for opponents.
None came forward.

The Chair called for opponents.
None came forward.

The Chair called for opponents.
None came forward.

The Chair directed the Planning Director to respond to any responses.

With there being no public comment or board questions, the Chair closed the public hearing.

Ron motioned to deny the variance applications for right-of-way widths and right-of-way dedication with the recommended staff conditions.

Dan Seconded.

Roger Seconded

Motion Carried.

4. Public Hearing: Growth Management Policy Review and Approval

The Chair opened the public hearing on the Growth Policy review and approval.

Chair directed the planner to present the item.

The Planning Director presented the current draft of the plan. This is much the same as the recent meetings, with slight changes. There are some alternations needed prior to finalization at City Council. These will be worked out between the Planning Director and the city contractors at KLJ Inc.

The Chair called for proponents.

None came forward.

The Chair called for proponents.

None came forward.

The Chair called for proponents.

None came forward.

The Chair called for opponents.

None came forward.

The Chair called for opponents.

None came forward.

The Chair called for opponents.

None came forward.

With there being no proponents or opponents present or questions from board members, the Chair closed the public hearing.

Ron Motioned to approve the Laurel 2020 Growth Management Policy with amendments to be completed prior to City Council approval.

Evan Seconded.

Motion Carried.

New Business

5. Approve Meeting Minutes: September 16, 2020

Ron Motioned to approve the meeting minutes from September 16, 2020.

Evan Seconded.

Motion Carried.

Old Business

Other Items

6. Meeting Scheduling: Officially set for 3rd Wednesday

Nick presented the current schedule of meetings. The board will need to officially vote to change it to 3rd Wednesdays of each month.

Evan Motioned to have the official meeting date of Planning Board be the 3rd Wednesday of the month.

Jon Seconded.

Motion Carried.

Discussion on Regal debris and trash and fencing that doesn't allow kids to get soccer balls.

Jon asked about the 8th Avenue affordable housing. Nick presented the update that It was just recently approved for funding.

Announcements

7. Next Meeting: November 18, 2020

Roger moved to adjourn

Jon Klasna

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

USW Conditional Land Use Application - Property Owners within 150ft			
Owner name	Tax Code	Legal Description	Address
PENNY, ARTHUR W & CAROL P	B01679C	NUTTING BROS SUBD, S10, T02 S, R24 E, BLOCK 2, Lot 7	701 BIRCH AVE
SUNHAVEN LLC	B01680	NUTTING BROS SUBD, S10, T02 S, R24 E, BLOCK 3, Lot 1 - 45, AMND BLK 3-4	1102 SUNHAVEN DR
FORSYTH, MARJORIE A	1002848	S10, T02 S, R24 E, 1999 BONNAVILLA 15X75 TITLE: E503230 SN: NEB99A27570 100*	1002 SUNHAVEN DR
BARSTAD, TAMMY HOTH	1004081	S10, T2S, R24E, SERIAL 11217, TITLE # AA0258978, MAKE CHAMPION, MODEL LIFESTYLE*	1004 SUNHAVEN DR
COTTER, JAMES MICHAEL	1008070	S10, T2S, R24E, SERIAL # G3064, TITLE # AA2491792, MAKE GALLATIN, YEAR 1979, SI*	1006 SUNHAVEN DR
LANDOR, CLARISSA J	1008222	S10, T02 S, R24 E, SERIAL # R50272, TITLE # M794947, MAKE MARLETTE, YEAR 1975, *	1008 SUNHAVEN DR
PIERSON, FRANK E	1008914	S10, T02 S, R24 E, 1972 CENTURY 14X76 TITLE: M442079 SN: 11215 1010 SUNHAVEN*	1010 SUNHAVEN DR
ME BALLINGER TRUST	1000651	S10, T02 S, R24 E, SERIAL # 137000HC500310A, TITLE # AA2400168, MAKE COMMANDER, *	1012 SUNHAVEN DR
LARSON, BRUCE	B00816	NUTTING SUBD, S10, T02 S, R24 E, BLOCK 10, Lot 1 - 2	520 COTTONWOOD AVE
HOLLEY, DENNIS W & HEATHER M	B00828	NUTTING SUBD, S10, T02 S, R24 E, BLOCK 11, Lot 3 - 4	518 DATE AVE
FELLER, WILLIAM L & DARLENE I &	B00827	NUTTING SUBD, S10, T02 S, R24 E, BLOCK 11, Lot 1 - 2	520 DATE AVE
WAGNER, COLE M &	B00838	NUTTING SUBD, S10, T02 S, R24 E, BLOCK 11, Lot 22, E2 LT 22-24	1008 E 6TH ST
HOMEWOOD, DANIEL	B00837	NUTTING SUBD, S10, T02 S, R24 E, BLOCK 11, Lot 22, W2 LT 22-24	519 COTTONWOOD AVE
HAGLAN, WILLIAM & WENDI	B00798	NUTTING SUBD, S10, T02 S, R24 E, BLOCK 7, Lot 11 - 12	917 E 6TH ST
VRALSTED, TIMOTHY J	B00797	NUTTING SUBD, S10, T02 S, R24 E, BLOCK 7, Lot 9 - 10	604 COTTONWOOD AVE
SMITH, TONY C & SHAWNA E	B00796A	NUTTING SUBD, S10, T02 S, R24 E, BLOCK 7, Lot 6 - 8	610 COTTONWOOD AVE
MULLANEY, SHAWN & AMY MAYE	B00796	NUTTING SUBD, S10, T02 S, R24 E, BLOCK 7, Lot 4 - 5	616 COTTONWOOD AVE
TAYLOR, FRANK W & CHARITY L	B00795	NUTTING SUBD, S10, T02 S, R24 E, BLOCK 7, Lot 1 - 3	624 COTTONWOOD AVE
SYDES-FNIDLAY, LISA J	B00793	NUTTING SUBD, S10, T02 S, R24 E, BLOCK 6, Lot 11 - 12	602 DATE AVE
SANDAU, CHARLES D & CAROLINE D	B00792	NUTTING SUBD, S10, T02 S, R24 E, BLOCK 6, Lot 9 - 10	608 DATE AVE
CAHHAL, TERRY D &	B00791	NUTTING SUBD, S10, T02 S, R24 E, BLOCK 6, Lot 7 - 8	610 DATE AVE
LEHMAN, JAMES D	B00790	NUTTING SUBD, S10, T02 S, R24 E, BLOCK 6, Lot 5 - 6	614 DATE AVE
COOLEY, MATTHEW	B00789A	NUTTING SUBD, S10, T02 S, R24 E, BLOCK 6, Lot 3 - 4	618 DATE AVE
SWECKER, JON D	B00789	NUTTING SUBD, S10, T02 S, R24 E, BLOCK 6, Lot 1 - 2	622 DATE AVE
PACE PIONEER LOCAL 8-443	B00794	NUTTING SUBD, S10, T02 S, R24 E, BLOCK 6, Lot 13 - 24	1009 E 6TH ST

PUBLIC HEARING NOTICE

The Laurel City-County Planning Board and Zoning Commission will conduct a public hearing on a conditional land use application submitted by Steve Jansma of United Steel Workers 11-443 for operating a Union Hall at 1009 East 6th Street Laurel, MT which is zoned Residential Limited Multi-Family (RLMF). 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, October 21, 2020.**

Additionally, the City Council has scheduled a public hearing and consideration of approval for the conditional use. 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, November 10, 2020.**

The United Steel Workers Local has maintained the union hall at 1009 East 6th Street for many years. They have proposed to demolish and replace the aging building currently on site with an up-to-date building with improved facilities. Union Halls and other meeting halls are not described in Chapter 17.16 – Residential Districts. This lack of description requires a conditional land use permit to be approved prior to any demolition and construction activities to develop a new facility for future use.

The conditional land use permitting process is intended to provide a detailed and comprehensive review of the proposed use and ensure that the interest of the public, the community, and surrounding neighborhood are protected. Conditional uses that are granted by the city are site specific and run with the land. Land use changes not specifically included in the approval of the conditional use are a violation of the city zoning ordinance.

Public comment is encouraged and can be provided in person at the public hearings on October 21st and November 10th. 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 conditional use application and supporting 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. 5, or via email at cityplanner@laurel.mt.gov.

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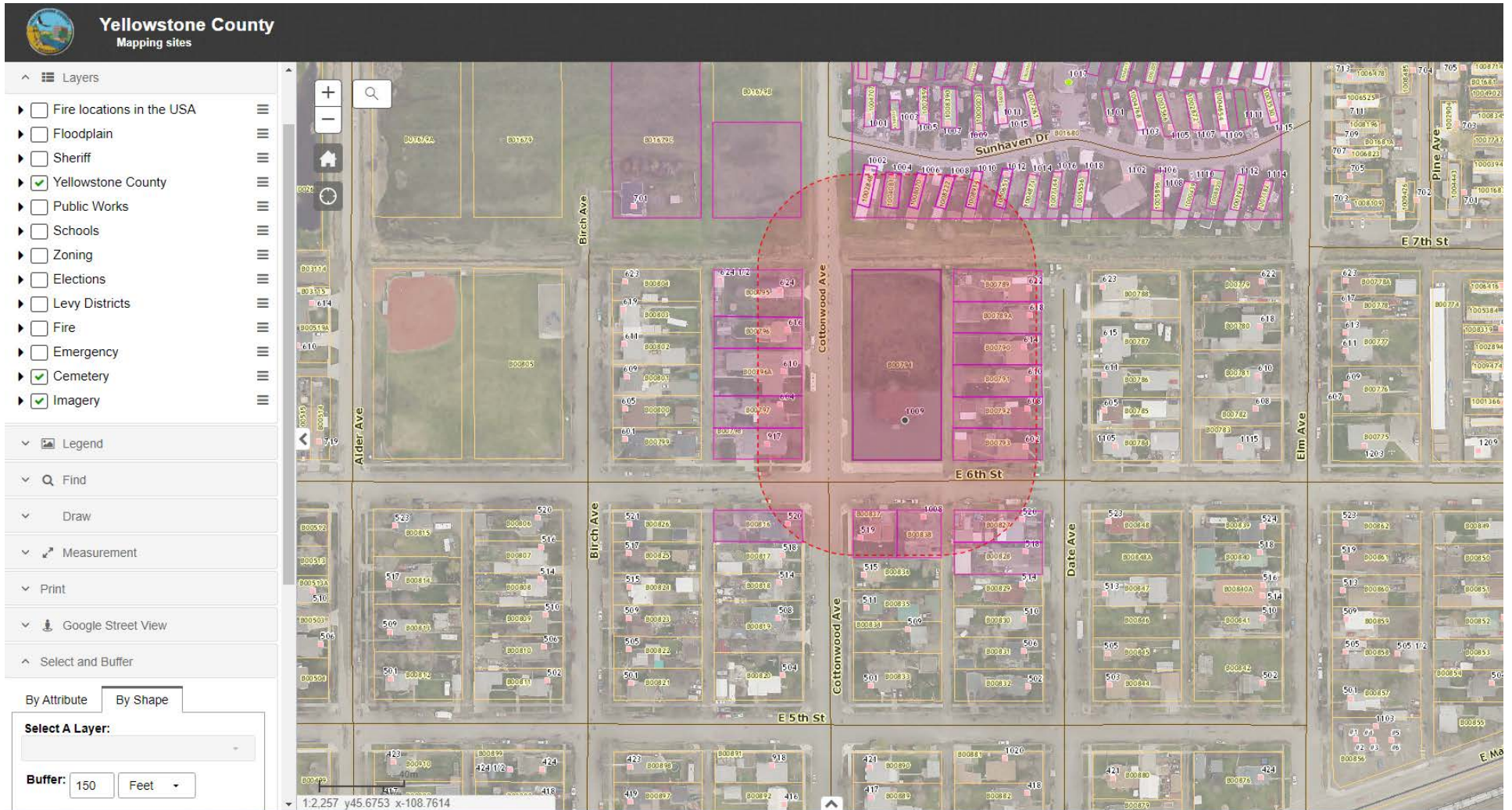
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USW Conditional Land Use Application – Exterior Concept Image



USW Conditional Land Use Application - 1009 East 6th Street with 150ft buffer



RESOLUTION NO. R13-50

**A RESOLUTION OF THE CITY COUNCIL GRANTING A VARIANCE
FROM THE CITY'S NONCONFORMING USE REGULATION.**

WHEREAS, LMC 17.56.030 states that no building used for a nonconforming use shall be enlarged, extended, reconstructed or structurally altered; and

WHEREAS, the owners of property located at 1009 East 6th Street seek a variance to tear down the current structure and reconstruct a new building at the present location due to the building's dilapidated condition; and

WHEREAS, the owners submitted their request for a variance to the Laurel-Yellowstone City-County Planning Board. The Planning Board held a public hearing on the matter no protests were heard; and

WHEREAS, the Laurel-Yellowstone City-County Planning Board considered all of the documentary evidence in the applicant's file and the testimony of the owners and recommends the approval of the variance, subject to the following conditions:

1. The variance shall be good for three years from approval on unimproved property.
2. The applicant shall apply for a building permit.
3. Property shall be kept free of noxious weeds.
4. All storm water must be kept on site.

WHEREAS, the City Council held a public hearing concerning this matter on August 6, 2013. No objections were noted or received into the record.

WHEREAS, the City Council of the City of Laurel hereby finds it is in the best interests of the residents of the City of Laurel to allow the variance since:

1. granting the variance in this case relates only to a special condition that is specific to the applicant;
2. the current hardship was not created by the applicant;
3. the variance requested appears to be within the spirit, intent and purpose of the zoning regulations; and
4. granting the variance will not injure or result in an injustice to others.

NOW THEREFORE, BE IT RESOLVED that the owner's request for a variance from the nonconforming use zoning requirement is hereby approved for the property located at 1009 East 6th Street.

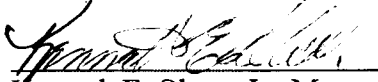
BE IT FURTHER RESOLVED, that the variance is site specific to this address, and the variance granted herein is subject to the four conditions listed herein.

Introduced at a regular meeting of the City Council on August 6, 2013, by Council Member Poehls.

PASSED and APPROVED by the City Council of the City of Laurel, Montana this 6th day of August, 2013.

APPROVED BY THE MAYOR this 6th day of August, 2013.

CITY OF LAUREL



Kenneth E. Olson, Jr., Mayor

ATTEST:

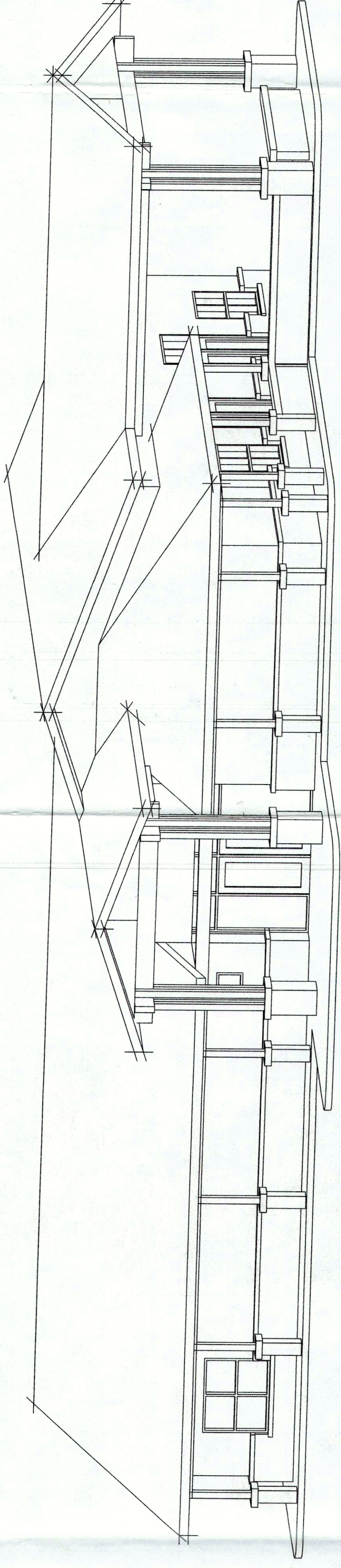


Shirley Ewan, Clerk/Treasurer

APPROVED AS TO FORM:

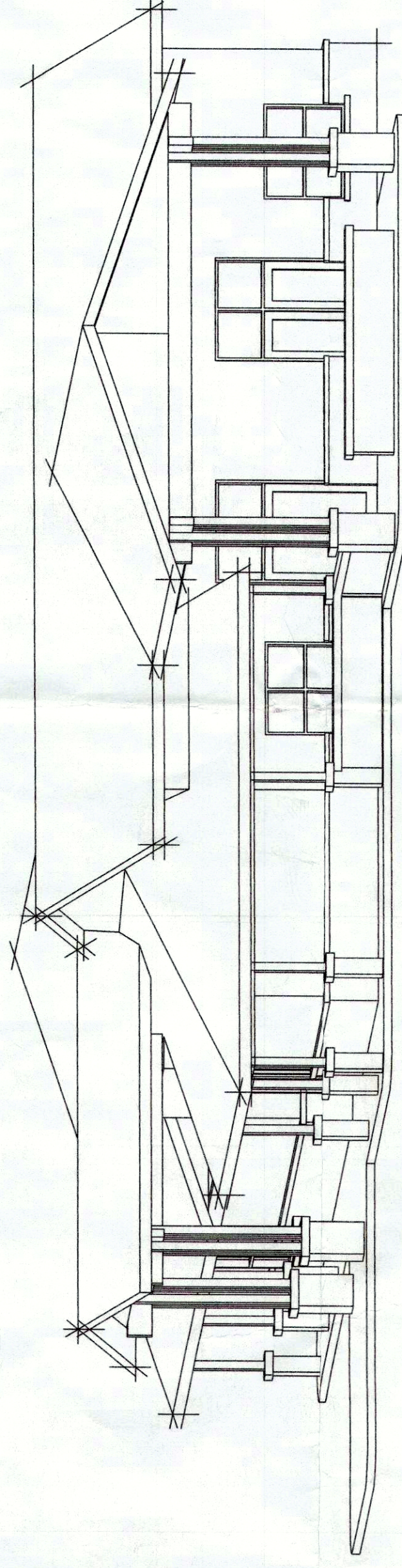


Sam S. Painter, Civil City Attorney

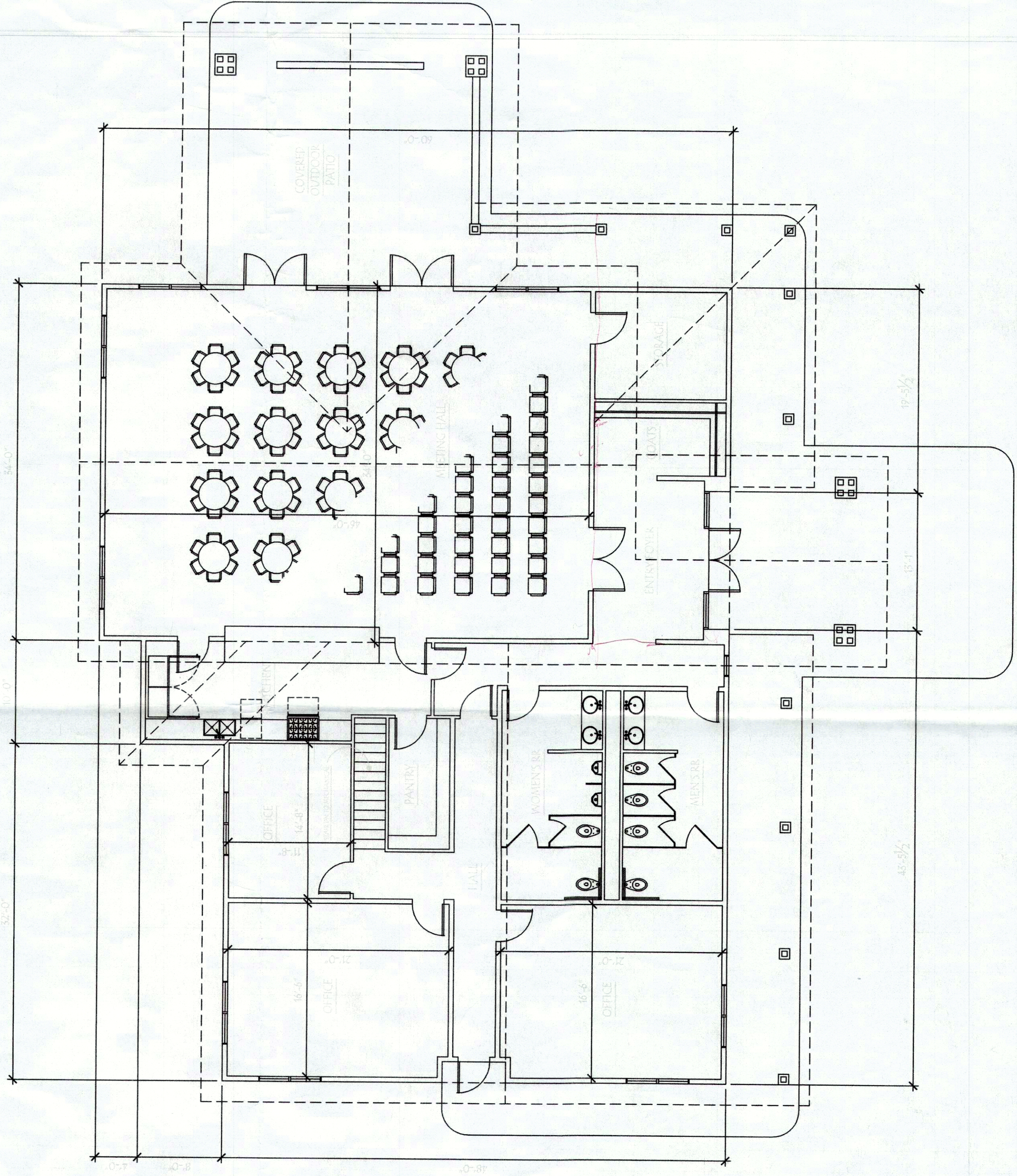


ENTRY PERSPECTIVE

South View



COVERED PATIO PERSPECTIVE



FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"
 MEETING ROOM OCCUPANCY:
 100 SEATING / 250 PEOPLE
 100 SEATING / 100 PEOPLE

UNITED STEEL WORKERS LOCAL #11-443
 UNION HALL
 LAUREL, MONTANA

File Attachments for Item:

3. Resolution – Variance for Street Continuity for the Proposed Goldberg Sporting Estates Subdivision (Public Hearing 11.10.2020)



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board
FROM: Nicholas Altonaga, Planning Director
RE: Variance 1 – Goldberg Sporting Estates Subdivision
DATE: October 27, 2020

DESCRIPTION OF REQUEST

Three variances to the Laurel Municipal Code are being requested supporting the proposed Goldberg Sporting Estates Subdivision. Performance Engineering is acting as the representative of Tony Golden and Goldberg Investments LLP. Justification letters for the variance requests were submitted on July 31, 2020.

The Applicant has applied for a variance (Variance 1) to Laurel Municipal Code regarding roadway alignment and continuity in order to keep the proposed roadway for Krieghoff Loop as it is currently designed on the proposed subdivision plat. The current design does not conform to Laurel Municipal Code due to a lack of connection and continuation of the existing adjacent roadway. The Applicant would need to redesign the subdivision plat in order to conform to the Laurel Municipal Code unless a variance is approved.

Owner: Goldberg Investments LLP
Legal Description: S10, T02 S, R24 E, Nutting Bros 2nd Filing Lot 18, Nutting Bros 3rd Filing Lots 19-25
Address: Approximately 1850 East 8th Street
Parcel Size: 38.73 Acres
Existing Land Use: Agricultural, single dwelling unit.
Proposed Land Use: Residential and Commercial Subdivision
Existing Zoning: Residential Tracts

BACKGROUND AND PROCEDURAL HISTORY

- Subdivision Preapplication Meeting took place on February 2, 2019.
- Pre-Application Meeting Summary letter provided to Performance Engineering on February 7, 2019

- Annexation Agreement – Major Components email sent to Performance Engineering on February 15, 2019.
- Annexation of Lot 18, Nutting Bros 2nd Filing and Lot 19-25 Nutting Bros 3rd Filing approved by Resolution of Laurel City Council on August 20, 2019
- The Zoning requested during the annexation process will be updated to Residential Limited Multi-Family (RLMF) and Community Commercial (CC) upon filing of the final annexation agreement.
- Preliminary Plat Pre-Submittal comments email sent to Performance Engineering on October 30, 2019.
- Preliminary Plat Meeting Notes 11.08.19 comments follow-up email provided to Performance Engineering on November 21, 2019.
- Preliminary Plat application document Packet submitted to the Planning Department on December 17, 2019.
- Element Review Letter provided to Performance Engineering on December 24, 2019
- Sufficiency Review Letter provided to the Applicant on January 16, 2020.
- The Applicant and City Staff and City Engineers met to discuss the details of the sufficiency review letter on January 31, 2020.
- Submittal of updated documents by Applicant on July 31, 2020.
- Planning Board received public comment, discussed the variances, and made recommendations at the Public Hearing on October 21, 2020.
- Planning Board voted to recommend denial of the variances after the Public Hearings on October 21, 2020.
- A Public Hearing is scheduled at the City Council meeting on November 10, 2020 to receive public comment and approve, approve with conditions, or deny the variance requests.

DETAILS ON MAJOR CORRESPONDENCE DURING PROCESS

Pre-Application Meeting Summary letter provided to Performance Engineering on February 7, 2019. This letter included:

- Project summary
- Current and proposed zoning
- Public review process overview
- Discussion points including:
 - Fire coverage
 - Lot layout
 - Water and sewer systems
 - Right-of-way requirements
 - Solid waste provision
 - Parking
 - Parkland dedication
 - Off-site improvements

Annexation Agreement – Major Components email sent to Performance Engineering on February 15, 2019. This email contained further information regarding:

- Roadway dedication requirements
- Engineering estimates for public infrastructure improvements
- Annexation and plat approval process
- Water rights
- Zoning changes

Preliminary Plat Pre-Submittal comments email sent to Performance Engineering on October 30, 2019. Items identified in pre-submittal review included:

- Street connectivity within the Subdivision
- Street and intersection design
- Road continuity with the adjacent Laurel street system
- Parkland Dedication/Cash-in-Lieu
- Road Dedication
- Phased development

Preliminary Plat Meeting Notes 11.08.19 comments follow-up email provided to Performance Engineering on November 21, 2019. Items identified in this correspondence included:

- Utility and access easements
- Roadway connectivity
- Parkland dedication
- Review and submittal of previously discussed documents (Annexation and Waiver)

STAFF FINDINGS

The Applicant is requesting a variance to LMC 16.04.060.B.8 which states: “Street Continuity. Streets that are a continuation of streets in contiguous territory shall be so aligned as to assure that their centerlines shall coincide and shall have matching names. In cases where straight continuations are not physically possible, such centerline shall be continued by a centerline offset of not less than one hundred twenty-five feet.”

A denial of this variance request will require the applicant to redesign the subdivision plat to meet the requirements of the Laurel Municipal Code.

The Applicant has provided a letter with details justifying the Variance request addressing the five (5) findings noted in LMC 16.11.010. These responses, as well as planning department findings are presented below:

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

- **Applicant Response:** Granting of this requested variance will have no detrimental effects to the public health, safety, or general welfare or injurious to other adjoining properties. Granting this variance will benefit the public health, safety, and general

welfare of the surrounding area by aligning higher volume traffic entrances across from each other. The proposed alignment will minimize traffic conflicts during turning movements along East 8th at both the subdivision and the commercial property located south of the proposed project.

- **Planning Department Response:** The Planning Department accepts the stated reasoning that it will not be detrimental to the public health, safety, or general welfare or injurious to adjoining property owners.
- **Planning Department Finding:** The standard of the Laurel Municipal Code for Chapter 16.11.010.1 has been met.

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

- **Applicant Response:** The proposed development is designed to keep the entrance across from a higher traffic commercial entrance and preserve the existing lot and infrastructure across from the dead-end Mulberry Avenue. This design prevents the offset of the subdivision alignment from conflicting with the higher volume of commercial traffic across the street. Should the road be aligned with Mulberry Avenue it would require modification of the existing property, access, and personal property intended to stay intact throughout the development of the property. This does create an undue and unnecessary hardship on the developer and the resident within the existing residence. Additionally, Mulberry Avenue cannot be developed further to change its status as a dead-end road due to location of commercial businesses along East Main Street at the end of Mulberry Avenue.
- **Planning Department Response:** The Planning Department does not accept the stated reasoning of the applicant's response to the second point.
- **Planning Department Finding:** The standard of the Laurel Municipal Code for Chapter 16.11.010.2 have not been met. The following information supports this claim.
 - Lot 1 and Lot 2, Block 4 of Goldberg Sporting Estates do not currently exist.
 - The existing residential structure is located on the Western portion of the currently platted Lot 18, Nutting Brothers Subdivision 2nd Filing.
 - The existing residential structure and its accessory buildings located on the current Lot 18 Nutting Bros Subdivision 2nd Filing and would be unaffected by the realignment of Mulberry and Krieghoff Loop.

- The existing residential structure on the current Lot 18 Nutting Bros 2nd Filing has multiple points of access to the site which would be unaffected by the roadway alignment.
- The existing access to this parcel that partially aligns with Mulberry Avenue is used to access an undeveloped farm field which includes Lot 18 of Nutting Bros 2nd Filing and Lot 19 of Nutting Bros Subdivision 3rd Filing.
- There is no known access and/or encroachment permit for the lot access located immediately across from Mulberry Avenue filed with Yellowstone County Public Works Department.
- The proposed Goldberg Sporting Estates Subdivision will be changing the use of the current land from agricultural use to residential use.
- There are no permanent structures, infrastructure, or personal property erected on the proposed Lot 2, Block 4 that could not be relocated in case of roadway alignment.
- The alignment of Mulberry Ave and Krieghoff Loop would only require the owner and/or resident of the residential structure on the current Lot 18, Nutting Bros Subdivision 2nd Filing to remove any fencing and stored personal items from the proposed right-of-way.
- Mulberry Avenue is physically a dead-end roadway. Despite this current condition, Mulberry Avenue connects to the currently undeveloped but fully platted East 7th Street at its southern terminus.
- The currently undeveloped but fully platted East 7th Street could be a major east-west connector within the city limits which covers approximately nine (9) blocks of residential-zoned property.
- Conversations have begun between the Planning Department and Public Works Department about this undeveloped roadway and the possibility of development in order to complete a major east-west travel corridor.

3) The variance will not result in an increase in taxpayer burden;

- **Response:** The result of granting the variance for alignment of the proposed western entrance of the subdivision with Mulberry Avenue will have no effect on the taxes of the proposed development, adjoining land or the taxpayers of the town of Laurel and Yellowstone County.
- **Planning Department Response:** The Planning Department accepts the reasoning that the granting of the variance would not increase the tax burden of the adjoining taxpayers and landowners.
- **Planning Department Finding:** The standard of the Laurel Municipal Code for Chapter 16.11.010.3 has been met.

4) The variance will not in any manner place the subdivision in nonconformance with any adopted zoning regulations or growth policy; and

- **Applicant Response:** This requested variance will not in any manner place the subdivision in nonconformance with the adopted zoning regulations.
- **Planning Department Response:** The Planning Department accepts the reasoning that the granting of a variance would not place the rest of the Subdivision in nonconformance with the adopted zoning regulations and growth policies.
- **Planning Department Finding:** The standard of the Laurel Municipal Code for Chapter 16.11.010.4 has been met.

5) The subdivider must prove that the alternative design is equally effective and the objectives of the improvement are satisfied.

- **Applicant Response:** The proposed design still aligns with an ingress/egress directly across the street that experiences higher traffic volumes than the dead-end Mulberry Avenue which only provides access for four (4) residential lots. In addition, the proposed entrance maintains street continuity with the commercial access across the street, preserves the existing Lot 1, Block 4 of the subdivision, and mitigates against potential traffic alignment issues between the subdivision entrance and the commercial access across the street while maintaining more than 125-feet of centerline alignment separation from Mulberry Avenue as set forth in Section 16.04.060.B.8 of the City of Laurel Subdivision Regulations.
- **Planning Department Response:** The Planning Department does not accept the reasoning to the 5th point that the alternative design is equally effective.
- **Planning Department Finding:** The standards of the Laurel Municipal Code for Chapter 16.11.010 have not been met. The following information supports this claim.
 - The proposed Lot 1, Block 4 is currently Lot 18, Nutting Bros 2nd Filing would not be impacted by a roadway alignment of Mulberry Avenue and Krieghoff Loop.
 - The Proposed Lot 2, Block 4 does not currently exist.
 - There are no permanent structures, infrastructure, or affixed personal property present within the proposed aligned right-of-way besides fencing.
 - The code states that “In cases where straight continuations are not physically possible, such centerline shall be continued by a centerline offset of not less than one hundred twenty-five feet.”
 - The Planning Department does not find any physical obstruction to connecting Krieghoff Loop to Mulberry Avenue.

- The terrain and topography is flat and open creating no impediments to the alignment of Krieghoff Loop and Mulberry Avenue
- The existing access to Lot 18 Nutting Bros 2nd Filing and lot 19 Nutting Bros 3rd Filing is to an undeveloped farm field.
- There is no known access and/or encroachment permit for the existing field access immediately north of Mulberry Avenue.
- Mulberry Avenue is connected to the currently undeveloped but fully platted East 7th Street. This undeveloped route traverses up to nine (9) blocks of Laurel.
- East 7th Street would provide a major east-west travel corridor if constructed.
- The alignment of Krieghoff Loop and Mulberry Avenue would provide additional road continuity to the wider road network once East 7th Street is constructed.

ADDITIONAL INFORMATION

The Applicant also provided four (4) reasonings for the Variance request in addition to the specific justifications to the Laurel Municipal Code.

1. Mulberry Avenue is a dead-end road with access for only four (4) residential Lots
2. There is approximately 225 feet of separation between centerline alignments for Mulberry Avenue and the proposed western entrance of Goldberg Sporting Estates Subdivision (minimum required offset is 125 feet).
3. The Proposed subdivision entrance is aligned instead with a commercial lot entrance having more traffic volume than the dead-end road along Mulberry Avenue.
4. In addition, Lot 1, Block 4 of Goldberg Sporting Estates Subdivision is an existing lot that physically prevents the alignment of the western entrance (Krieghoff Loop) from aligning across from Mulberry.

Planning Department Response to Point #1.

- Mulberry Avenue is currently a dead-end roadway but is connected to the currently undeveloped but fully platted East 7th Street.
- East 7th Street is a fully platted right-of-way for nine (9) blocks.
- East 7th Street could provide a major improvement to East-West travel within Laurel as well as development opportunities.
- The City is in the process of finalizing the Growth Management Policy which contains goals regarding the installation and improvement of current roadways and important possible roadways adjacent to the city.
- The Planning Department and Public Works Departments have held discussions about how future build-out of East 7th Street could enhance and improve transportation on the East side of Laurel.

Planning Department Response to Point #2.

- The requirements for non-alignment are partially met, but there is no physical, topographic, or geographic reason for the lack of alignment with the existing road network.

Planning Department Response to Point #3.

- The Planning Department agrees that the alignment of a public-right-of-way to a private commercial entrance with higher traffic will reduce traffic conflicts.
- The Planning Department would also like to note that this ignores the need for public right-of-way to connect to existing public right-of-way to ensure road continuation and connectivity.

Planning Department Response to Point #4.

- The Planning Department does not agree that there is a physical obstruction to connecting the proposed Krieghoff Loop to the existing Mulberry Avenue.
- The proposed Lot 2, Block 4 of the Goldberg Sporting Estates is the area in question.
- The proposed Lot 2, Block 4 is not an existing lot.
- The proposed Lot 1 and Lot 2, Block 4 is currently made up of a portion of Lot 18, Nutting Bros 2nd Filing, and Lot 19, Nutting Bros 3rd Filing.
- The stated area is part of an undeveloped farm field.
- The existing residential structure on the current Lot 18, Nutting Bros Subdivision 2nd Filing has an existing driveway access.
- The existing residential structure currently on Lot 18, Nutting Bros 2nd Filing is not located within the area where any proposed right-of-way would be located.
- The existing access to the proposed Lot 2, Block 4 is for field access to the undeveloped parcel.
- There are no physical structures or obstructions which would preclude alignment of the proposed Krieghoff Loop to the existing Mulberry Avenue.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

LMC 16.11.010 – Variances provides the review criteria for the Planning Board and Governing Body to review, consider, and decide on variances. The text of this subchapter is provided below:

The AGB may grant reasonable variances from only the design and improvement standards of these regulations when strict compliance would result in undue hardship and the result would not negatively affect public health and safety. The granting of a variance shall not have the effect of nullifying the intent and purpose of these regulations. The AGB may not approve a variance that would permit structures within the one hundred-year floodplain, as defined in MCA § 76-5-101.

The planning board shall conduct a public hearing on any variance requested for all subdivisions prior to taking action on the preliminary plat application.

- A. Requesting a Variance. The subdivider shall include with the submission of the preliminary plat a written statement describing the facts of hardship upon which the request for the variance is based. Each requested variance shall be deemed a separate application, for which a fee shall be required, to be processed concurrently with the preliminary plat. Information addressing each of the following findings shall accompany the application to be approved by the AGB. The latter shall not approve variances unless the subdivider has demonstrated that the request satisfies the following findings:
 - 1. The granting of the variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties;
 - 2. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, an undue hardship to the owner would result if the strict letter of the regulation was enforced;
 - 3. The variance will not result in an increase in taxpayer burden;
 - 4. The variance will not in any manner place the subdivision in nonconformance with any adopted zoning regulations or growth policy; and
 - 5. The subdivider must prove that the alternative design is equally effective and the objectives of the improvements are satisfied.
- B. In granting variances, the AGB may require conditions of approval that will, in their judgment, secure the objectives of these regulations.
- C. When any such variance is granted, the motion of approval of the proposed subdivision shall contain a statement describing the variance and the facts and conditions upon which the issuance of the variance is based.
- D. An application for a variance is not necessary where planned neighborhood developments are proposed, as modifications to the standards and requirements of these Regulations may be approved by the AGB.

RECOMMENDATIONS

The Planning Director recommends that the Planning Board deny the variance request. The Planning Director has prepared drafted conditions of denial which are presented below.

1. Waive Chapter 16 variance review fee.
2. Waive Chapter 16 requirement to rename any aligned/continued roadways through subdivisions
3. Set the waiting period for Preliminary Plat resubmittal to three (3) months.
4. Applicant submittal of updated subdivision design to Planning Department prior to official resubmittal

ATTACHMENTS

1. Variance Request Letter 1
2. List of Adjacent Property Owners from Parcels Requesting Variance
3. Preliminary Plat for Goldberg Sporting Estates Subdivision
4. Pre-application meeting summary letter dated February 7, 2019
5. Annexation Agreement – Major Components email sent to Performance Engineering on February 15, 2019.
6. Preliminary Plat Pre-Submittal comments email sent to Performance Engineering on October 30, 2019.
7. Preliminary Plat Meeting Notes 11.08.19 comments follow-up email provided to Performance Engineering on November 21, 2019.



**AGENDA
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, OCTOBER 21, 2020
5:35 PM
LAUREL 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: 5:35PM

Evan Bruce
Roger Giese
Dan Koch
Jon Klasna
Judy Goldsby
Nick Altonaga (City of Laurel)
Ron Benner (arrived at 5:40PM)

General Items

1. Public Hearing: USW Conditional Land Use for 1009 East 6th Street

The Chair moved the USW Conditional Land Use Public Hearing to the front of the agenda.

The chair opened the public hearing and asked the Planning Director to present the item. The Planning Director presented the items included in the agenda packet and summarized the situation and department findings.

The Chair called for proponents.

Steve Jansma, 2618 North Ramshorn Laurel, MT 59044

Mr. Jansma acted as a representative for the USW on the project. He provided additional information on the building and the situation. The building dates back to the 1920s. They are looking to reconstruct the building. We had previously gone through the neighborhood in 2013 and got signatures and approvals but were not able to make the time frame for the reconstruction. The design provided in the packet is very close to what they are hoping to finish at that time.

Keith Crookston, 3719 West Old Highway 10.

Local Union President. I think its been 10-15 years since the city came in and basically condemned the building. The building is not handicapped accessible, no means of egress, and prior to that we used to rent that hall out on a consistent basis for events but after that instruction by the city came out we basically could not do that.

It will give the city a nice building where those kinds of things can be held. We did that in the past and we are looking forward to doing it again. It will look nice and be a nice addition to the community.

The chair called for proponents.
None came forward.

The chair called for proponents.
None came forward.

The chair called for opponents.
None came forward.

The chair called for opponents.
None came forward.

The chair called for opponents.
None came forward.

The Chair closed the Public Hearing.

Planning Board members discussed the situation.

Ron: On the design, are there any plans for noise abatement for any evening events?

Keith Crookston: we normally have allowed for events during the daytime hours, but years ago no one ever had made complaints about the activities.

Since 2013 there has been more construction and residences created.

Ron: At other union meeting halls they have basically functioned as a private bar, will that be the case here?

Keith Crookston: there will be no regular bar function. There is alcohol served at union meetings but not like that. For many years there was not a problem with noise or alcohol with the surrounding neighborhood.

Judy: Was here in 2013, the parking was on the north side of the building, how will this work?

Keith Crookston: The new building will be built to the north of the existing building, plan to demolish the existing building, and adapt that are into more parking.

Dan: To go along with the abatement, would there be any fencing installed?

Keith: Will think on that because we have had the same situation for many years without a fence present.

Nick provided his suggested conditions for approval. These could include the possibility of abatement installed in the future.

The Chair entertained a motion on the conditional land use.

Dan motioned to approve the conditional land use with an additional condition that there will be noise abatement through fencing and/or visual guard.
Ron seconded.

Discussion took place on this motion.

Keith Crookston: What is there now has been there for many years, and what we are required to do for more funds. Do not like to be mandated for something which may not be needed.

Planning Director mentioned that the condition can be situational, not a mandate. Stated like: "Will work with the city if noise abatement becomes an issue for the surrounding neighborhood."

Motion was amended to suite this situation.

Dan Koch motioned to approve the conditional land use with an additional condition that the property owner will work with the city if noise abatement becomes an issue for the surrounding neighborhood.
Ron Seconded.
Motioned Carried.

2. Public Hearing: Variance for Street Continuity for the Proposed Goldberg Sporting Estates Subdivision

The Chair opened the public hearing. The Chair directed the Planning Director to present the item.

The Planning Director presented the Variance 1 items that were included in the agenda packet and summarized the situation and department findings and background in the staff report.

Initial discussions by members took place on related but unaddressed issues stemming

Evan: Would like to see the existing roadway (previously called Ponderosa) to be extended.

Ron: What is south of the current Mulberry Avenue?

The Planning Director reviewed the YC GIS and found an existing structure present on the lot south of Mulberry Ave.

Jon: Question about extending the roadway.

Ron: Getting through town is tough enough, and if they want it to be an isolated area, they need to know that there are already traffic and access problems. Traffic flow is a major concern. There is no good controlled access. Thinks it should align with Mulberry.

Ron: If this realigns with Mulberry it could prompt new development for E 7th Street.

Evan: Have read that the winding roads of a subdivision have impacted emergency response vehicles. Kind of disagree with some points in the staff report.

The Chair opened the floor to public comment.

The Chair called for proponents.
None came forward.

The Chair called for proponents.
None came forward.

The Chair called for proponents.
None came forward.

The Chair called for opponents.

Ed Onaszko – 1602 E 8th Street, Adjacent property owner. I know that people are going to want to develop this property. Our main concern is the safety of that size of a development. Dr. Benner brought up the traffic amounts coupled now with Regal trailer court. This could be 300+ vehicles added to the roadway. How will the traffic pattern change along E 8th and the surrounding roadways? I have been there for 40 years and have seen the area change. This planned subdivision will bring in more children. Safety is a concern for all of us. It doesn't seem like it will impact me or my property other than the traffic. And what is going to happen to East 8th to accommodate that traffic? The Middle School is west down East 8th street. Will sidewalks and road be redeveloped all the way down to the school? With the increase in traffic lately, cars move 40-60 miles an hour. We are concerned about that.

The Planning Director responded to the comment. As properties along East 8th Street annex into the city and develop or are redeveloped, they will be required to bring the adjacent roadway and pedestrian areas up to city standards. This includes curbing, gutter, sidewalks.

Dan: Eleanor Roosevelt portion is considered a trail in some sources, and no one even knows the specifics. The East 8th street portions need to be figured out and established. We need to establish the routes of East 8th and Eleanor Roosevelt and figure out how to access those lots before we go further with that. Can we hold off on this until the city or developer can figure out the situation?

The Planning Director responded to the comment. The developer/owner has previously provided a title report on the segment of roadway that is immediately near the proposed subdivision. This area is where we should focus on for these discussions.

Ed Onaszko: It might be advantageous to have a straight shot into the subdivision which would alleviate some of the pressure off of East 8th Street.

Board members discussed how this redesign could be a better solution to traffic flow.

The Chair asked for opponents.
None came forward.

The Chair asked for opponents.
None came forward.

The Planning Director provided a summary of the departments and the board's decision-making and suggested conditions.

Since there is no further public comment, the Chair closed the public hearing

The Board had additional thoughts on the variance application.

Roger: What I find disturbing is that they have submitted this 3 times, and none of the parties have been here at the hearings to provide additional information. I have questions I want to ask them, but they aren't here. It shows a bit of disrespect for the board. And this is a big project, its not just a couple of houses.

Roger suggested the Board move forward with a motion.

Roger Motioned to deny the variance request for Street Continuity with the staff recommendations as discussed.

Jon Seconded

Motion Carried.

Ron added one more point to the discussion: The idea and concept is good, but the street alignment needs to happen, for both Krieghoff and towards the corner near East Main Street.

3. Public Hearing: Variances for Roadway Widths and Right-of-Way Dedication for the Proposed Goldberg Sporting Estates Subdivision

The Chair opened the public hearing. The Chair directed the Planning Director to present the item.

The Planning Director presented the Variance 2 and Variance 3 items that were included in the agenda packet and summarized the situation and department findings and background in the staff report. The two variances involve right-of-way widths and right-of-way dedication.

Planning Board members had minor questions about the situation, with clarifications needed for items presented in the Staff Report.

The Chair opened the floor for public comment.

The Chair called for proponents.
None came forward.

The Chair called for proponents.
None came forward.

The Chair called for proponents.
None came forward.

The Chair called for opponents.
None came forward.

The Chair called for opponents.
None came forward.

The Chair called for opponents.
None came forward.

The Chair directed the Planning Director to respond to any responses.

With there being no public comment or board questions, the Chair closed the public hearing.

Ron motioned to deny the variance applications for right-of-way widths and right-of-way dedication with the recommended staff conditions.

Dan Seconded.

Roger Seconded

Motion Carried.

4. Public Hearing: Growth Management Policy Review and Approval

The Chair opened the public hearing on the Growth Policy review and approval.

Chair directed the planner to present the item.

The Planning Director presented the current draft of the plan. This is much the same as the recent meetings, with slight changes. There are some alternations needed prior to finalization at City Council. These will be worked out between the Planning Director and the city contractors at KLJ Inc.

The Chair called for proponents.

None came forward.

The Chair called for proponents.

None came forward.

The Chair called for proponents.

None came forward.

The Chair called for opponents.

None came forward.

The Chair called for opponents.

None came forward.

The Chair called for opponents.

None came forward.

With there being no proponents or opponents present or questions from board members, the Chair closed the public hearing.

Ron Motioned to approve the Laurel 2020 Growth Management Policy with amendments to be completed prior to City Council approval.

Evan Seconded.

Motion Carried.

New Business

5. Approve Meeting Minutes: September 16, 2020

Ron Motioned to approve the meeting minutes from September 16, 2020.

Evan Seconded.

Motion Carried.

Old Business

Other Items

6. Meeting Scheduling: Officially set for 3rd Wednesday

Nick presented the current schedule of meetings. The board will need to officially vote to change it to 3rd Wednesdays of each month.

Evan Motioned to have the official meeting date of Planning Board be the 3rd Wednesday of the month.

Jon Seconded.

Motion Carried.

Discussion on Regal debris and trash and fencing that doesn't allow kids to get soccer balls.

Jon asked about the 8th Avenue affordable housing. Nick presented the update that It was just recently approved for funding.

Announcements

7. Next Meeting: November 18, 2020

Roger moved to adjourn

Jon Klasna

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

July 21, 2020

City of Laurel Planning Department
P.O. Box 10
Laurel, MT 59044



To Whom it May Concern:

The Developer of Goldberg Sporting Estates, First Filing, a 73-lot proposed residential development and 15 lot proposed commercial development, is submitting this written petition respectfully requesting a variance from Section 16.04.060.B.8 in the City of Laurel Subdivision Regulations which states:

"Street Continuity: Streets that are a continuation of streets in contiguous territory shall be so aligned as to assure that their centerlines shall coincide and shall have matching names. In cases where straight continuations are not physically possible, such centerline shall be continued by a centerline offset of not less than one hundred twenty-five feet."

The Developer is requesting to construct the west entrance to the Goldberg Sporting Estates Subdivision at the shown location approximately 225 feet to the east of the existing centerline of Mulberry Avenue. See the preliminary plat for the location of the proposed entrance. The variance is requested for the following reasons:

- Mulberry Avenue is a dead-end road with access for only four (4) residential lots
- There is approximately 225 feet of separation between centerline alignments for Mulberry Avenue and the proposed western entrance of Goldberg Sporting Estates Subdivision (minimum required offset is 125 feet)
- The proposed subdivision entrance is aligned instead with a commercial lot entrance having more traffic volume than the dead-end road along Mulberry Avenue.
- In addition, Lot 1, Block 4 of Goldberg Sporting Estates Subdivision is an existing lot that physically prevents the alignment of the western entrance (Kreighoff Loop) from aligning across from Mulberry Avenue.

City of Laurel Subdivision Regulations Section 16.11.1.A the following are addressed:

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

Response: Granting of this requested variance will have no detrimental effects to the public health, safety, or general welfare or injurious to other adjoining properties. Granting this variance will benefit the public health, safety, and general welfare of the surrounding area by aligning higher volume traffic entrances across from each other. The proposed alignment will minimize traffic conflicts during turning movements along East 8th at both the subdivision and the commercial property located south of the proposed project.

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

Response: The proposed development is designed to keep the entrance across from a higher traffic commercial entrance and preserve the existing lot and infrastructure across from the dead-end Mulberry Avenue. This design prevents the offset of the subdivision alignment from conflicting with the higher volume of commercial traffic across the street. Should the road be aligned with Mulberry Avenue it would require modification of the existing property, access, and personal property intended to stay intact throughout the development of the property. This does create an undue and unnecessary hardship on the developer and the resident within the existing residence. Additionally, Mulberry Avenue cannot be developed any further to change its status as a dead-end road due to location of commercial businesses along East Main Street at the end of Mulberry Avenue.

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

Response: The result of granting the variance for alignment of the proposed western entrance of the subdivision with Mulberry Avenue will have no effect on the taxes of the proposed development, adjoining land or the taxpayers of the Town of Laurel and Yellowstone County.

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

Response: This requested variance will not in any manner place the subdivision in nonconformance with the adopted zoning regulations.



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

Response: The proposed design still aligns with an ingress/egress directly across the street that experiences higher traffic volumes than the dead-end Mulberry Avenue which only provides access for four (4) residential lots. In addition, the proposed entrance maintains street continuity with the commercial access across the street, preserves the existing Lot 1, Block 4 of the subdivision, and mitigates against potential traffic alignment issues between the subdivision entrance and the commercial access across the street while maintaining more than 125-feet of centerline alignment separation from Mulberry Avenue as set forth in Section 16.04.060.B.8 of the City of Laurel Subdivision Regulations.

Feel free to contact PE Project Manager Scott Aspenlieder with any questions or concerns at (406) 384-0080 or scott@performance-ec.com.

Sincerely,

Scott Aspenlieder, PE
Project Manager



Forrest Sanderson

From: Scott Aspenlieder <scott@performance-ec.com>
Sent: Friday, February 15, 2019 1:08 PM
To: Forrest Sanderson
Cc: Kurt Markegard; Sam Painter - Thompson Painter Law; Craig Dalton
Subject: RE: Annexation Agreement - Major Components

Forrest

Thanks for your clarification. We'll wait to hear from Sam and Kurt for further clarification on Questions 2 and 4 as they're important to have clear expectations set going in. Thanks for your help.

Thanks,

Scott Aspenlieder, P.E.
scott@performance-ec.com
Office: (406) 384-0080
Mobile: (406) 461-8392



608 North 29th Street • Billings, MT 59101
www.performance-ec.com

From: Forrest Sanderson [mailto:Forrest.Sanderson@kljeng.com]
Sent: Friday, February 15, 2019 12:01 PM
To: Scott Aspenlieder <scott@performance-ec.com>
Cc: Kurt Markegard <kmarkegard@laurel.mt.gov>; Sam Painter - Thompson Painter Law <sam@thompsonpainterlaw.com>
Subject: RE: Annexation Agreement - Major Components

Scott:

1. I don't really have an issue with the future dedication of the extension of Eleanor Roosevelt/East 8th to Yard Office as the development plan progresses but the connectivity issue was discussed as part of the pre-application both to Yard Office and from this development to the lands adjacent to. By taking this approach it will give you and the design team a chance to work the extension into the plan in a manner that is most advantageous to both the Developer and City of Laurel.
2. As I read Resolution R-08-22 (Attached) Annexation Criteria and Requirements Section A 3rd bullet, it appears that the intent of the City is that you will be required to install all of the existing or proposed public improvements but I have included Kurt and the City Attorney on this response for clarification on the matter and will defer the Decision to the Employees/Counsel of the City for the Final Answer.
3. You are correct, the internal subdivision infrastructure will be addressed via the SIA for each subdivision filing as the development progresses and it will be at this point the extension of Eleanor Roosevelt/East 8th along with infrastructure will be addressed.
4. The house on Lot-18 really complicates the annexation issue. There are resolutions and ordinances of the City that prohibit septic and drainfields within the City and from what I understand the structure is on a private 2" water line that does not meet with City regulations post annexation. It also has the potential to bring Section

B (2nd and 3rd paragraphs) in to play with respect to external improvements. The advantage is the two-year window for completion and a legitimate argument could be raised that you would have 2-years post Final Annexation to connect the house to water and sewer in accordance with the Laurel Standards for Public Works Improvements, the MPWSS, and the Laurel Rules and Regulations Governing Utility Services and Streets. Again, I will defer final determination on this issue to the City Employees/Attorney for the final answer on the interpretation possible timelines and application of the requirements of R-08-22.

At this point my suggestion is work the easy sections forward and we will get clarifications on these outstanding points!

Forrest Sanderson, A.I.C.P. and C.F.M.



406-373-7240 Direct
406-794-1460 Cell
2611 Gabel Road
Billings, MT 59102-7329
kljeng.com

From: Scott Aspenlieder <scott@performance-ec.com>
Sent: Friday, February 15, 2019 11:06 AM
To: Forrest Sanderson <Forrest.Sanderson@kljeng.com>
Cc: Craig Dalton <craig@performance-ec.com>
Subject: RE: Annexation Agreement - Major Components

Forrest

Couple things jump out to me at this point that need direct attention/clarification.

1. Dedicating the ROW for a connection from 8th through to Yard Office seems premature at this point. I'm concerned that we're only at the planning stages and not ready to commit what that connection would be. Seems like we can easily address that as part of the SIA when we go through subdivision. I just don't think we're ready for it right now and I don't want to do it based on a preliminary layout only to be asking the City to work with us to adjust it if the plan changes.
2. I assume we're only paying for improvements to our side of the roads adjacent to the development (8th/Eleanor Roosevelt and Yard Office) as is done in Billings. If the City has a different idea or thought on that we need to talk about it. Other communities/counties have gotten into significant legal trouble requiring off-site improvements that are neither adjacent to the subject development or are not identified by the traffic study (ie intersections). Just want to make sure we're all clear on that and off on the right foot. It wasn't terribly clear to us coming out of the Pre-App meeting what the City's expectations were.
3. Engineer's Estimate and bonding for improvements makes sense for the directly adjacent improvements identified in #2 above. I think that's what you were referring too but wanted to make sure all internal stuff was taken care of in the SIA of a subsequent development.
4. The existing house on Lot 18 can be hooked up to water fairly easily but a connection to sewer was assumed to be worked into the development of a subsequent subdivision. The existing house discharges out the back to the north with the drainfield in the back. Sewer service would be much easier to incorporate and manage to collection mains internal to a subdivision without tearing up 8th and searching for a sewer main in that area. If we hooked up to water within the two years after annexation and sewer when the main is installed to lots adjacent to that house internal to the subdivision is that doable. Sewer connection to existing collection south of 8th isn't a good or viable option I don't believe.

I'll start crafting the Annexation Agreement on the issues below if you can give me some feedback on the 4 points above that would be much appreciated. Thanks!

Thanks,

Scott Aspenlieder, P.E.
scott@performance-ec.com
Office: (406) 384-0080
Mobile: (406) 461-8392



608 North 29th Street • Billings, MT 59101
www.performance-ec.com

From: Forrest Sanderson [<mailto:Forrest.Sanderson@kljeng.com>]
Sent: Friday, February 15, 2019 10:07 AM
To: Scott Aspenlieder <scott@performance-ec.com>
Subject: Annexation Agreement - Major Components
Importance: High

Scott:

Your team can use the following bullet points as a guide on the issues for the Annexation Agreement:

- ✓ Quiet the Title to the 30 feet of the property adjacent to Yard Office Road.
- ✓ Dedicate East 8th to the City of Laurel as Residential Collector (70') ROW.
- ✓ Dedicate Eleanor Roosevelt to the City of Laurel as Residential Collector (70') ROW (Where you can).
- ✓ Dedicate additional ROW for Yard Office (Where you can) to the City of Laurel as Commercial Collector (80') ROW.
- ✓ Dedicate additional ROW as Residential Collector (70') such that Eleanor Roosevelt/East 8th provides connectivity to Yard Office Road. This will be required with the first filing of subdivision so it is best to just do it now.
- ✓ Prepare a Final Annexation Exhibit showing:
 - All lands included in the annexation
 - All existing Rights-of-Way adjacent to or proposed to be dedicated to the City of Laurel as part of the annexation;
 - All Park lands or other public lands that will be included with the annexation.
- ✓ Provide an Engineers' Estimate of Cost for:
 - The cost of Engineering design of Water, Sewer, Street, Curb, Gutter, Sidewalks and a Bike Pedestrian path in all of the to be annexed ROW where the infrastructure does not meet the minimum standards of the Laurel Standards for Public Works Improvements, the MPWSS, and the Laurel Rules and Regulations Governing Utility Services and Streets.
 - The cost of Construction of the designed improvements, discussed above, to the Water, Sewer, Street, Curb, Gutter, Sidewalks and a Bike Pedestrian path where the infrastructure does not meet the minimum standards of the Laurel Standards for Public Works Improvements, the MPWSS, and the Laurel Rules and Regulations Governing Utility Services and Streets.
 - A performance bond or other security, consistent with the Laurel Subdivision Regulations (Title 16) at 125% of the Engineers Estimate of Probable Cost to complete the design and construction of the improvements discussed above. The Engineers Estimate of Probable Costs may be submitted to the Contract City Engineer for review and comment prior to acceptance and Final Annexation approval.
 - The executed security mechanism will be required at the time of application for Final Annexation.
- ✓ A signed and notarized acknowledgment by the Developer that is binding upon their heirs, successors and assigns that all required improvements to the off-site public improvements will be completed within two (2)

years of the approval of the Final Annexation or that the City of Laurel may utilize the performance bond or other acceptable securities to complete the improvements outlined above.

- ✓ The City agrees to assign Laurel RLMF and Laurel CC Zoning to the subject properties at the time of Final Annexation Approval in accordance with the petition of annexation and request of initial zoning as submitted by the Developer.
- ✓ That the Developer may apply for Preliminary Subdivision Plat approval during the term of the Annexation Agreement but that NO FINAL PLAT will be approved until such time that the City APPROVES the Final Annexation of the property. Final annexation will NOT occur until such time as the terms of the Annexation agreement have been met.
- ✓ The City of Laurel recognizes the significant costs associated with the improvements necessary to the existing Roads, Water, Sewer, Curb, and Gutter and will consider the creation of a 'Late Comers Agreement' to spread these costs to other benefited properties via the Subdivision processes should the Developer so desire and request.
- ✓ A revised Waiver of all right to protest, including judicial review the creation of any Special Improvements District. This waiver shall be deemed by the City to be a Covenant that runs with the land, the form of which must be approved by City Staff and the City Attorney.
- ✓ The City will assign the properties to be annexed to an Election Ward at the time of Final Annexation consistent with the Montana Code Annotated.
- ✓ At the time of Final Annexation Approval, the existing house on Lot-18 must:
 - Either be removed from the property; OR
 - Connected to the Laurel Water System in a manner consistent with the Laurel Standards for Public Works Improvements, the MPWSS, and the Laurel Rules and Regulations Governing Utility Services and Streets.
 - Connected to the Laurel Waste Water Collection and Treatment System in a manner consistent with the Laurel Standards for Public Works Improvements, the MPWSS, and the Laurel Rules and Regulations Governing Utility Services and Streets.
 - That any outstanding fees or assessments, including but not limited to System Development Fees, shall be paid to the City of Laurel.
- ✓ Should the property have water rights, irrigation or otherwise, that they will be 100% transferred to the City of Laurel at the time of Final Annexation Approval.
- ✓ That with the exception of the house on Lot-18, that the balance of the property will be served by the Laurel Solid Waste Services.

I hope that this list will give you the backbone of the agreement and I fully recognize that there may be other items that you may want to include in the agreement as you move forward.

The Council Schedule for the next month is:

2/19 Action
2/26 Work Session
3/5 Action
3/12 Work Session
3/19 Action

Given the time I would expect for you to complete the annexation agreement I submit that we are looking at the Work Session on March 12 and Action on 3/19. In order to make this schedule work, we would need your draft agreement for Staff and Legal review on or before 2/27. Just so you know, Kurt will be on vacation from 2/20 to 2/27 and his input will be crucial to the review and approval process.

If you have questions please feel free to give me a call!

Forrest Sanderson, A.I.C.P. and C.F.M.



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2611 Gabel Road
Billings, MT 59102-7329
kljeng.com

Laurel City Planner

From: Laurel City Planner
Sent: Thursday, November 21, 2019 4:21 PM
To: Katrina Svingen
Cc: Craig Dalton; Scott Aspenlieder; Tony Golden
Subject: RE: GSE Prelim Plat Meeting Notes - 11.08.19
Attachments: Yard Office - Resolution No. R19-43 - AA - Waiver.pdf; Pre_Application_LTR2019022.pdf; LMC - Schedule of Fees 2018.pdf; Rules and Regulations Governing Utility Services and Streets Div. 1.pdf; Rules and Regulations Governing Utility Services and Streets Div. 2.pdf; Standards for Public Works Improvements 2003.pdf; Yard Office Annexation Agreement CC APPROVED.pdf

Hi Katrina,

First and foremost, I was reviewing Yard office and GSE files and have not been able to locate fully signed/executed copies of the Annexation Agreement and Waiver of Right to Protest for the lots in the subdivision. I have attached the City of Laurel's approved resolution which has unsigned copies of the Annexation Agreement and Waiver of Right to Protest which were found to be up to city standards. I have also attached a clearer copy of the AA and Waiver PDF to ensure any final signed version is clear. Right now I recommend moving onto an official preliminary plat application. At this point city staff are looking at the proposed preliminary plat piece by piece. Moving onto the official process would allow staff to fully review the preliminary plat and all required supporting documentation.

The Current situation:

- Subdivision Pre-Application Meeting took place on February 4, 2019.
- Summary of Subdivision Pre-Application Meeting was prepared by Forrest Sanderson dated February 7, 2019. (Attached)
- No preliminary plat application was submitted.
- No Preliminary Plat application fee was submitted.

Before submitting a preliminary plat application and supporting documents I would suggest to:

- Review the approved Annexation agreement
- Review the subdivision pre-application meeting summary sheet
- Review Chapter 16 for specific regulations
- Update the preliminary plat and supporting documents to ensure that the items included with the AA and pre-App meeting summary been included/addressed in the preliminary plat and SIA
- Ensure that the preliminary plat conforms to Chapter 16.
- Provide us with a signed Annexation Agreement and Waiver of Right to Protest for filing with the YC Clerk and Recorder

Please ensure that the Preliminary Plat and documents follows the rules laid out in [Ch. 16 - Subdivisions](#).

Below I have also linked important and pertinent subchapters in Ch. 16.

- [16.03 – Subdivision Review Procedures](#)
 - 16.03.030 – Major Preliminary Plat application submittal
- [16.04 – Development Requirements](#)
- [16.05 – Guarantee of Public Improvements](#)

- 16.05.020 – Security Guarantee, Part C, Sequential Development.
- [16.09 – Environmental Assessment](#)
- [16.10 – Dedication of Parks, Trails, and Open Space](#)
- [Ch. 16 Appendix E – Preliminary Plat Application](#)
- [Ch. 16 Appendix F – Required Supporting Documents for Major Preliminary Plat Applications](#)

Some Follow-Up on comments from our previous conversations:

Kurt would like to see a full road connection between the CC and RLMF portions of the subdivision for both traffic flow and ensuring utility access. He reported that a 20ft wide utility easement was not sufficient for running utilities as per Laurel standards, which would need a 30ft easement.

Overall I want to ensure that subdivisions coming into the city conform to our codes. We can go back and forth on discussions regarding road connectivity inside and outside of the subdivision and designs but the bottom line would be that anything that does not follow our code would require a variance.

At this point I see the parkland dedication location as very low priority and would not need to be brought to council for their suggestion. I just want to ensure that the cash-in-lieu and the acreage/sqft amounts are correct. I also reviewed Chapter 16.05.020 Part C which discusses phased (Sequential) development. We can use this to guide how we ensure the phases of development move smoothly.

If you have any questions about this please let me know. Thank you for your time and I look forward to hearing from you.

Regards,
Nick Altonaga
City Planner

406.628.4796, Ext. 5 (office)
406.628.2241 (fax)
naltonaga@laurel.mt.gov

City of Laurel
PO Box 10
115 West First St.
Laurel, MT 59044-0010



From: Laurel City Planner
Sent: Tuesday, November 19, 2019 8:11 AM
To: Katrina Svingen <katrina@performance-ec.com>
Cc: Craig Dalton <craig@performance-ec.com>; Scott Aspenlieder <scott@performance-ec.com>; Tony Golden

<tgolden.realty@gmail.com>

Subject: RE: GSE Prelim Plat Meeting Notes - 11.08.19

Hi Katrina,

I will be finalizing comments and try to send them by the end of the workday today. Thanks for checking in.

Regards,
Nick Altonaga
City Planner

406.628.4796, Ext. 5 (office)

406.628.2241 (fax)

naltonaga@laurel.mt.gov

City of Laurel
PO Box 10
115 West First St.
Laurel, MT 59044-0010



From: Katrina Svingen <katrina@performance-ec.com>

Sent: Monday, November 18, 2019 10:16 AM

To: Laurel City Planner <naltonaga@laurel.mt.gov>

Cc: Craig Dalton <craig@performance-ec.com>; Scott Aspenlieder <scott@performance-ec.com>; Tony Golden <tgolden.realty@gmail.com>

Subject: RE: GSE Prelim Plat Meeting Notes - 11.08.19

Morning Nick,

Just wanted to follow up with you and see if you have comments ready for the Goldberg Sporting Estates Subdivision?

-Katrina

Katrina Svingen, P.E.
Associate Engineer
katrina@performance-ec.com
(406) 384-0080



608 North 29th Street • Billings, MT 59101

From: Laurel City Planner <naltonaga@laurel.mt.gov>
Sent: Friday, November 8, 2019 1:04 PM
To: Katrina Svingen <katrina@performance-ec.com>
Cc: Craig Dalton <craig@performance-ec.com>; Scott Aspenlieder <scott@performance-ec.com>; Tony Golden <tgolden.realty@gmail.com>
Subject: RE: GSE Prelim Plat Meeting Notes - 11.08.19

Hi Katrina,

Thanks to you and Craig for the conversation this morning. I will work to try and have my comments and follow-ups done by the end of next week. Feel free to contact me with any other questions or comments in the meantime. Thanks again.

Regards,
Nick Altonaga
City Planner

406.628.4796, Ext. 5 (office)
406.628.2241 (fax)
naltonaga@laurel.mt.gov

City of Laurel
PO Box 10
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From: Katrina Svingen <katrina@performance-ec.com>
Sent: Friday, November 8, 2019 11:35 AM
To: Laurel City Planner <naltonaga@laurel.mt.gov>
Cc: Craig Dalton <craig@performance-ec.com>; Scott Aspenlieder <scott@performance-ec.com>; Tony Golden <tgolden.realty@gmail.com>
Subject: GSE Prelim Plat Meeting Notes - 11.08.19

Nick,

As a follow up to our phone call this morning, here's a marked up PDF with comments, concerns and points for moving forward. I've made a bullet list below as well and outlined who has committed to doing different tasks going forward.

- (1) Street connectivity within the Subdivision
 - Possible private road connecting residential and commercial areas
 - Nick to comment on any concerns with proposed private road with public access easement for the commercial area and connection road between residential and commercial area.
- (2) Street and intersection design
 - PE to double check minimum distances (50' for internal roads and 100' for external road connections)
- (3) Road continuity with the adjacent Laurel street system

- Question about continuity with Mulberry Avenue
 - Reasoning for location includes:
 - Mulberry is a dead end that does not connect to E Main Street,
 - Approximately 240' separation between access points off of Eleanor Roosevelt Dr, and
 - Proposed entrance is aligned with existing driveway of business to the south (Cotter's Sewer, Septic, and Portable Toilet Services)

(4) Parkland Dedication/Cash-in-Lieu

- PE to double check numbers for parkland areas and ensure existing public park to north and stormwater pond areas are not included in proposed areas
- Nick mentioned Section 16.10.010C of code that outlines governing body recommendations for parkland...City of Laurel to comment on preference or okay proposed parkland dedication with additional cash-in-lieu option.

(5) Road Dedication

- Dedication of Eleanor Roosevelt Dr to be shown on the plat

(6) Phased development

- Deed restriction and release example for Nick (included in this email)

Thanks again for taking the time to go over the project and let us know if you want clarity on anything or have any additional questions concerning the proposed preliminary plat.

-Katrina

Katrina Svingen, P.E.
Associate Engineer
katrina@performance-ec.com
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City Of Laurel

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Office of the Director of Public
Works

Department of Planning

February 7, 2019

Performance Engineering
Craig Dalton
7100 Commercial Ave #4
Billings MT 59101

Re: Yard Office Major Subdivision Pre-Application -Meeting Summary/Required Information

Dear Mr. Dalton:

The following is a Summary of the Pre-Application meeting conducted with City Staff on the above described Subdivision within the City of Laurel Subdivision Jurisdiction conducted on Monday, February 4, 2019.

Meeting Attendees:

City of Laurel

Kurt Markegard, Jamie Sweeker, Tim Reiter, Matt Wheeler, Stan Langve, Forrest Sanderson

Developer

Craig Dalton, Katrina Svingen, Tony Golden

General Information:

Legal:

Lot 18 Nutting Brothers 2nd Filing and Lots 19 – 25 Nutting Brothers 3rd Filing in Section 10, Township 2 South, Range 24 East

Summary:

The project submitted for consideration includes 77 Residential Lots ranging in size from approximately 8,000 square feet to 22,500 square feet in size and 5 Commercial Lots approximately 1.3 to 2.9 acres in size.

Zoning:

The property is currently under consideration for Annexation and Initial Zoning by the City of Laurel. The requested zoning is Residential Light Multi-Family (RLMF) and Community Commercial (CC). It is

important to note that should the annexation or requested zoning be denied or modified by the City Council you may be required to reconsider or abandon this subdivision proposal.

Public Review Process:

The proposal is a Major Subdivision as defined in the Laurel Subdivision Regulations. As such, the following steps and timelines are applicable:

1. Complete Application submitted to City; §16.12.030 B, LMC
2. The Planner shall complete an Element Review within five (5) working days after submittal notice of findings shall be sent to the Developer and/or the Agent §16.16.030 C 1, LMC
3. If all Elements are included, the Planner shall complete a Sufficiency Review of the application within fifteen (15) working days after completion of the Element Review. Notice of findings shall be sent to the Developer and/or Agent. §16.16 C 2 and 3 LMC
4. Once the Application contains all the Elements and is deemed Sufficient a 60-working day public review timeline shall commence. During this timeline, a public hearing will be noticed and scheduled before the Laurel – Yellowstone Planning Board. Prior to a decision being rendered by the Laurel City Council. §16.16 C 3 LMC

Discussion Points:

- Fire has concerns that there will be sufficient water within the development for fire protection.
- Lot layout (Planning, Required Setbacks Water, Sewer, Streets, Parking, and Traffic).
- Follow the Design Standards in the Regulations §16.16 LMC
- The water system must be looped with isolation valves both internal and external.
- Traffic. A TIS will be required that looks at intersections with Highway 10, East 8th, Yard Office as well as the intersection of Alder near the school.
- Connectivity of this subdivision to surrounding properties is important to future development in the neighborhood. East 8th should be extended to Yard Office Road.
- Rights-of-way need to meet minimum standards. The ROW for Yard Office may need to meet Arterial Road standards.
- Sanitary Sewer. Sewer in the area is shallow and a lift station may be necessary. Concerns were expressed about surcharging the system as well as timing of lift station operation with the existing lift station.
- Solid Waste. The Developer may use the Laurel service with roll outs. The choice of service provider is governed by Montana Law and decision is up to the developer.
- Storm Water. Follow the rules and regulations for Utilities.
- Parkland. 11% of net area in residential lots. Parkland does not include areas for storm water detention/retention or for other facilities such as the lift station.
- Parking. Design must reflect if on-street parking will be allowed. Concern with multi-family and provision of adequate area for parking. Inadequate parking reservation is a major problem for Law Enforcement.
- Street Lighting. Strongly recommend that the lighting be incorporated into design rather than after the fact.
- Off site improvements to existing public improvements will be required with the First Filing in anticipation of total build out.

- Stainless steel bolts and shafts will be required for all fixtures because of corrosive nature of soils and groundwater in the area.
- Be sure to address items identified in either the Environmental Assessment or Summary of Probable Impacts and propose mitigations.
- Provide a comprehensive Subdivision Improvements Agreement. (Appendix K)
- You may want to provide the Montana Department of Transportation a copy of you plan as the project is anticipated to have measurable impacts on the intersections of Highway 10 with Yard Office Road and Eleanor Roosevelt Drive.

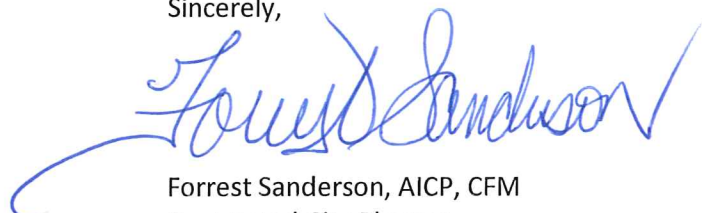
In addition to addressing the Discussion Points listed above, you will need to submit the information identified Appendix D of the Laurel Subdivision Regulations along with the required review fees.

1. Submit four (4) 24"x 36" plat and supplements;
2. Submit nine (9) 11"x 17" plats and supplements.

My hand-written notes and the Pre-Application Meeting Checklist are attached and are hereby incorporated into this summary by reference and are made a portion of this summary.

Should you have any questions concerning the Laurel Subdivision Regulations, the Review Process or the information required for Public Review, please contact me.

Sincerely,



Forrest Sanderson, AICP, CFM
Contracted City Planner

Enclosures: Fee Schedule, Preliminary Plat Application, Meeting Checklist (dated 3/28/18), Meeting Notes (dated 3/28/18)

cc: Kurt Markegard, File City, File KLJ, City-County Fire Department

Laurel City Planner

From: Laurel City Planner
Sent: Wednesday, October 30, 2019 3:41 PM
To: Craig Dalton
Cc: Scott Aspenlieder; 'Tony Golden (tgolden.realty@gmail.com)'; Katrina Svingen
Subject: RE: Goldberg Sporting Estates - Preliminary Plat Pre-Submittal
Attachments: LMC - Schedule of Fees 2018.pdf

Hi Craig,

I spent some time reviewing the Preliminary Plat and draft SIA with Kurt. We have identified some concerns with the preliminary plat and SIA. I have provided some links to our Subdivision Code which will be important for your review.

- [Chapter 16.03 – Subdivision Review Procedures](#)
- [Chapter 16.04 – Development Requirements](#)
- [Chapter 16.10 – Dedication of Parks, Trails, And Open Space](#)
- [Chapter 16 – Appendix C – Pre-Application Meeting Form](#)
- [Chapter 16 – Appendix D – Preliminary Plat Requirements](#)
- [Chapter 16 – Appendix E – Preliminary Plat Application](#)

Some items discussed in our initial review included:

- Street connectivity within the Subdivision
- Street and intersection design
- Road continuity with the adjacent Laurel street system
- Parkland Dedication/Cash-in-Lieu
- Road Dedication
- Phased development

I suggest specifically reviewing Ch. 16-04.060 – Streets and Roads, as this section contains some points which will need to be addressed. It would be best to review the codes and develop your rationale for the current preliminary design decisions or begin to update the draft documents.

It would be best if we could plan to set up a pre-application meeting to have an in-depth discussion about the proposed subdivision and the requirements of our subdivision codes and our public works standards. I have also attached Laurel's Schedule of Fees for your review. Please let me know if you have any questions or comments. Thank you for your time and I look forward to hearing from you.

Regards,
Nick Altonaga
City Planner

406.628.4796, Ext. 5 (office)
406.628.2241 (fax)
naltonaga@laurel.mt.gov

City of Laurel
PO Box 10
115 West First St.
Laurel, MT 59044-0010



From: Laurel City Planner
Sent: Tuesday, October 22, 2019 9:54 AM
To: Craig Dalton <craig@performance-ec.com>
Cc: Scott Aspenlieder <scott@performance-ec.com>; 'Tony Golden (tgolden.realty@gmail.com)' <tgolden.realty@gmail.com>; Katrina Svingen <katrina@performance-ec.com>
Subject: RE: Goldberg Sporting Estates - Preliminary Plat Pre-Submittal

Hi Craig,

Thank you for the email. I will take a look at this preliminary plat and SIA and get back to you by early-mid next week with my initial comments. I look forward to working with you on this process.

Regards,
Nick Altonaga
City Planner

406.628.4796, Ext. 5 (office)
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naltonaga@laurel.mt.gov

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Laurel, MT 59044-0010



From: Craig Dalton <craig@performance-ec.com>
Sent: Tuesday, October 22, 2019 9:32 AM
To: Laurel City Planner <naltonaga@laurel.mt.gov>
Cc: Scott Aspenlieder <scott@performance-ec.com>; 'Tony Golden (tgolden.realty@gmail.com)' <tgolden.realty@gmail.com>; Katrina Svingen <katrina@performance-ec.com>
Subject: Goldberg Sporting Estates - Preliminary Plat Pre-Submittal

Good Morning Nick,

Please find the attached preliminary plat and SIA for the Goldberg Estates Subdivision. While this is not an official preliminary plat submittal, I wanted to get this over to you to review and provide feedback prior to our official submittal

coming in November. Upon our official submittal the statutory timelines will start so I am hoping we can get most of the details addressed prior to that time. Upon your review, please contact me to discuss questions/comments you may have.

Thank you,

Craig Dalton, P.E.
Project Manager/Principal
craig@performance-ec.com
Office: (406) 384-0080
Mobile: (406) 459-8456



608 North 29th Street • Billings, MT 59101
www.performance-ec.com

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SUBDIVISION IMPROVEMENTS AGREEMENT
(Goldberg Sporting Estates Subdivision)
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(City of Laurel)

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SUBDIVISION IMPROVEMENTS AGREEMENT

Goldberg Sporting Estates Subdivision

THIS AGREEMENT is made and entered into this ____ day of _____, 20____, by and between *GOLDBERG INVESTMENTS, LLC* whose address for the purpose of this agreement is *P.O. Box 907, Laurel, MT 59044*, hereinafter referred to as “Subdivider,” and the **CITY OF LAUREL**, Montana, hereinafter referred to as “City.”

WITNESSETH:

WHEREAS, at a regular meeting conducted on ____ day of _____, 20____, the City Planning Board recommended conditional approval of a preliminary plat of *Goldberg Sporting Estates Subdivision*; and

WHEREAS, at a regular meeting conducted on ____ day of _____, 20____, the City Council conditionally approved a preliminary plat of *Goldberg Sporting Estates Subdivision*; and

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

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

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

I. VARIANCES

A. Variance 1 – Dated July 23, 2020 (Addressing Section 16.04.060.B.7 and 16.01.060.C.8 of the City of Laurel Subdivision Regulations)

B. Variance 2 – Dated July 23, 2020 (Addressing Section 16.04.060.B.8 of the City of Laurel Subdivision Regulations)

II. CONDITIONS THAT RUN WITH THE LAND

A. Lot owners will be required to construct that segment of the required sidewalk that fronts their property at the time of lot development.

- B.** Lot owners should be aware that this subdivision is being built near prime deer and antelope habitat and it is likely that homeowners will experience problems with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or a threat to public health and safety.
- C.** Lot owners should be aware that soil characteristics within the area of this subdivision, as described in the 1972 Yellowstone County Soil Survey, indicate that there could be potential limitations for proposed construction on the lots, which may require a geotechnical survey prior to construction. The developer has conducted a preliminary geotechnical investigation which can be used for informational purposes only, however, is not sufficient to build structures from. The City of Laurel has obtained a copy of this report and is available upon request.
- D.** No water rights have been transferred to the lot owners. Irrigation ditches that exist on the perimeter of this development are for the benefit of other properties. Perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners.
- E.** There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this Agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.
- F.** The Subdivider and subsequent contractors/builders acknowledge that a Stormwater Pollution and Prevention Plan (SWPPP) may be required to be filed with the City and the Montana Department of Environmental Quality (MDEQ). This SWPPP shall be adhered to during all phases of construction and shall be updated as required by MDEQ.
- G.** Culverts and associated drainage swales shall not be filled in or altered by the Subdivider or subsequent lot owners.

III. TRANSPORTATION

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

A. Streets

- a. Rights-of-way widths of 67 feet shall be dedicated for Kreighoff Loop, Blaser Blvd., and Benelli Blvd. These shall be public roads with a minimum width of 41 feet back-of-curb to back-of-curb.
- b. Right-of-way widths of 35 feet north from the centerline of East 8th Street and 40 feet west from the centerline of Yard Office Road shall be provided.
- c. A public access and utility easement width of 56 feet for a private road is provided for Perazzi Way off Yard Office Road. Perazzi Way shall be a private road with a minimum width of 41 feet wide back-of-curb to back-of-curb paved section.
- d. These internal access roads shall be built to grade with a satisfactory subbase, base course, curb and gutter and asphalt surface pursuant to site geotechnical recommendations and the City of Laurel Subdivision and Road Design Standards.

B. Sidewalks

- a. The Subdivider will install corner intersection handicap ramps and aprons at the time of construction of the internal roads.
- b. Individual lot owners will be responsible for the construction of the sidewalks within the public right-of-way adjacent to their lot at the time of lot development and shall be included in each building permit. Sidewalks shall be 5-foot wide with a 7-foot boulevard planting strip between the sidewalk and the curb for lots adjacent to Kreighoff Loop, Blaser Blvd, and Benelli Blvd.
- c. 5-foot curbwalk style sidewalks shall be constructed along Perazzi Way.
- d. Frontage improvements including curb, gutter and sidewalk along the north half of East 8th Street and stormwater facilities and sidewalk along the west half of Yard Office Road shall be provided by the Subdivider.

C. Street Lighting

- a. No street lighting is proposed for the internal roads within the development, however, street lighting is included in the waiver of right to protest.

D. Traffic Control Devices

- a. The Subdivider shall furnish and install street name signs for streets within the subdivision or located immediately adjacent thereto in accordance with the specifications of the City of Laurel Public Works and Fire Department.
- b. The Subdivider shall furnish and install all necessary traffic control devices in accordance with the Manual of Uniform Traffic Control Devices and approved by the City of Laurel Public Works Department.

E. Access

- a. Access to the subdivision is provided from East 8th Street and Yard Office Road.
- b. A 1-foot no access strip shall be provided along East 8th Street and Yard Office Road with openings at the locations shown on the plat.

F. Bike or Pedestrian Trail Plans

- a. The Laurel Bike Ped Plan (2003) indicates an off-street trail along Nutting Drain. An internal trail system through the Open Space or Trail Easements within the subdivision will be developed by the Subdivider as part of the subdivision improvements. The internal trail system will provide for connectivity to and throughout the interior area of the subdivision as well as connectivity from East 8th Street and Yard Office Road.
- b. The public internal trail system shall be maintained by the City and located within the Open Space area made available to the general public through a public access easement as indicated on the plat. No further easement is necessary for expansion of existing systems.

G. Public Transit

- a. No location for public transit connection will be provided within the development.

IV. EMERGENCY SERVICE

The Laurel Volunteer Fire Department (LVFD) currently provides fire protection services for the subdivision.

Construction of buildings made of combustible materials shall have adequate fire apparatus access road and water supply (fire hydrants) in place to allow for fire suppression requirements. Prior to the issuance of a building permit for construction using combustible materials (i.e. lumber, plywood, wood trusses, etc.), fire apparatus access roads and water supply requirements shall be provided in accordance with the International Fire Code.

At a minimum, the following is required:

- c. An unobstructed gravel road or gravel road base must be within 150 feet of the furthest portion of a building under construction as measured along the approved route.
- d. The access roads are required to support fire apparatus vehicle loading (40 tons) during all weather conditions and shall be a minimum of twenty (20) feet wide.
- e. An operational fire hydrant shall be located within 600 feet of the furthest portion of a residence under construction or within 400 feet of the furthest portion of a commercial building under construction as measured along the access roads to the site.
- f. The above requirements do not alter or effect the current minimum subdivision requirements for fire apparatus access and water supply.

V. STORM DRAINAGE

All drainage improvements shall comply with the Montana Standards for Subdivision Storm Water Drainage as outlined by the Montana Department of Environmental Quality (MDEQ), or its designee.

A Homeowners Associations (HOA) shall be responsible for the operation and maintenance of any detention facilities. Operation and maintenance requirements and HOA maintenance and fiscal responsibilities shall be outlined within the *Goldberg Sporting Estates Subdivision* Operation and Maintenance Manual.

VI. UTILITIES

The SIA does not constitute an approval for extension of or connection to water mains and sanitary sewers. The property owner shall make application for extension/connection of water mains and sanitary sewers to the Public Works Department. The extension/connection of/to water mains and sanitary sewers is subject to the approval of the applications and the conditions of approval. Applications shall be submitted for processing prior to the start of any construction and prior to review and approval of any project plans and specifications. The appropriate water and wastewater hookup fees in effect shall be submitted with the applications.

Fees shall be paid for the lots in each phase as applied for in the extension application and as per the first paragraph above. The Developer/Owner acknowledges that the subdivision shall be subject to the applicable System Development Fees in effect at the time new water and/or sanitary sewer service connections are made. The design/installation of sanitary sewers and appurtenances, and water mains and appurtenances (fire hydrants etc.) shall be in accordance with design standards, specifications, rules, regulations of and as approved by the City of Laurel Public Works Department, Fire Department, and the Montana Department of Environmental Quality.

A. Water

The subdivision water system will consist of 8-inch public water mains in Kreighoff Loop, Blaser Blvd, Benelli Blvd, and Perazzi Way. The 8-inch water mains will connect to the existing 8-inch water main located within East 8th Street and the 10-inch water main located within Yard Office Road.

Individual lot owners will be responsible for extending services to their properties/buildings at the time of development. Lot 1 of Block 4 is currently served by public water located in East 8th Street. Lot 2 of Block 4 will connect to the water main located in East 8th Street and will be constructed by the individual lot owner at the time of development.

B. Sanitary Sewer

The subdivision will be serviced by a public low-pressure sanitary sewer system which will collect sanitary waste from individual lots within the subdivision and convey the effluent to an existing sanitary sewer manhole south of East 8th Street in the alley between Locust Avenue and Mulberry Avenue. New sanitary sewer services will be installed to the public right-of-way boundary for all developable lots within the subdivision.

Individual lot owners will be responsible for extending these services to their properties/buildings and properly installing the pump system, as shown in the approved design drawings, at the time of development.

Maintenance or repairs to individual pumps shall be contracted through the Subdivision's HOA. Inspections of pump systems shall be conducted at a minimum every four (4) years through the HOA to ensure proper operation of the system.

C. Power, Telephone, Gas, and Cable Television

Power, natural gas, telephone, and cable will all be located within the right-of-way and utility easements as shown on the plat.

VII. PARKS/OPEN SPACE

The City of Laurel Subdivision Requirements require a minimum of 1.95 acres to be provided for the Goldberg Sporting Estates Subdivision (11% for <0.5 acre lots and 7.5% for 0.5-1.0 acre lots of Gross residentially zoned area less right-of-way). The subdivision will provide 0.87 acres of proposed publicly accessible Open Space (excludes area of stormwater detention ponds and existing County public parkland to the north of the development), with the remaining parkland dedication requirements fulfilled by way of cash-in-lieu based on fair market value of the land.

Maintenance of the Open Space and trails shall be through the formation, or expansion, of a Park Maintenance District.

VIII. IRRIGATION

The Nutting Drain Ditch is located along the north boundary of the subdivision. The ditch shall remain in place and shall not be altered by the Subdivider or subsequent owners.

No water rights are being transferred to future property owners within the subdivision.

IX. SOILS/GEOTECHNICAL STUDY

A soils/geotechnical study has been performed for this subdivision by Geoscience, PLLP dated July 26, 2018 and is available for review at the City of Laurel Planning Department.

The report identifies that the subsurface profile generally consists of fine-grained alluvial soils consisting clay with lesser silt and sand. Groundwater was encountered in test holes at depths ranging from 3 to 11 feet across the site. Fluctuating groundwater levels should be taken into consideration during design and construction of new structures.

Lot owners and contractors/builders are encouraged to review the full report and its recommendations. The geotechnical report is intended to be used for general site condition information but should not be construed as guidance for individual structure foundation or construction recommendations.

X. PHASING OF IMPROVEMENTS

There will be no phasing as part of this subdivision.

XI. FINANCIAL GUARANTEES

Except as otherwise provided, Subdivider shall install and construct said required improvements with cash or by utilizing the mechanics of a special improvement district or private contracts secured by letters of credit or a letter of commitment to lend funds from a commercial lender. All engineering and legal work in connection with such improvements shall be paid by the contracting parties pursuant to said special improvement district or private contract, and the improvements shall be installed as approved by the Public Works and Public Utilities Department.

XII. LEGAL PROVISIONS

A. Subdivider agrees to guarantee all public improvements for a period of one year from the date of final acceptance by the City of Laurel.

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

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

“SUBDIVIDER”

Goldberg Investments, LLC

By: _____

Title: _____

STATE OF MONTANA)

: ss

County of Yellowstone)

On this ____ day of _____, 20____, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the _____ of *Goldberg Investments, LLC*, who executed the foregoing instrument and acknowledged to me that he/she executed the same.

Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

Waiver of Right to Protest

FOR VALUABLE CONSIDERATION, the undersigned, being the Subdivider and all of the owners of the hereinafter described real property, do hereby waive the right to protest the formation of one or more Special Improvement Districts (SID's), which the City of Laurel may require for a period of twenty years from the date of this document's recording.

This Waiver and Agreement is independent from all other agreements and is supported by sufficient independent consideration to which the undersigned are parties, and shall run with the land and shall be binding upon the undersigned, their successors and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana.

The real property hereinabove mentioned is more particularly described as follows:

Goldberg Sporting Estates Subdivision

Signed and dated this ____ day of _____, 20__.

Subdivider/Owner

STATE OF MONTANA)
 : ss
County of Yellowstone)

On this ____ day of _____, 20__, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the _____ of *Goldberg Investments, LLC*, who executed the forgoing instrument and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

Notary Public in and for the State of Montana

Printed name: _____
Residing in Billings, Montana
My commission expires: _____

File Attachments for Item:

4. Resolution – Variances for Roadway widths and Right-of-Way dedication for the Proposed Goldberg Sporting Estates Subdivision (Public Hearing 11.10.2020)



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board
FROM: Nicholas Altonaga, Planning Director
RE: Variance 2 & 3 – Goldberg Sporting Estates Subdivision
DATE: October 27, 2020

DESCRIPTION OF REQUEST

Three variances to the Laurel Municipal Code are being requested supporting the proposed Goldberg Sporting Estates Subdivision. Performance Engineering is acting as the representative of Tony Golden and Goldberg Investments LLP. Justification letters for the variance requests were submitted on July 31, 2020.

The Applicant has applied for a variance (Variance 2) to the Laurel Municipal Code regarding the dedication of right-of-way. The Applicant is applying for this variance in order to retain an additional ten (10) foot portion of property along Yard Office Road within the proposed lots and not dedicated to the public as right-of-way as city staff had previously discussed with the Applicant. The Applicant would need to update the subdivision plat in order to conform with the requirements of Laurel Municipal Code and the many requirements discussed by Laurel staff through meetings and correspondence.

The Applicant is requesting a variance (Variance 3) to the Laurel Municipal Code regarding roadway and right-of-way widths. The design of the proposed Goldberg Sporting Estates subdivision contains a fifty-six (56) foot wide private road which does not meet the right-of-way requirements of the Laurel Subdivision Code. The Applicant would need to redesign the subdivision plat in order to conform to the Laurel Municipal Code

Owner: Goldberg Investments LLP
Legal Description: S10, T02 S, R24 E, Nutting Bros 2nd Filing Lot 18, Nutting Bros 3rd Filing Lots 19-25
Address: Approximately 1850 East 8th Street
Parcel Size: 38.73 Acres
Existing Land Use: Agricultural, single dwelling unit.
Proposed Land Use: Residential and Commercial Subdivision

Existing Zoning: Residential Tracts

BACKGROUND AND PROCEDURAL HISTORY

- Subdivision Preapplication Meeting took place on February 2, 2019.
- Pre-Application Meeting Summary letter provided to Performance Engineering on February 7, 2019
- Annexation Agreement – Major Components email sent to Performance Engineering on February 15, 2019.
- Annexation of Lot 18, Nutting Bros 2nd Filing and Lot 19-25 Nutting Bros 3rd Filing approved by Laurel City Council on August 20, 2019
- The Zoning requested during the annexation process will be updated to Residential Limited Multi-Family (RLMF) and Community Commercial (CC) upon filing of the final annexation agreement.
- Preliminary Plat Pre-Submittal comments email sent to Performance Engineering on October 30, 2019.
- Preliminary Plat Meeting Notes 11.08.19 comments follow-up email provided to Performance Engineering on November 21, 2019.
- Preliminary Plat application document Packet submitted to the Planning Department on December 17, 2019.
- Element Review Letter provided to Performance Engineering on December 24, 2019
- Sufficiency Review Letter provided to the Applicant on January 16, 2020
- The Applicant and City Staff and City Engineers met to discuss the details of the sufficiency review letter on January 31, 2020
- Submittal of updated documents by Applicant on July 31, 2020
- Planning Board received public comment, discussed the variances, and made recommendations at the Public Hearing on October 21, 2020.
- Planning Board voted to recommend denial of the variances after the Public Hearings on October 21, 2020.
- A Public Hearing is scheduled at the City Council meeting on November 10, 2020 to receive public comment and approve, approve with conditions, or deny the variance requests.

DETAILS ON MAJOR CORRESPONDENCE DURING PROCESS

Pre-Application Meeting Summary letter provided to Performance Engineering on February 7, 2019. This letter included:

- Project summary
- Current and proposed zoning
- Public review process overview
- Discussion points including:
 - Fire coverage
 - Lot layout

- Water and sewer systems
- Right-of-way requirements
- Solid waste provision
- Parking
- Parkland dedication
- Off-site improvements

Annexation Agreement – Major Components email sent to Performance Engineering on February 15, 2019. This email contained further information regarding:

- Roadway dedication requirements
- Engineering estimates for public infrastructure improvements
- Annexation and plat approval process
- Water rights
- Zoning changes

Preliminary Plat Pre-Submittal comments email sent to Performance Engineering on October 30, 2019. Items identified in pre-submittal review included:

- Street connectivity within the Subdivision
- Street and intersection design
- Road continuity with the adjacent Laurel street system
- Parkland Dedication/Cash-in-Lieu
- Road Dedication
- Phased development

Preliminary Plat Meeting Notes 11.08.19 comments follow-up email provided to Performance Engineering on November 21, 2019. Items identified in this correspondence included:

- Utility and access easements
- Roadway connectivity
- Parkland dedication
- Review and submittal of previously discussed documents (Annexation and Waiver)

STAFF FINDINGS

The Applicant is requesting a variance to LMC 16.04.060.B.7 which states: “Right-of-Way and Street and Road Developments. In all cases, the right-of-way must be provided when developing the property. If the property is being developed on only one side of an existing or proposed road or street and dedicated right-of-way or a road easement is required, the property owner developing must secure the additional right-of-way or easement from the adjacent property owner. If the additional required right-of-way or easements cannot be secured, the developer must provide the full width of right-of-way on the subject property.”

The Applicant is also requesting a variance to LMC 16.04.060.C.8 which states: “Right-of-Way and Street Widths. Street right-of-way and surface widths for all roads, public or private, including those located in the Laurel zoning jurisdiction with the exception of those zoned Agricultural Open and Residential Suburban shall be provided as shown in Table 16.4.C.1 below.”

The Applicant has provided a letter with details justifying the Variance requests addressing the five (5) findings noted in LMC 16.11.010. These responses, as well as planning department findings are presented below:

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

- **Applicant Response:** Granting of the variance will have no detrimental effects to the public health, safety, or general welfare or injurious to other adjoining properties. Granting this variance will still provide more than the minimum required ROW width for the projected road use along Yard Office Road as classified by the City of Laurel Long Range Transportation Plan.
- **Planning Department Response:** The Planning Department does not accept that the roadway widths will not be detrimental to the general welfare of the City of Laurel.
- **Planning Department Findings:** The standard of the Laurel Municipal Code for Chapter 16.11.010.1 has not been met. The proposed width of Yard Office Road and Perazzi Way will not provide adequate services or provide for the general welfare of the city.
 - The current Yard Office Road right-of-way is made up of approximately fifty (50) feet of area dedicated to a drainage ditch. This area should not be considered as viable for vehicular or pedestrian traffic.
 - The eighty (80) feet of the Yard Office Road west of the Section line was dedicated on Village Subdivision 1st Filing.
 - Village Subdivision First Filing identifies these eighty (80) feet of right-of-way as containing a drain ditch.
 - If the area currently containing a drainage ditch is planned as part of a roadway, the applicant must prepare engineering and construction costs as well as funding to cover the build out of this portion of right-of-way.
 - City staff specified during the Pre-application period that a connection between East 8th Street and Yard Office Road was necessary for the cohesive growth of Laurel.
 - The proposed subdivision contains 88 buildable lots. It is important to ensure traffic coverage with an adequate ingress and egress point to Yard Office Road.
 - The proposed fifty-six (56) foot private road Perazzi Way is not sufficient at meeting the needs of Laurel residents.
 - Adequate traffic connection between East 8th Street and Yard Office Road was specifically mentioned in the Subdivision pre-application meeting on February 2, 2019 and the following email correspondence.

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

- **Applicant Response:** The 30 Feet of proposed ROW aligns with surrounding property and satisfies the required ROW width outlined by City of Laurel Subdivision Regulations while allowing for future development of Yard Office Road that is consistent with long-range planning.
- **Planning Department Response:** The Planning Department does not accept this reasoning for hardship due to topographic conditions.
- **Planning Department Findings:** The standard of the Laurel Municipal Code for Chapter 16.11.010.2 has not been met. There are no topographic or physical conditions present that create an undue hardship to meet roadway standards. The following information supports this claim.
 - There are no physical or topographic conditions which create an undue burden on the applicant to dedicate the additional ten (10) feet of right-of-way to meet the requirements stated by the city.
 - The right of way directly north of the area designated as Yellowstone County parkland makes up approximately 123 feet of right-of-way.
 - This one-hundred-twenty-three (123) foot width was established when High Point Subdivision provided forty (40) feet of dedicated right-of-way west of the section line on its subdivision plat in 1970.
 - The Planning Department and Public Works Department anticipate Yard Office Road to act as a major transportation route for future development on the East side of Laurel as the immediate area develops.
 - It is important that the city obtain a consistent right-of-way width to ensure that future roadway development and improvements have uniform dimensions.
 - The proposed thirty (30) feet of right-of-way is insufficient to align the area of Yard Office Road along the proposed Goldberg Sporting Estates with the right-of-way along High Point Subdivision to the north.

3) The variance will not result in an increase in taxpayer burden;

- **Response:** The result of granting the variance for providing 30 feet of ROW to the west of the section line along Yard Office Road will have no effect on the taxes of the proposed development or adjoining undeveloped land. Keeping the 30-feet under private ownership will increase the tax base for the City and the County providing benefit the taxpayer base.
- **Planning Department Response:** The Planning Department does not accept that the variance would not result in an increase in taxpayer burden.

- **Planning Department Findings:** The standard of the Laurel Municipal Code for Chapter 16.11.010.3 has not been met. The following information supports this claim.
 - Yard Office Road is expected to become a major transportation corridor as properties on the East side of Laurel develop and annex into the city.
 - The dedication of the additional ten (10) feet of right-of-way at the time of subdivision is advantageous for the city of Laurel and its citizens.
 - The purchase of this right-of-way at a later date would represent an astronomically high price for the city and its residents if additional right of way were needed to accommodate an increase in traffic in the future.
 - It was stated in correspondence between the contract planner and engineer that this dedication of right-of-way would be taken care of at the time of SIA and Subdivision. This correspondence is attached.

4) The variance will not in any manner place the subdivision in nonconformance with any adopted zoning regulations or growth policy; and

- **Response:** The requested variance will not in any manner place the subdivision in nonconformance with the adopted zoning regulations.
- **Planning Department Response:** The Planning Department does not accept the stated reasoning that this variance will not place the subdivision in nonconformance with the adopted zoning regulations or growth policy.
- **Planning Department Findings:** The standard of the Laurel Municipal Code for Chapter 16.11.010.4 has not been met. The following information supports this claim.
 - The updated 2020 Laurel Growth Management Policy which will be officially approved in November 2020 highlights the need for consistent roadway widths as a transportation system goal.
 - The current proposed thirty (30) feet of right-of-way dedication does not align with the right-of-way directly north of the Yellowstone County Park.
 - Inclusion of the additional ten (10) feet of right-of-way will align with the roadway adjacent to High Points Subdivision which was established in 1970.

5) The subdivider must prove that the alternative design is equally effective and the objectives of the improvement are satisfied.

- **Response:** The proposed ROW dedication width not only aligns with the surrounding ROW widths, but also provides more total width along Yard Office Road than is necessary for the projected road classification of a collector road as outlined in the City of Laurel Long Range Transportation Plan – 2014 and the

Required ROW as outlined in Table 16.4.C1 within section 16.04.060.C.8 of the City of Laurel municipal code.

- **Planning Department Response:** The Planning Department does not accept that the proposed design is equally effective as the requirements of the Laurel Municipal Code.
- **Planning Department Findings:** The standards of the Laurel Municipal Code for Chapter 16.11.010.5 have not been met. The following information supports this claim.
 - The email dated February 15, 2019 from Interim Planner Forrest Sanderson to Scott Aspenlieder outlined requirements for platting and design that followed from the Pre-Application meeting.
 - This includes “Dedicate additional ROW for Yard Office (Where you can) to the City of Laurel as Commercial Collector (80’) ROW.”
 - The existing right-of-way East of the Section Line is made up of at least forty (40) feet of area dedicated to a drainage ditch identified on the plat for the Village Subdivision First Filing.
 - This portion of right-of-way should only be considered as useable if the developer is willing to prepare and execute the engineering and construction of this portion of right of way.

ADDITIONAL INFORMATION

The Applicant also provided Two (2) reasonings for the Variance request in addition to the specific justifications to the Laurel Municipal Code.

The Developer is requesting to dedicate 30 feet of ROW from the section line along Yard Office Road west toward the proposed subdivision in-lieu of a 40-foot-wide ROW width. The variance is requested for the following reasons:

1. A 30-foot ROW dedication on the west side of the section line along Yard Office Road aligns and is consistent with the existing ROW directly to the north of the proposed subdivision.
2. The City of Laurel Long Range Transportation Plan – 2014 classifies Yard Office Road as a collector, which by section 16.04.060.C.8, Table 16.4.C.1 “required Dedications and Street Improvements for Subdivision” only requires an 80-foot ROW. There is already 80 feet of ROW dedicated on the east side of the section line along Yard Office Road and the additional 30 feet of ROW dedicated on the west side would give a total of 110 feet of ROW which is more than required ROW for a collector road, it would even provide more than is necessary for a minor arterial road (100 ft) per Table 16.4.C.1 within section 16.04.060.C.8

Planning Department Response to Point #1:

High Point Subdivision, which is directly north of the Yellowstone County Park, provided a total of forty (40) feet of right-of-way west of the section line to Yard Office Road on its subdivision plat which was created in March 1970. Consistent right-of-way widths are key to ensuring traffic management. Providing this additional road dedication at this time is proper and financially responsible for the City of Laurel. The cost to acquire these ten (10) feet of right-of-way due to increased traffic flow at a later date would be a major financial burden for the city and its taxpayers.

Planning Department Response to Point #2:

It is anticipated that Yard Office Road will be a major transportation route for future development on the east side of Laurel. Approximately fifty (50) feet of the existing right-of-way for Yard Office Road east of the section line is made up of a drainage ditch. This ditch and right-of-way was identified on the plat of Village Subdivision First Filing. This portion of right-of-way should not be considered viable for roadway development unless the developer is prepared to finance and construct adequate infrastructure above the Ditch along its length of the subdivision.

The property directly to the south of the proposed Goldberg Sporting Estates subdivision is unplatted and outside of Laurel city limits. If this situation were to change, either through subdivision or annexation, the City of Laurel would require the dedication of forty (40) feet of right-of-way west of the Section line to provide consistent road widths from East Main Street to the culvert of the Nutting Drain Ditch north of East Maryland Lane.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

LMC 16.11.010 – Variances provides the review criteria for the Planning Board and Governing Body to review, consider, and decide on variances. The text of this subchapter is provided below:

The AGB may grant reasonable variances from only the design and improvement standards of these regulations when strict compliance would result in undue hardship and the result would not negatively affect public health and safety. The granting of a variance shall not have the effect of nullifying the intent and purpose of these regulations. The AGB may not approve a variance that would permit structures within the one hundred-year floodplain, as defined in MCA § 76-5-101.

The planning board shall conduct a public hearing on any variance requested for all subdivisions prior to taking action on the preliminary plat application.

- A. Requesting a Variance. The subdivider shall include with the submission of the preliminary plat a written statement describing the facts of hardship upon which the request for the variance is based. Each requested variance shall be deemed a separate application, for which a fee shall be required, to be processed concurrently with the

preliminary plat. Information addressing each of the following findings shall accompany the application to be approved by the AGB. The latter shall not approve variances unless the subdivider has demonstrated that the request satisfies the following findings:

1. The granting of the variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties;
 2. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, an undue hardship to the owner would result if the strict letter of the regulation was enforced;
 3. The variance will not result in an increase in taxpayer burden;
 4. The variance will not in any manner place the subdivision in nonconformance with any adopted zoning regulations or growth policy; and
 5. The subdivider must prove that the alternative design is equally effective and the objectives of the improvements are satisfied.
- B. In granting variances, the AGB may require conditions of approval that will, in their judgment, secure the objectives of these regulations.
- C. When any such variance is granted, the motion of approval of the proposed subdivision shall contain a statement describing the variance and the facts and conditions upon which the issuance of the variance is based.
- D. An application for a variance is not necessary where planned neighborhood developments are proposed, as modifications to the standards and requirements of these Regulations may be approved by the AGB.

RECOMMENDATIONS

The Planning Director recommends the Planning Board deny variance request 2 and 3 with the following conditions.

1. Set the waiting period for Preliminary Plat resubmittal to 3 months
2. The applicant provide an updated redesign of the subdivision to the City prior to resubmittal
3. Provide for curb, gutter, sidewalk, and stormwater drainage on designs

ATTACHMENTS

1. Variance Request Letter 2 and 3
2. List of Adjacent Property Owners from Parcels Requesting Variance
3. Preliminary Plat for Goldberg Sporting Estates Subdivision
4. Pre-application meeting summary letter dated February 7, 2019
5. Annexation Agreement – Major Components email sent to Performance Engineering on February 15, 2019.
6. Preliminary Plat Pre-Submittal comments email sent to Performance Engineering on October 30, 2019.
7. Preliminary Plat Meeting Notes 11.08.19 comments follow-up email provided to Performance Engineering on November 21, 2019.



**AGENDA
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, OCTOBER 21, 2020
5:35 PM
LAUREL 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: 5:35PM

Evan Bruce
Roger Giese
Dan Koch
Jon Klasna
Judy Goldsby
Nick Altonaga (City of Laurel)
Ron Benner (arrived at 5:40PM)

General Items

1. Public Hearing: USW Conditional Land Use for 1009 East 6th Street

The Chair moved the USW Conditional Land Use Public Hearing to the front of the agenda.

The chair opened the public hearing and asked the Planning Director to present the item. The Planning Director presented the items included in the agenda packet and summarized the situation and department findings.

The Chair called for proponents.

Steve Jansma, 2618 North Ramshorn Laurel, MT 59044

Mr. Jansma acted as a representative for the USW on the project. He provided additional information on the building and the situation. The building dates back to the 1920s. They are looking to reconstruct the building. We had previously gone through the neighborhood in 2013 and got signatures and approvals but were not able to make the time frame for the reconstruction. The design provided in the packet is very close to what they are hoping to finish at that time.

Keith Crookston, 3719 West Old Highway 10.

Local Union President. I think its been 10-15 years since the city came in and basically condemned the building. The building is not handicapped accessible, no means of egress, and prior to that we used to rent that hall out on a consistent basis for events but after that instruction by the city came out we basically could not do that.

It will give the city a nice building where those kinds of things can be held. We did that in the past and we are looking forward to doing it again. It will look nice and be a nice addition to the community.

The chair called for proponents.
None came forward.

The chair called for proponents.
None came forward.

The chair called for opponents.
None came forward.

The chair called for opponents.
None came forward.

The chair called for opponents.
None came forward.

The Chair closed the Public Hearing.

Planning Board members discussed the situation.

Ron: On the design, are there any plans for noise abatement for any evening events?

Keith Crookston: we normally have allowed for events during the daytime hours, but years ago no one ever had made complaints about the activities.

Since 2013 there has been more construction and residences created.

Ron: At other union meeting halls they have basically functioned as a private bar, will that be the case here?

Keith Crookston: there will be no regular bar function. There is alcohol served at union meetings but not like that. For many years there was not a problem with noise or alcohol with the surrounding neighborhood.

Judy: Was here in 2013, the parking was on the north side of the building, how will this work?

Keith Crookston: The new building will be built to the north of the existing building, plan to demolish the existing building, and adapt that are into more parking.

Dan: To go along with the abatement, would there be any fencing installed?

Keith: Will think on that because we have had the same situation for many years without a fence present.

Nick provided his suggested conditions for approval. These could include the possibility of abatement installed in the future.

The Chair entertained a motion on the conditional land use.

Dan motioned to approve the conditional land use with an additional condition that there will be noise abatement through fencing and/or visual guard.
Ron seconded.

Discussion took place on this motion.

Keith Crookston: What is there now has been there for many years, and what we are required to do for more funds. Do not like to be mandated for something which may not be needed.

Planning Director mentioned that the condition can be situational, not a mandate. Stated like: "Will work with the city if noise abatement becomes an issue for the surrounding neighborhood."

Motion was amended to suite this situation.

Dan Koch motioned to approve the conditional land use with an additional condition that the property owner will work with the city if noise abatement becomes an issue for the surrounding neighborhood.
Ron Seconded.
Motioned Carried.

2. Public Hearing: Variance for Street Continuity for the Proposed Goldberg Sporting Estates Subdivision

The Chair opened the public hearing. The Chair directed the Planning Director to present the item.

The Planning Director presented the Variance 1 items that were included in the agenda packet and summarized the situation and department findings and background in the staff report.

Initial discussions by members took place on related but unaddressed issues stemming

Evan: Would like to see the existing roadway (previously called Ponderosa) to be extended.

Ron: What is south of the current Mulberry Avenue?

The Planning Director reviewed the YC GIS and found an existing structure present on the lot south of Mulberry Ave.

Jon: Question about extending the roadway.

Ron: Getting through town is tough enough, and if they want it to be an isolated area, they need to know that there are already traffic and access problems. Traffic flow is a major concern. There is no good controlled access. Thinks it should align with Mulberry.

Ron: If this realigns with Mulberry it could prompt new development for E 7th Street.

Evan: Have read that the winding roads of a subdivision have impacted emergency response vehicles. Kind of disagree with some points in the staff report.

The Chair opened the floor to public comment.

The Chair called for proponents.
None came forward.

The Chair called for proponents.
None came forward.

The Chair called for proponents.
None came forward.

The Chair called for opponents.

Ed Onaszko – 1602 E 8th Street, Adjacent property owner. I know that people are going to want to develop this property. Our main concern is the safety of that size of a development. Dr. Benner brought up the traffic amounts coupled now with Regal trailer court. This could be 300+ vehicles added to the roadway. How will the traffic pattern change along E 8th and the surrounding roadways? I have been there for 40 years and have seen the area change. This planned subdivision will bring in more children. Safety is a concern for all of us. It doesn't seem like it will impact me or my property other than the traffic. And what is going to happen to East 8th to accommodate that traffic? The Middle School is west down East 8th street. Will sidewalks and road be redeveloped all the way down to the school? With the increase in traffic lately, cars move 40-60 miles an hour. We are concerned about that.

The Planning Director responded to the comment. As properties along East 8th Street annex into the city and develop or are redeveloped, they will be required to bring the adjacent roadway and pedestrian areas up to city standards. This includes curbing, gutter, sidewalks.

Dan: Eleanor Roosevelt portion is considered a trail in some sources, and no one even knows the specifics. The East 8th street portions need to be figured out and established. We need to establish the routes of East 8th and Eleanor Roosevelt and figure out how to access those lots before we go further with that. Can we hold off on this until the city or developer can figure out the situation?

The Planning Director responded to the comment. The developer/owner has previously provided a title report on the segment of roadway that is immediately near the proposed subdivision. This area is where we should focus on for these discussions.

Ed Onaszko: It might be advantageous to have a straight shot into the subdivision which would alleviate some of the pressure off of East 8th Street.

Board members discussed how this redesign could be a better solution to traffic flow.

The Chair asked for opponents.
None came forward.

The Chair asked for opponents.
None came forward.

The Planning Director provided a summary of the departments and the board's decision-making and suggested conditions.

Since there is no further public comment, the Chair closed the public hearing

The Board had additional thoughts on the variance application.

Roger: What I find disturbing is that they have submitted this 3 times, and none of the parties have been here at the hearings to provide additional information. I have questions I want to ask them, but they aren't here. It shows a bit of disrespect for the board. And this is a big project, its not just a couple of houses.

Roger suggested the Board move forward with a motion.

Roger Motioned to deny the variance request for Street Continuity with the staff recommendations as discussed.

Jon Seconded

Motion Carried.

Ron added one more point to the discussion: The idea and concept is good, but the street alignment needs to happen, for both Krieghoff and towards the corner near East Main Street.

3. Public Hearing: Variances for Roadway Widths and Right-of-Way Dedication for the Proposed Goldberg Sporting Estates Subdivision

The Chair opened the public hearing. The Chair directed the Planning Director to present the item.

The Planning Director presented the Variance 2 and Variance 3 items that were included in the agenda packet and summarized the situation and department findings and background in the staff report. The two variances involve right-of-way widths and right-of-way dedication.

Planning Board members had minor questions about the situation, with clarifications needed for items presented in the Staff Report.

The Chair opened the floor for public comment.

The Chair called for proponents.
None came forward.

The Chair called for proponents.
None came forward.

The Chair called for proponents.
None came forward.

The Chair called for opponents.
None came forward.

The Chair called for opponents.
None came forward.

The Chair called for opponents.
None came forward.

The Chair directed the Planning Director to respond to any responses.

With there being no public comment or board questions, the Chair closed the public hearing.

Ron motioned to deny the variance applications for right-of-way widths and right-of-way dedication with the recommended staff conditions.

Dan Seconded.

Roger Seconded

Motion Carried.

4. Public Hearing: Growth Management Policy Review and Approval

The Chair opened the public hearing on the Growth Policy review and approval.

Chair directed the planner to present the item.

The Planning Director presented the current draft of the plan. This is much the same as the recent meetings, with slight changes. There are some alternations needed prior to finalization at City Council. These will be worked out between the Planning Director and the city contractors at KLJ Inc.

The Chair called for proponents.

None came forward.

The Chair called for proponents.

None came forward.

The Chair called for proponents.

None came forward.

The Chair called for opponents.

None came forward.

The Chair called for opponents.

None came forward.

The Chair called for opponents.

None came forward.

With there being no proponents or opponents present or questions from board members, the Chair closed the public hearing.

Ron Motioned to approve the Laurel 2020 Growth Management Policy with amendments to be completed prior to City Council approval.

Evan Seconded.

Motion Carried.

New Business

5. Approve Meeting Minutes: September 16, 2020

Ron Motioned to approve the meeting minutes from September 16, 2020.

Evan Seconded.

Motion Carried.

Old Business

Other Items

6. Meeting Scheduling: Officially set for 3rd Wednesday

Nick presented the current schedule of meetings. The board will need to officially vote to change it to 3rd Wednesdays of each month.

Evan Motioned to have the official meeting date of Planning Board be the 3rd Wednesday of the month.

Jon Seconded.

Motion Carried.

Discussion on Regal debris and trash and fencing that doesn't allow kids to get soccer balls.

Jon asked about the 8th Avenue affordable housing. Nick presented the update that It was just recently approved for funding.

Announcements

7. Next Meeting: November 18, 2020

Roger moved to adjourn

Jon Klasna

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

July 21, 2020

City of Laurel Planning Department
P.O. Box 10
Laurel, MT 59044



To Whom it May Concern:

The Developer of Goldberg Sporting Estates, First Filing, a 73-lot proposed residential development and 15 lot proposed commercial development, is submitting this written petition respectfully requesting a variance from Sections 16.04.060.B.7 and 16.04.060.C.8 and Table 16.4.C.1 in the City of Laurel Subdivision Regulations which states:

"Right-of-Way and Street and Road Developments: In all cases, the right-of-way must be provided when developing the property. If the property is being developed on only one side of an existing or proposed road or street and dedicated right-of-way or a road easement is required, the property owner developing must secure the additional right-of-way or easement from the adjacent property owner. If the additional required right-of-way or easements cannot be secured, the developer must provide the full width of right-of-way on the subject property."

"Right-of-Way and Street Widths: Street right-of-way and surface widths for all roads, public or private, including those located in the Laurel zoning jurisdiction with the exception of those zoned Agricultural Open and Residential Suburban shall be provided as shown in Table 16.4.C.1 below."

The Developer is requesting to dedicate 30 feet of ROW from the section line along Yard Office Road west toward the proposed subdivision in-lieu of a 40-foot-wide ROW width. The variance is requested for the following reasons:

- A 30-foot ROW dedication on the west side of the section line along Yard Office Road aligns and is consistent with the existing ROW directly to the north of the proposed subdivision.



- The City of Laurel Long Range Transportation Plan - 2014 classifies Yard Office Rd as a collector, which by section 16.04.060.C.8, Table 16.4.C.1 "Required Dedications and Street Improvements for Subdivision" only requires an 80-foot ROW. There is already 80 feet of ROW dedicated on the east side of the section line along Yard Office Road and the additional 30 feet of ROW dedicated on the west side would give a total of 110 feet of ROW which is more than the required ROW for a collector road, it would even provide more than is necessary for a minor arterial road (100 ft) per Table 16.4.C.1 within section 16.04.060.C.8.

City of Laurel Subdivision Regulations Section 16.11.1.A the following are addressed:

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

Response: Granting of this requested variance will have no detrimental effects to the public health, safety, or general welfare or injurious to other adjoining properties. Granting this variance will still provide more than the minimum required ROW width for the projected road use along Yard Office Road as classified by the City of Laurel Long Range Transportation Plan.

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

Response: The 30 feet of proposed ROW aligns with surrounding property and satisfies the required ROW width outlined by City of Laurel Subdivision Regulations while allowing for future development of Yard Office Road that is consistent with long-range planning.

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

Response: The result of granting the variance for providing 30 feet of ROW to the west of the section line along Yard Office Road will have no effect on the taxes of the proposed development or adjoining undeveloped land. Keeping the 30-feet under private ownership will increase the tax base for the City and County providing benefit to the taxpayer base.

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

Response: This requested variance will not in any manner place the subdivision in nonconformance with the adopted zoning regulations.



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

Response: The proposed ROW dedication width not only aligns with surrounding ROW widths, but also provides more total width along Yard Office Road than is necessary for the projected road classification of a collector road as outlined in the City of Laurel Long Range Transportation Plan – 2014 and the required ROW as outlined in Table 16.4.C.1 within section 16.04.060.C.8 of the City of Laurel municipal code.

Feel free to contact PE Project Manager Scott Aspenlieder with any questions or concerns at (406) 384-0080 or scott@performance-ec.com.

Sincerely,

Scott Aspenlieder, PE
Project Manager



Laurel City Planner

From: Laurel City Planner
Sent: Wednesday, October 30, 2019 3:41 PM
To: Craig Dalton
Cc: Scott Aspenlieder; 'Tony Golden (tgolden.realty@gmail.com)'; Katrina Svingen
Subject: RE: Goldberg Sporting Estates - Preliminary Plat Pre-Submittal
Attachments: LMC - Schedule of Fees 2018.pdf

Hi Craig,

I spent some time reviewing the Preliminary Plat and draft SIA with Kurt. We have identified some concerns with the preliminary plat and SIA. I have provided some links to our Subdivision Code which will be important for your review.

- [Chapter 16.03 – Subdivision Review Procedures](#)
- [Chapter 16.04 – Development Requirements](#)
- [Chapter 16.10 – Dedication of Parks, Trails, And Open Space](#)
- [Chapter 16 – Appendix C – Pre-Application Meeting Form](#)
- [Chapter 16 – Appendix D – Preliminary Plat Requirements](#)
- [Chapter 16 – Appendix E – Preliminary Plat Application](#)

Some items discussed in our initial review included:

- Street connectivity within the Subdivision
- Street and intersection design
- Road continuity with the adjacent Laurel street system
- Parkland Dedication/Cash-in-Lieu
- Road Dedication
- Phased development

I suggest specifically reviewing Ch. 16-04.060 – Streets and Roads, as this section contains some points which will need to be addressed. It would be best to review the codes and develop your rationale for the current preliminary design decisions or begin to update the draft documents.

It would be best if we could plan to set up a pre-application meeting to have an in-depth discussion about the proposed subdivision and the requirements of our subdivision codes and our public works standards. I have also attached Laurel's Schedule of Fees for your review. Please let me know if you have any questions or comments. Thank you for your time and I look forward to hearing from you.

Regards,
Nick Altonaga
City Planner

406.628.4796, Ext. 5 (office)
406.628.2241 (fax)
naltonaga@laurel.mt.gov

City of Laurel
PO Box 10
115 West First St.
Laurel, MT 59044-0010



From: Laurel City Planner
Sent: Tuesday, October 22, 2019 9:54 AM
To: Craig Dalton <craig@performance-ec.com>
Cc: Scott Aspenlieder <scott@performance-ec.com>; 'Tony Golden (tgolden.realty@gmail.com)' <tgolden.realty@gmail.com>; Katrina Svingen <katrina@performance-ec.com>
Subject: RE: Goldberg Sporting Estates - Preliminary Plat Pre-Submittal

Hi Craig,

Thank you for the email. I will take a look at this preliminary plat and SIA and get back to you by early-mid next week with my initial comments. I look forward to working with you on this process.

Regards,
Nick Altonaga
City Planner

406.628.4796, Ext. 5 (office)
406.628.2241 (fax)
naltonaga@laurel.mt.gov

City of Laurel
PO Box 10
115 West First St.
Laurel, MT 59044-0010



From: Craig Dalton <craig@performance-ec.com>
Sent: Tuesday, October 22, 2019 9:32 AM
To: Laurel City Planner <naltonaga@laurel.mt.gov>
Cc: Scott Aspenlieder <scott@performance-ec.com>; 'Tony Golden (tgolden.realty@gmail.com)' <tgolden.realty@gmail.com>; Katrina Svingen <katrina@performance-ec.com>
Subject: Goldberg Sporting Estates - Preliminary Plat Pre-Submittal

Good Morning Nick,

Please find the attached preliminary plat and SIA for the Goldberg Estates Subdivision. While this is not an official preliminary plat submittal, I wanted to get this over to you to review and provide feedback prior to our official submittal

coming in November. Upon our official submittal the statutory timelines will start so I am hoping we can get most of the details addressed prior to that time. Upon your review, please contact me to discuss questions/comments you may have.

Thank you,

Craig Dalton, P.E.
Project Manager/Principal
craig@performance-ec.com
Office: (406) 384-0080
Mobile: (406) 459-8456



608 North 29th Street • Billings, MT 59101
www.performance-ec.com

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Laurel City Planner

From: Laurel City Planner
Sent: Thursday, November 21, 2019 4:21 PM
To: Katrina Svingen
Cc: Craig Dalton; Scott Aspenlieder; Tony Golden
Subject: RE: GSE Prelim Plat Meeting Notes - 11.08.19
Attachments: Yard Office - Resolution No. R19-43 - AA - Waiver.pdf; Pre_Application_LTR2019022.pdf; LMC - Schedule of Fees 2018.pdf; Rules and Regulations Governing Utility Services and Streets Div. 1.pdf; Rules and Regulations Governing Utility Services and Streets Div. 2.pdf; Standards for Public Works Improvements 2003.pdf; Yard Office Annexation Agreement CC APPROVED.pdf

Hi Katrina,

First and foremost, I was reviewing Yard office and GSE files and have not been able to locate fully signed/executed copies of the Annexation Agreement and Waiver of Right to Protest for the lots in the subdivision. I have attached the City of Laurel's approved resolution which has unsigned copies of the Annexation Agreement and Waiver of Right to Protest which were found to be up to city standards. I have also attached a clearer copy of the AA and Waiver PDF to ensure any final signed version is clear. Right now I recommend moving onto an official preliminary plat application. At this point city staff are looking at the proposed preliminary plat piece by piece. Moving onto the official process would allow staff to fully review the preliminary plat and all required supporting documentation.

The Current situation:

- Subdivision Pre-Application Meeting took place on February 4, 2019.
- Summary of Subdivision Pre-Application Meeting was prepared by Forrest Sanderson dated February 7, 2019. (Attached)
- No preliminary plat application was submitted.
- No Preliminary Plat application fee was submitted.

Before submitting a preliminary plat application and supporting documents I would suggest to:

- Review the approved Annexation agreement
- Review the subdivision pre-application meeting summary sheet
- Review Chapter 16 for specific regulations
- Update the preliminary plat and supporting documents to ensure that the items included with the AA and pre-App meeting summary been included/addressed in the preliminary plat and SIA
- Ensure that the preliminary plat conforms to Chapter 16.
- Provide us with a signed Annexation Agreement and Waiver of Right to Protest for filing with the YC Clerk and Recorder

Please ensure that the Preliminary Plat and documents follows the rules laid out in [Ch. 16 - Subdivisions](#).

Below I have also linked important and pertinent subchapters in Ch. 16.

- [16.03 – Subdivision Review Procedures](#)
 - 16.03.030 – Major Preliminary Plat application submittal
- [16.04 – Development Requirements](#)
- [16.05 – Guarantee of Public Improvements](#)

- 16.05.020 – Security Guarantee, Part C, Sequential Development.
- [16.09 – Environmental Assessment](#)
- [16.10 – Dedication of Parks, Trails, and Open Space](#)
- [Ch. 16 Appendix E – Preliminary Plat Application](#)
- [Ch. 16 Appendix F – Required Supporting Documents for Major Preliminary Plat Applications](#)

Some Follow-Up on comments from our previous conversations:

Kurt would like to see a full road connection between the CC and RLMF portions of the subdivision for both traffic flow and ensuring utility access. He reported that a 20ft wide utility easement was not sufficient for running utilities as per Laurel standards, which would need a 30ft easement.

Overall I want to ensure that subdivisions coming into the city conform to our codes. We can go back and forth on discussions regarding road connectivity inside and outside of the subdivision and designs but the bottom line would be that anything that does not follow our code would require a variance.

At this point I see the parkland dedication location as very low priority and would not need to be brought to council for their suggestion. I just want to ensure that the cash-in-lieu and the acreage/sqft amounts are correct. I also reviewed Chapter 16.05.020 Part C which discusses phased (Sequential) development. We can use this to guide how we ensure the phases of development move smoothly.

If you have any questions about this please let me know. Thank you for your time and I look forward to hearing from you.

Regards,
Nick Altonaga
City Planner

406.628.4796, Ext. 5 (office)
406.628.2241 (fax)
naltonaga@laurel.mt.gov

City of Laurel
PO Box 10
115 West First St.
Laurel, MT 59044-0010



From: Laurel City Planner
Sent: Tuesday, November 19, 2019 8:11 AM
To: Katrina Svingen <katrina@performance-ec.com>
Cc: Craig Dalton <craig@performance-ec.com>; Scott Aspenlieder <scott@performance-ec.com>; Tony Golden

<tgolden.realty@gmail.com>

Subject: RE: GSE Prelim Plat Meeting Notes - 11.08.19

Hi Katrina,

I will be finalizing comments and try to send them by the end of the workday today. Thanks for checking in.

Regards,
Nick Altonaga
City Planner

406.628.4796, Ext. 5 (office)
406.628.2241 (fax)
naltonaga@laurel.mt.gov

City of Laurel
PO Box 10
115 West First St.
Laurel, MT 59044-0010



From: Katrina Svingen <katrina@performance-ec.com>

Sent: Monday, November 18, 2019 10:16 AM

To: Laurel City Planner <naltonaga@laurel.mt.gov>

Cc: Craig Dalton <craig@performance-ec.com>; Scott Aspenlieder <scott@performance-ec.com>; Tony Golden <tgolden.realty@gmail.com>

Subject: RE: GSE Prelim Plat Meeting Notes - 11.08.19

Morning Nick,

Just wanted to follow up with you and see if you have comments ready for the Goldberg Sporting Estates Subdivision?

-Katrina

Katrina Svingen, P.E.
Associate Engineer
katrina@performance-ec.com
(406) 384-0080



608 North 29th Street • Billings, MT 59101

From: Laurel City Planner <naltonaga@laurel.mt.gov>
Sent: Friday, November 8, 2019 1:04 PM
To: Katrina Svingen <katrina@performance-ec.com>
Cc: Craig Dalton <craig@performance-ec.com>; Scott Aspenlieder <scott@performance-ec.com>; Tony Golden <tgolden.realty@gmail.com>
Subject: RE: GSE Prelim Plat Meeting Notes - 11.08.19

Hi Katrina,

Thanks to you and Craig for the conversation this morning. I will work to try and have my comments and follow-ups done by the end of next week. Feel free to contact me with any other questions or comments in the meantime. Thanks again.

Regards,
Nick Altonaga
City Planner

406.628.4796, Ext. 5 (office)
406.628.2241 (fax)
naltonaga@laurel.mt.gov

City of Laurel
PO Box 10
115 West First St.
Laurel, MT 59044-0010



From: Katrina Svingen <katrina@performance-ec.com>
Sent: Friday, November 8, 2019 11:35 AM
To: Laurel City Planner <naltonaga@laurel.mt.gov>
Cc: Craig Dalton <craig@performance-ec.com>; Scott Aspenlieder <scott@performance-ec.com>; Tony Golden <tgolden.realty@gmail.com>
Subject: GSE Prelim Plat Meeting Notes - 11.08.19

Nick,

As a follow up to our phone call this morning, here's a marked up PDF with comments, concerns and points for moving forward. I've made a bullet list below as well and outlined who has committed to doing different tasks going forward.

- (1) Street connectivity within the Subdivision
 - Possible private road connecting residential and commercial areas
 - Nick to comment on any concerns with proposed private road with public access easement for the commercial area and connection road between residential and commercial area.
- (2) Street and intersection design
 - PE to double check minimum distances (50' for internal roads and 100' for external road connections)
- (3) Road continuity with the adjacent Laurel street system

- Question about continuity with Mulberry Avenue
 - Reasoning for location includes:
 - Mulberry is a dead end that does not connect to E Main Street,
 - Approximately 240' separation between access points off of Eleanor Roosevelt Dr, and
 - Proposed entrance is aligned with existing driveway of business to the south (Cotter's Sewer, Septic, and Portable Toilet Services)

(4) Parkland Dedication/Cash-in-Lieu

- PE to double check numbers for parkland areas and ensure existing public park to north and stormwater pond areas are not included in proposed areas
- Nick mentioned Section 16.10.010C of code that outlines governing body recommendations for parkland...City of Laurel to comment on preference or okay proposed parkland dedication with additional cash-in-lieu option.

(5) Road Dedication

- Dedication of Eleanor Roosevelt Dr to be shown on the plat

(6) Phased development

- Deed restriction and release example for Nick (included in this email)

Thanks again for taking the time to go over the project and let us know if you want clarity on anything or have any additional questions concerning the proposed preliminary plat.

-Katrina

Katrina Svingen, P.E.
Associate Engineer
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City Of Laurel

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Laurel, Montana 59044



Office of the Director of Public
Works

Department of Planning

February 7, 2019

Performance Engineering
Craig Dalton
7100 Commercial Ave #4
Billings MT 59101

Re: Yard Office Major Subdivision Pre-Application -Meeting Summary/Required Information

Dear Mr. Dalton:

The following is a Summary of the Pre-Application meeting conducted with City Staff on the above described Subdivision within the City of Laurel Subdivision Jurisdiction conducted on Monday, February 4, 2019.

Meeting Attendees:

City of Laurel

Kurt Markegard, Jamie Sweeker, Tim Reiter, Matt Wheeler, Stan Langve, Forrest Sanderson

Developer

Craig Dalton, Katrina Svingen, Tony Golden

General Information:

Legal:

Lot 18 Nutting Brothers 2nd Filing and Lots 19 – 25 Nutting Brothers 3rd Filing in Section 10, Township 2 South, Range 24 East

Summary:

The project submitted for consideration includes 77 Residential Lots ranging in size from approximately 8,000 square feet to 22,500 square feet in size and 5 Commercial Lots approximately 1.3 to 2.9 acres in size.

Zoning:

The property is currently under consideration for Annexation and Initial Zoning by the City of Laurel. The requested zoning is Residential Light Multi-Family (RLMF) and Community Commercial (CC). It is

important to note that should the annexation or requested zoning be denied or modified by the City Council you may be required to reconsider or abandon this subdivision proposal.

Public Review Process:

The proposal is a Major Subdivision as defined in the Laurel Subdivision Regulations. As such, the following steps and timelines are applicable:

1. Complete Application submitted to City; §16.12.030 B, LMC
2. The Planner shall complete an Element Review within five (5) working days after submittal notice of findings shall be sent to the Developer and/or the Agent §16.16.030 C 1, LMC
3. If all Elements are included, the Planner shall complete a Sufficiency Review of the application within fifteen (15) working days after completion of the Element Review. Notice of findings shall be sent to the Developer and/or Agent. §16.16 C 2 and 3 LMC
4. Once the Application contains all the Elements and is deemed Sufficient a 60-working day public review timeline shall commence. During this timeline, a public hearing will be noticed and scheduled before the Laurel – Yellowstone Planning Board. Prior to a decision being rendered by the Laurel City Council. §16.16 C 3 LMC

Discussion Points:

- Fire has concerns that there will be sufficient water within the development for fire protection.
- Lot layout (Planning, Required Setbacks Water, Sewer, Streets, Parking, and Traffic).
- Follow the Design Standards in the Regulations §16.16 LMC
- The water system must be looped with isolation valves both internal and external.
- Traffic. A TIS will be required that looks at intersections with Highway 10, East 8th, Yard Office as well as the intersection of Alder near the school.
- Connectivity of this subdivision to surrounding properties is important to future development in the neighborhood. East 8th should be extended to Yard Office Road.
- Rights-of-way need to meet minimum standards. The ROW for Yard Office may need to meet Arterial Road standards.
- Sanitary Sewer. Sewer in the area is shallow and a lift station may be necessary. Concerns were expressed about surcharging the system as well as timing of lift station operation with the existing lift station.
- Solid Waste. The Developer may use the Laurel service with roll outs. The choice of service provider is governed by Montana Law and decision is up to the developer.
- Storm Water. Follow the rules and regulations for Utilities.
- Parkland. 11% of net area in residential lots. Parkland does not include areas for storm water detention/retention or for other facilities such as the lift station.
- Parking. Design must reflect if on-street parking will be allowed. Concern with multi-family and provision of adequate area for parking. Inadequate parking reservation is a major problem for Law Enforcement.
- Street Lighting. Strongly recommend that the lighting be incorporated into design rather than after the fact.
- Off site improvements to existing public improvements will be required with the First Filing in anticipation of total build out.

- Stainless steel bolts and shafts will be required for all fixtures because of corrosive nature of soils and groundwater in the area.
- Be sure to address items identified in either the Environmental Assessment or Summary of Probable Impacts and propose mitigations.
- Provide a comprehensive Subdivision Improvements Agreement. (Appendix K)
- You may want to provide the Montana Department of Transportation a copy of you plan as the project is anticipated to have measurable impacts on the intersections of Highway 10 with Yard Office Road and Eleanor Roosevelt Drive.

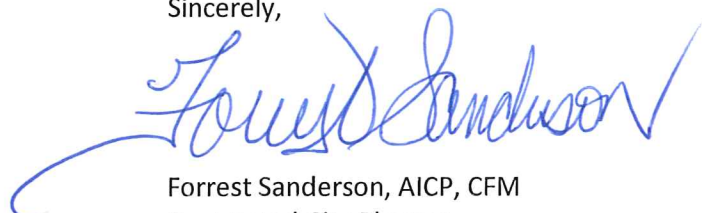
In addition to addressing the Discussion Points listed above, you will need to submit the information identified Appendix D of the Laurel Subdivision Regulations along with the required review fees.

1. Submit four (4) 24"x 36" plat and supplements;
2. Submit nine (9) 11"x 17" plats and supplements.

My hand-written notes and the Pre-Application Meeting Checklist are attached and are hereby incorporated into this summary by reference and are made a portion of this summary.

Should you have any questions concerning the Laurel Subdivision Regulations, the Review Process or the information required for Public Review, please contact me.

Sincerely,



Forrest Sanderson, AICP, CFM
Contracted City Planner

Enclosures: Fee Schedule, Preliminary Plat Application, Meeting Checklist (dated 3/28/18), Meeting Notes (dated 3/28/18)

cc: Kurt Markegard, File City, File KLJ, City-County Fire Department

Forrest Sanderson

From: Scott Aspenlieder <scott@performance-ec.com>
Sent: Friday, February 15, 2019 1:08 PM
To: Forrest Sanderson
Cc: Kurt Markegard; Sam Painter - Thompson Painter Law; Craig Dalton
Subject: RE: Annexation Agreement - Major Components

Forrest

Thanks for your clarification. We'll wait to hear from Sam and Kurt for further clarification on Questions 2 and 4 as they're important to have clear expectations set going in. Thanks for your help.

Thanks,

Scott Aspenlieder, P.E.
scott@performance-ec.com
Office: (406) 384-0080
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From: Forrest Sanderson [mailto:Forrest.Sanderson@kljeng.com]
Sent: Friday, February 15, 2019 12:01 PM
To: Scott Aspenlieder <scott@performance-ec.com>
Cc: Kurt Markegard <kmarkegard@laurel.mt.gov>; Sam Painter - Thompson Painter Law <sam@thompsonpainterlaw.com>
Subject: RE: Annexation Agreement - Major Components

Scott:

1. I don't really have an issue with the future dedication of the extension of Eleanor Roosevelt/East 8th to Yard Office as the development plan progresses but the connectivity issue was discussed as part of the pre-application both to Yard Office and from this development to the lands adjacent to. By taking this approach it will give you and the design team a chance to work the extension into the plan in a manner that is most advantageous to both the Developer and City of Laurel.
2. As I read Resolution R-08-22 (Attached) Annexation Criteria and Requirements Section A 3rd bullet, it appears that the intent of the City is that you will be required to install all of the existing or proposed public improvements but I have included Kurt and the City Attorney on this response for clarification on the matter and will defer the Decision to the Employees/Counsel of the City for the Final Answer.
3. You are correct, the internal subdivision infrastructure will be addressed via the SIA for each subdivision filing as the development progresses and it will be at this point the extension of Eleanor Roosevelt/East 8th along with infrastructure will be addressed.
4. The house on Lot-18 really complicates the annexation issue. There are resolutions and ordinances of the City that prohibit septic and drainfields within the City and from what I understand the structure is on a private 2" water line that does not meet with City regulations post annexation. It also has the potential to bring Section

B (2nd and 3rd paragraphs) in to play with respect to external improvements. The advantage is the two-year window for completion and a legitimate argument could be raised that you would have 2-years post Final Annexation to connect the house to water and sewer in accordance with the Laurel Standards for Public Works Improvements, the MPWSS, and the Laurel Rules and Regulations Governing Utility Services and Streets. Again, I will defer final determination on this issue to the City Employees/Attorney for the final answer on the interpretation possible timelines and application of the requirements of R-08-22.

At this point my suggestion is work the easy sections forward and we will get clarifications on these outstanding points!

Forrest Sanderson, A.I.C.P. and C.F.M.



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From: Scott Aspenlieder <scott@performance-ec.com>
Sent: Friday, February 15, 2019 11:06 AM
To: Forrest Sanderson <Forrest.Sanderson@kljeng.com>
Cc: Craig Dalton <craig@performance-ec.com>
Subject: RE: Annexation Agreement - Major Components

Forrest

Couple things jump out to me at this point that need direct attention/clarification.

1. Dedicating the ROW for a connection from 8th through to Yard Office seems premature at this point. I'm concerned that we're only at the planning stages and not ready to commit what that connection would be. Seems like we can easily address that as part of the SIA when we go through subdivision. I just don't think we're ready for it right now and I don't want to do it based on a preliminary layout only to be asking the City to work with us to adjust it if the plan changes.
2. I assume we're only paying for improvements to our side of the roads adjacent to the development (8th/Eleanor Roosevelt and Yard Office) as is done in Billings. If the City has a different idea or thought on that we need to talk about it. Other communities/counties have gotten into significant legal trouble requiring off-site improvements that are neither adjacent to the subject development or are not identified by the traffic study (ie intersections). Just want to make sure we're all clear on that and off on the right foot. It wasn't terribly clear to us coming out of the Pre-App meeting what the City's expectations were.
3. Engineer's Estimate and bonding for improvements makes sense for the directly adjacent improvements identified in #2 above. I think that's what you were referring too but wanted to make sure all internal stuff was taken care of in the SIA of a subsequent development.
4. The existing house on Lot 18 can be hooked up to water fairly easily but a connection to sewer was assumed to be worked into the development of a subsequent subdivision. The existing house discharges out the back to the north with the drainfield in the back. Sewer service would be much easier to incorporate and manage to collection mains internal to a subdivision without tearing up 8th and searching for a sewer main in that area. If we hooked up to water within the two years after annexation and sewer when the main is installed to lots adjacent to that house internal to the subdivision is that doable. Sewer connection to existing collection south of 8th isn't a good or viable option I don't believe.

I'll start crafting the Annexation Agreement on the issues below if you can give me some feedback on the 4 points above that would be much appreciated. Thanks!

Thanks,

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From: Forrest Sanderson [<mailto:Forrest.Sanderson@kljeng.com>]
Sent: Friday, February 15, 2019 10:07 AM
To: Scott Aspenlieder <scott@performance-ec.com>
Subject: Annexation Agreement - Major Components
Importance: High

Scott:

Your team can use the following bullet points as a guide on the issues for the Annexation Agreement:

- ✓ Quiet the Title to the 30 feet of the property adjacent to Yard Office Road.
- ✓ Dedicate East 8th to the City of Laurel as Residential Collector (70') ROW.
- ✓ Dedicate Eleanor Roosevelt to the City of Laurel as Residential Collector (70') ROW (Where you can).
- ✓ Dedicate additional ROW for Yard Office (Where you can) to the City of Laurel as Commercial Collector (80') ROW.
- ✓ Dedicate additional ROW as Residential Collector (70') such that Eleanor Roosevelt/East 8th provides connectivity to Yard Office Road. This will be required with the first filing of subdivision so it is best to just do it now.
- ✓ Prepare a Final Annexation Exhibit showing:
 - All lands included in the annexation
 - All existing Rights-of-Way adjacent to or proposed to be dedicated to the City of Laurel as part of the annexation;
 - All Park lands or other public lands that will be included with the annexation.
- ✓ Provide an Engineers' Estimate of Cost for:
 - The cost of Engineering design of Water, Sewer, Street, Curb, Gutter, Sidewalks and a Bike Pedestrian path in all of the to be annexed ROW where the infrastructure does not meet the minimum standards of the Laurel Standards for Public Works Improvements, the MPWSS, and the Laurel Rules and Regulations Governing Utility Services and Streets.
 - The cost of Construction of the designed improvements, discussed above, to the Water, Sewer, Street, Curb, Gutter, Sidewalks and a Bike Pedestrian path where the infrastructure does not meet the minimum standards of the Laurel Standards for Public Works Improvements, the MPWSS, and the Laurel Rules and Regulations Governing Utility Services and Streets.
 - A performance bond or other security, consistent with the Laurel Subdivision Regulations (Title 16) at 125% of the Engineers Estimate of Probable Cost to complete the design and construction of the improvements discussed above. The Engineers Estimate of Probable Costs may be submitted to the Contract City Engineer for review and comment prior to acceptance and Final Annexation approval.
 - The executed security mechanism will be required at the time of application for Final Annexation.
- ✓ A signed and notarized acknowledgment by the Developer that is binding upon their heirs, successors and assigns that all required improvements to the off-site public improvements will be completed within two (2)

years of the approval of the Final Annexation or that the City of Laurel may utilize the performance bond or other acceptable securities to complete the improvements outlined above.

- ✓ The City agrees to assign Laurel RLMF and Laurel CC Zoning to the subject properties at the time of Final Annexation Approval in accordance with the petition of annexation and request of initial zoning as submitted by the Developer.
- ✓ That the Developer may apply for Preliminary Subdivision Plat approval during the term of the Annexation Agreement but that NO FINAL PLAT will be approved until such time that the City APPROVES the Final Annexation of the property. Final annexation will NOT occur until such time as the terms of the Annexation agreement have been met.
- ✓ The City of Laurel recognizes the significant costs associated with the improvements necessary to the existing Roads, Water, Sewer, Curb, and Gutter and will consider the creation of a 'Late Comers Agreement' to spread these costs to other benefited properties via the Subdivision processes should the Developer so desire and request.
- ✓ A revised Waiver of all right to protest, including judicial review the creation of any Special Improvements District. This waiver shall be deemed by the City to be a Covenant that runs with the land, the form of which must be approved by City Staff and the City Attorney.
- ✓ The City will assign the properties to be annexed to an Election Ward at the time of Final Annexation consistent with the Montana Code Annotated.
- ✓ At the time of Final Annexation Approval, the existing house on Lot-18 must:
 - Either be removed from the property; OR
 - Connected to the Laurel Water System in a manner consistent with the Laurel Standards for Public Works Improvements, the MPWSS, and the Laurel Rules and Regulations Governing Utility Services and Streets.
 - Connected to the Laurel Waste Water Collection and Treatment System in a manner consistent with the Laurel Standards for Public Works Improvements, the MPWSS, and the Laurel Rules and Regulations Governing Utility Services and Streets.
 - That any outstanding fees or assessments, including but not limited to System Development Fees, shall be paid to the City of Laurel.
- ✓ Should the property have water rights, irrigation or otherwise, that they will be 100% transferred to the City of Laurel at the time of Final Annexation Approval.
- ✓ That with the exception of the house on Lot-18, that the balance of the property will be served by the Laurel Solid Waste Services.

I hope that this list will give you the backbone of the agreement and I fully recognize that there may be other items that you may want to include in the agreement as you move forward.

The Council Schedule for the next month is:

2/19 Action
2/26 Work Session
3/5 Action
3/12 Work Session
3/19 Action

Given the time I would expect for you to complete the annexation agreement I submit that we are looking at the Work Session on March 12 and Action on 3/19. In order to make this schedule work, we would need your draft agreement for Staff and Legal review on or before 2/27. Just so you know, Kurt will be on vacation from 2/20 to 2/27 and his input will be crucial to the review and approval process.

If you have questions please feel free to give me a call!

Forrest Sanderson, A.I.C.P. and C.F.M.



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SUBDIVISION IMPROVEMENTS AGREEMENT
(Goldberg Sporting Estates Subdivision)
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(City of Laurel)

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SUBDIVISION IMPROVEMENTS AGREEMENT

Goldberg Sporting Estates Subdivision

THIS AGREEMENT is made and entered into this ____ day of _____, 20____, by and between *GOLDBERG INVESTMENTS, LLC* whose address for the purpose of this agreement is *P.O. Box 907, Laurel, MT 59044*, hereinafter referred to as “Subdivider,” and the **CITY OF LAUREL**, Montana, hereinafter referred to as “City.”

WITNESSETH:

WHEREAS, at a regular meeting conducted on ____ day of _____, 20____, the City Planning Board recommended conditional approval of a preliminary plat of *Goldberg Sporting Estates Subdivision*; and

WHEREAS, at a regular meeting conducted on ____ day of _____, 20____, the City Council conditionally approved a preliminary plat of *Goldberg Sporting Estates Subdivision*; and

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

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

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

I. VARIANCES

A. Variance 1 – Dated July 23, 2020 (Addressing Section 16.04.060.B.7 and 16.01.060.C.8 of the City of Laurel Subdivision Regulations)

B. Variance 2 – Dated July 23, 2020 (Addressing Section 16.04.060.B.8 of the City of Laurel Subdivision Regulations)

II. CONDITIONS THAT RUN WITH THE LAND

A. Lot owners will be required to construct that segment of the required sidewalk that fronts their property at the time of lot development.

- B.** Lot owners should be aware that this subdivision is being built near prime deer and antelope habitat and it is likely that homeowners will experience problems with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or a threat to public health and safety.
- C.** Lot owners should be aware that soil characteristics within the area of this subdivision, as described in the 1972 Yellowstone County Soil Survey, indicate that there could be potential limitations for proposed construction on the lots, which may require a geotechnical survey prior to construction. The developer has conducted a preliminary geotechnical investigation which can be used for informational purposes only, however, is not sufficient to build structures from. The City of Laurel has obtained a copy of this report and is available upon request.
- D.** No water rights have been transferred to the lot owners. Irrigation ditches that exist on the perimeter of this development are for the benefit of other properties. Perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners.
- E.** There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this Agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.
- F.** The Subdivider and subsequent contractors/builders acknowledge that a Stormwater Pollution and Prevention Plan (SWPPP) may be required to be filed with the City and the Montana Department of Environmental Quality (MDEQ). This SWPPP shall be adhered to during all phases of construction and shall be updated as required by MDEQ.
- G.** Culverts and associated drainage swales shall not be filled in or altered by the Subdivider or subsequent lot owners.

III. TRANSPORTATION

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

A. Streets

- a. Rights-of-way widths of 67 feet shall be dedicated for Kreighoff Loop, Blaser Blvd., and Benelli Blvd. These shall be public roads with a minimum width of 41 feet back-of-curb to back-of-curb.
- b. Right-of-way widths of 35 feet north from the centerline of East 8th Street and 40 feet west from the centerline of Yard Office Road shall be provided.
- c. A public access and utility easement width of 56 feet for a private road is provided for Perazzi Way off Yard Office Road. Perazzi Way shall be a private road with a minimum width of 41 feet wide back-of-curb to back-of-curb paved section.
- d. These internal access roads shall be built to grade with a satisfactory subbase, base course, curb and gutter and asphalt surface pursuant to site geotechnical recommendations and the City of Laurel Subdivision and Road Design Standards.

B. Sidewalks

- a. The Subdivider will install corner intersection handicap ramps and aprons at the time of construction of the internal roads.
- b. Individual lot owners will be responsible for the construction of the sidewalks within the public right-of-way adjacent to their lot at the time of lot development and shall be included in each building permit. Sidewalks shall be 5-foot wide with a 7-foot boulevard planting strip between the sidewalk and the curb for lots adjacent to Kreighoff Loop, Blaser Blvd, and Benelli Blvd.
- c. 5-foot curbwalk style sidewalks shall be constructed along Perazzi Way.
- d. Frontage improvements including curb, gutter and sidewalk along the north half of East 8th Street and stormwater facilities and sidewalk along the west half of Yard Office Road shall be provided by the Subdivider.

C. Street Lighting

- a. No street lighting is proposed for the internal roads within the development, however, street lighting is included in the waiver of right to protest.

D. Traffic Control Devices

- a. The Subdivider shall furnish and install street name signs for streets within the subdivision or located immediately adjacent thereto in accordance with the specifications of the City of Laurel Public Works and Fire Department.
- b. The Subdivider shall furnish and install all necessary traffic control devices in accordance with the Manual of Uniform Traffic Control Devices and approved by the City of Laurel Public Works Department.

E. Access

- a. Access to the subdivision is provided from East 8th Street and Yard Office Road.
- b. A 1-foot no access strip shall be provided along East 8th Street and Yard Office Road with openings at the locations shown on the plat.

F. Bike or Pedestrian Trail Plans

- a. The Laurel Bike Ped Plan (2003) indicates an off-street trail along Nutting Drain. An internal trail system through the Open Space or Trail Easements within the subdivision will be developed by the Subdivider as part of the subdivision improvements. The internal trail system will provide for connectivity to and throughout the interior area of the subdivision as well as connectivity from East 8th Street and Yard Office Road.
- b. The public internal trail system shall be maintained by the City and located within the Open Space area made available to the general public through a public access easement as indicated on the plat. No further easement is necessary for expansion of existing systems.

G. Public Transit

- a. No location for public transit connection will be provided within the development.

IV. EMERGENCY SERVICE

The Laurel Volunteer Fire Department (LVFD) currently provides fire protection services for the subdivision.

Construction of buildings made of combustible materials shall have adequate fire apparatus access road and water supply (fire hydrants) in place to allow for fire suppression requirements. Prior to the issuance of a building permit for construction using combustible materials (i.e. lumber, plywood, wood trusses, etc.), fire apparatus access roads and water supply requirements shall be provided in accordance with the International Fire Code.

At a minimum, the following is required:

- c. An unobstructed gravel road or gravel road base must be within 150 feet of the furthest portion of a building under construction as measured along the approved route.
- d. The access roads are required to support fire apparatus vehicle loading (40 tons) during all weather conditions and shall be a minimum of twenty (20) feet wide.
- e. An operational fire hydrant shall be located within 600 feet of the furthest portion of a residence under construction or within 400 feet of the furthest portion of a commercial building under construction as measured along the access roads to the site.
- f. The above requirements do not alter or effect the current minimum subdivision requirements for fire apparatus access and water supply.

V. STORM DRAINAGE

All drainage improvements shall comply with the Montana Standards for Subdivision Storm Water Drainage as outlined by the Montana Department of Environmental Quality (MDEQ), or its designee.

A Homeowners Associations (HOA) shall be responsible for the operation and maintenance of any detention facilities. Operation and maintenance requirements and HOA maintenance and fiscal responsibilities shall be outlined within the *Goldberg Sporting Estates Subdivision* Operation and Maintenance Manual.

VI. UTILITIES

The SIA does not constitute an approval for extension of or connection to water mains and sanitary sewers. The property owner shall make application for extension/connection of water mains and sanitary sewers to the Public Works Department. The extension/connection of/to water mains and sanitary sewers is subject to the approval of the applications and the conditions of approval. Applications shall be submitted for processing prior to the start of any construction and prior to review and approval of any project plans and specifications. The appropriate water and wastewater hookup fees in effect shall be submitted with the applications.

Fees shall be paid for the lots in each phase as applied for in the extension application and as per the first paragraph above. The Developer/Owner acknowledges that the subdivision shall be subject to the applicable System Development Fees in effect at the time new water and/or sanitary sewer service connections are made. The design/installation of sanitary sewers and appurtenances, and water mains and appurtenances (fire hydrants etc.) shall be in accordance with design standards, specifications, rules, regulations of and as approved by the City of Laurel Public Works Department, Fire Department, and the Montana Department of Environmental Quality.

A. Water

The subdivision water system will consist of 8-inch public water mains in Kreighoff Loop, Blaser Blvd, Benelli Blvd, and Perazzi Way. The 8-inch water mains will connect to the existing 8-inch water main located within East 8th Street and the 10-inch water main located within Yard Office Road.

Individual lot owners will be responsible for extending services to their properties/buildings at the time of development. Lot 1 of Block 4 is currently served by public water located in East 8th Street. Lot 2 of Block 4 will connect to the water main located in East 8th Street and will be constructed by the individual lot owner at the time of development.

B. Sanitary Sewer

The subdivision will be serviced by a public low-pressure sanitary sewer system which will collect sanitary waste from individual lots within the subdivision and convey the effluent to an existing sanitary sewer manhole south of East 8th Street in the alley between Locust Avenue and Mulberry Avenue. New sanitary sewer services will be installed to the public right-of-way boundary for all developable lots within the subdivision.

Individual lot owners will be responsible for extending these services to their properties/buildings and properly installing the pump system, as shown in the approved design drawings, at the time of development.

Maintenance or repairs to individual pumps shall be contracted through the Subdivision's HOA. Inspections of pump systems shall be conducted at a minimum every four (4) years through the HOA to ensure proper operation of the system.

C. Power, Telephone, Gas, and Cable Television

Power, natural gas, telephone, and cable will all be located within the right-of-way and utility easements as shown on the plat.

VII. PARKS/OPEN SPACE

The City of Laurel Subdivision Requirements require a minimum of 1.95 acres to be provided for the Goldberg Sporting Estates Subdivision (11% for <0.5 acre lots and 7.5% for 0.5-1.0 acre lots of Gross residentially zoned area less right-of-way). The subdivision will provide 0.87 acres of proposed publicly accessible Open Space (excludes area of stormwater detention ponds and existing County public parkland to the north of the development), with the remaining parkland dedication requirements fulfilled by way of cash-in-lieu based on fair market value of the land.

Maintenance of the Open Space and trails shall be through the formation, or expansion, of a Park Maintenance District.

VIII. IRRIGATION

The Nutting Drain Ditch is located along the north boundary of the subdivision. The ditch shall remain in place and shall not be altered by the Subdivider or subsequent owners.

No water rights are being transferred to future property owners within the subdivision.

IX. SOILS/GEOTECHNICAL STUDY

A soils/geotechnical study has been performed for this subdivision by Geoscience, PLLP dated July 26, 2018 and is available for review at the City of Laurel Planning Department.

The report identifies that the subsurface profile generally consists of fine-grained alluvial soils consisting clay with lesser silt and sand. Groundwater was encountered in test holes at depths ranging from 3 to 11 feet across the site. Fluctuating groundwater levels should be taken into consideration during design and construction of new structures.

Lot owners and contractors/builders are encouraged to review the full report and its recommendations. The geotechnical report is intended to be used for general site condition information but should not be construed as guidance for individual structure foundation or construction recommendations.

X. PHASING OF IMPROVEMENTS

There will be no phasing as part of this subdivision.

XI. FINANCIAL GUARANTEES

Except as otherwise provided, Subdivider shall install and construct said required improvements with cash or by utilizing the mechanics of a special improvement district or private contracts secured by letters of credit or a letter of commitment to lend funds from a commercial lender. All engineering and legal work in connection with such improvements shall be paid by the contracting parties pursuant to said special improvement district or private contract, and the improvements shall be installed as approved by the Public Works and Public Utilities Department.

XII. LEGAL PROVISIONS

A. Subdivider agrees to guarantee all public improvements for a period of one year from the date of final acceptance by the City of Laurel.

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

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

“SUBDIVIDER”

Goldberg Investments, LLC

By: _____

Title: _____

STATE OF MONTANA)

: ss

County of Yellowstone)

On this ____ day of _____, 20____, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the _____ of *Goldberg Investments, LLC*, who executed the foregoing instrument and acknowledged to me that he/she executed the same.

Notary Public in and for the State of Montana

Printed Name: _____

Residing at: _____

My commission expires: _____

Waiver of Right to Protest

FOR VALUABLE CONSIDERATION, the undersigned, being the Subdivider and all of the owners of the hereinafter described real property, do hereby waive the right to protest the formation of one or more Special Improvement Districts (SID's), which the City of Laurel may require for a period of twenty years from the date of this document's recording.

This Waiver and Agreement is independent from all other agreements and is supported by sufficient independent consideration to which the undersigned are parties, and shall run with the land and shall be binding upon the undersigned, their successors and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana.

The real property hereinabove mentioned is more particularly described as follows:

Goldberg Sporting Estates Subdivision

Signed and dated this ____ day of _____, 20__.

Subdivider/Owner

STATE OF MONTANA)
 : ss
County of Yellowstone)

On this ____ day of _____, 20__, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the _____ of *Goldberg Investments, LLC*, who executed the forgoing instrument and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

Notary Public in and for the State of Montana

Printed name: _____
Residing in Billings, Montana
My commission expires: _____

File Attachments for Item:

5. Growth Management Plan

CHAPTER 1: INTRODUCTION AND PURPOSE

Introduction

The Growth Management Policy is a guide for the development of the City of Laurel over the next five years. The purpose of this plan is to provide general guidelines to develop and maintain Laurel as a safe, livable, and economically viable community that residents, institutions, and businesses are proud to call home. This document presents information about the City, its residents, and the goals and objectives the City will work towards in the long term.

This document is focused on the City of Laurel and its surrounding zoning and planning jurisdictions. Laurel is at a crossroads both in place and time. It is located at a vital junction for agriculture, transportation, and industry that helped develop the area over the past 130 years. The timing of this policy update is also essential given a growing population, changing demographics, a fast-growing municipality nearby (Billings), and the need for updated regulations and policies to face 21st century technological, economic, and land use challenges.



Historical Context

The Crow was the principle Tribe in the Yellowstone Basin when European explorers first arrived. In July of 1806, Captain William Clark and his expedition floated down the Yellowstone River from current-day Livingston in crude canoes on their return journey. Clark and his expedition camped at the mouth of the Clark's Fork of the Yellowstone River near Laurel's present site and noted it as a possible location for a trading post. Chief Joseph led the Nez Perce over the Yellowstone River near Laurel during their retreat to Canada in 1877. Colonel Sam Sturgis and his cavalry caught up and battled the Tribe at Canyon Creek approximately six miles north of present-day Laurel. The Nez Perce escaped the cavalry and continued their flight to Canada after the battle. Laurel is located on both the Lewis & Clark and Nez Perce National Historic Trails that commemorate these events.

European settlement of the area began in 1879. The railroad reached Billings by 1882 and reached current-day Laurel by that fall. The City of Laurel, initially called Carlton, was established in 1882 along the newly laid railroad tracks. The western legend of "Calamity Jane" Canary was associated with Laurel in its early years after she came to Laurel in 1882 and had her dugout near the Canyon Creek Battleground.

Laurel's population and its economy boomed during the early years. By 1920, the population had reached 2,338 residents. The rail yards were a permanent fixture of the local economy and became a dependable employer due to the consistent demand for agricultural products nationwide. The three major industries which have played a significant role in the growth of the City have been agriculture, the railroad, and oil. Local farms near current-day Laurel were settled before any official town being established. Popular crops for area farmers and ranchers included alfalfa, grains, and sugar beets. This

agricultural production was a significant draw for the region outside of the rail yard's ability to ship goods. These farms were an essential driver of the local economy despite the railyard's outsized role as a shipping center.

The Northern Pacific, Great Northern, and Chicago, Burlington, and Quincy Railroads all made their junction in Laurel by 1906. The Northern Pacific was building terminal yards in 1907, which would eventually lead to Laurel being the largest terminal and classification station between St. Paul, Minnesota, Seattle, and Washington. The yards would eventually have a fifty-five-stall roundhouse, machine shop, ice-making plant, loading docks, water tank, and disinfecting plant. The yard is currently operated by Montana Rail Link, which is leased from the Burling Northern/Santa Fe Railroad. Laurel remains the largest rail yard between Minneapolis and Seattle.

The area was repeatedly drilled for oil exploration in the early 1920s. The Northwest Refining Company bought a site for a proposed 2,000-barrel refinery in 1922. In 1927, productive oil fields were discovered in the nearby Oregon Basin of Wyoming. The existing regional rail infrastructure made Laurel an ideal location for the refining and exporting crude oil from Wyoming and other regions. The refinery in Laurel has been operated by many companies, including the Independent Refining Company, Farmers Union Central Exchange, and now CHS Inc.

Purpose

The Growth Management Policy is a statement of the community goals and objectives that will guide the City's development. The policy is a comprehensive document covering many different study areas, including demographics, land use, infrastructure, public services, transportation, and housing. The purpose of this Growth Management Policy is to:

- ❖ Establish Community Goals and Objectives
- ❖ Present an updated profile of the community
- ❖ Provide projections for housing, natural resources, population, land use, and other subjects
- ❖ Ensure an orderly set of policy priorities for the expansion of the City
- ❖ Put forward an implementation guide for the established Goals and Objectives
- ❖ Act as a guide and resource for city staff and other local stakeholders

Community Vision

The Growth Management Policy allows local stakeholders to create a future vision for the Laurel community. A well-thought-out vision is important because it informs the structure and form of the document and influences the City's work long after it is published. This vision can involve where the City wants to grow, what types of business residents would like to see, priorities for project funding, and the quality of life residents would like to have. The Growth Management



Policy's goals, objectives, and recommendations for implementation are developed from this community vision. City staff worked with Planning Board members to develop a community vision for Laurel.

In the future, Laurel will have:

- ❖ A diverse array of residents, businesses, and institutions,
- ❖ Greater employment opportunities,
- ❖ Connected and accessible neighborhoods,
- ❖ A variety of housing options and levels of affordability,
- ❖ A thriving downtown and commercial district,
- ❖ Well-functioning public services and amenities,
- ❖ Clear and consistent regulations for development, and
- ❖ An engaged community.

Regulatory Requirements

The Growth Management Policy is a statutory necessity for local governments. Montana Code Annotated Title 76, Chapter 1, Part 6 provides the foundation for establishing a municipal growth policy. These statutes require certain general items to be included, but the direction, focus, and contents of the policy are the local governing body's responsibility. These statutes were established to enable local governments to proactively envision their future and implement change in a coordinated way.

CHAPTER 2: PUBLIC INVOLVEMENT

Overview

The update process for the 2020 Growth Management Policy began in November 2019 and continued through October of 2020. Much of the plan was developed in the spring and early summer of 2020. The Planning Department convened multiple meetings of the Planning Board to discuss and review draft chapters and information and reached out to local, county, and state officials for input.

The onset of the COVID-19 pandemic and subsequent shelter-in-place directives disrupted the Laurel City-County Planning Board's in-person meetings. The Planning Department continued to draft sections of the plan, meet with stakeholders virtually, and compile chapters despite this disruption.

Prior Efforts

Before this update, the most recently approved Growth Management Policy was completed and approved by Laurel City Council in December of 2013. Before adopting the 2013 Growth Management Policy, The City of Laurel had prepared and adopted a Growth Management Policy in 2004.

Outreach

Outreach efforts were made during the late winter and early spring of 2020. The City reached out to many local, regional, and state groups. These groups and organizations were identified as essential stakeholders in the development of the plan. Many groups were unable to comment due to the COVID-19 pandemic, which caused significant scheduling and contact issues. The chart below shows the groups that the City met with and those contacted but who did not follow-up or could not provide direct information due to the pandemic.

Laurel Growth Management Policy Update Outreach	
Groups with which Meetings were held	Groups Contacted
Laurel Urban Renewal Agency	Laurel Chamber of Commerce
Laurel School District	Big Sky Economic Development Authority
City of Laurel Public Works	Montana Department of Commerce
City of Laurel Fire Department	Yellowstone County Disaster & Emergency Services
City of Laurel Police Department	Yellowstone County GIS
Laurel Rotary Club	Montana Department of Justice
Yellowstone County Board of County Commissioners	
Yellowstone County Sheriff's Department	
Department of Natural Resources and Conservation	
Montana Department of Transportation (Billings District)	
Beartooth Resource Conservation & Development	
Montana Department of Environmental Quality	

Timeline of Meetings for the Growth Management Policy Update

The onset of the COVID-19 pandemic curtailed meetings of the Planning Board between March and June of 2020. Compiling the policy components and preparation of narrative portions continued during this time under the previously established schedule. The chart below shows the Planning Board and City Council meetings in which the Growth Management Policy Update was presented.

Laurel Growth Management Policy Update 2020 - Meeting Schedule			
Date	Purpose	Task	Outcome
December 11, 2019	Approve Schedule and Contacts	Initial Visioning Discussion	Invites to Agencies
January 8, 2020	Disc: Chapters 1&3	Introduction, Purpose and Common Goals	Work Session
February 12, 2020	Disc: Chapters 4&5	Community Profile, Employment Forecast	Work Session
February 26, 2020	Disc: Chapter 6	Land Use	Work Session
March 11, 2020	Disc: Chapter 7	Future Land use	Work Session
March 25, 2020	Disc: Chapter 8	Housing	Work Session
April 8, 2020	Disc: Chapter 9	Infrastructure	Work Session
April 22, 2020	Disc: Chapter 10	Transportation	Work Session
May 13, 2020	Disc: Chapter 11	Economic Development	Work Session
May 27, 2020	Disc: Chapters 12&13	Public Services, Facilities & Recreation Plan	Work Session
June 10, 2020	Disc: Chapters 3, 14, 15	Community Goals, Natl Resources & Implementation	Work Session
June 24, 2020	Review Document	Review Completed Chapters	Work Session
July 22, 2020	Planning Board Review	Chapters 3, 7, 7.5, 8, 9, 10, 11, 13	Work Session
August 19, 2020	Planning Board Review	Review Draft Document	Schedule Public Hearing
October 21, 2020	Planning Board Public Hearing	Full Document Review and Approval	Resolution of Adoption
November 3, 2020	City Council Discussion Session	Full Document (PB Approved)	Preliminary Presentation
November 17, 2020	City Council Workshop	Full Document (PB Approved)	City Council Review and Comments
November 24, 2020	City Council Public Hearing	Receive Public Comment, Approve Resolution of Adoption	Resolution of Adoption
December 24, 2020	Final Adoption	30 Day Comment Period	Adoption of Growth Management Policy

CHAPTER 3 – GOALS, OBJECTIVES, AND STRATEGIES

Overview

The community goals and objectives presented in this chapter were established to transform the community vision into a concrete reality. These goals, objectives, and strategies were developed through research, data collection, interviews, and public meetings that the City and the planning board conducted throughout the planning process.

These goals cover a wide range of topics, including Land Use, Transportation, Housing, Economic Development, Infrastructure, and more. This collection of community goals and objectives is meant to be exhaustive to provide the City, developers, residents, and business owners with comprehensive guidance to inform local efforts across different sectors, topics, and areas of influence.

Land Use Goals and Objectives

Land use policy is one of the most potent tools a city has. Zoning and subdivision codes influence growth patterns, infrastructure placement, road connectivity, and much more. The City of Laurel is focused on the effective use of land in and around the City. The City also plans to conserve open space and traditional land uses by focusing on smarter, denser development clustered along significant routes and commercial areas.

This plan's overall goals are to conserve open space while maximizing the areas currently in and directly adjacent to the City. Laurel's downtown and Southeast 4th Street rehabilitation are possible through a mix of infill development, mixed-use buildings, improved infrastructure, and updated façade and signage standards.

Goal 1: Conserve open space and traditional land uses

- ❖ Encourage cluster developments to incorporate open space into new developments
- ❖ Provide options for landowners for conserving portions of their land
- ❖ Study and Implement strategies to create an interconnected system of parks and greenways and open space that are accessible to area residents

Goal 2: Develop downtown Laurel into a vibrant place to live, work, and play

- ❖ Encourage mixed uses for living, working, and shopping local
- ❖ Identify priority parcels for infill development
- ❖ Implement Placemaking projects to create a more livable and enjoyable downtown
- ❖ Partner with local groups to support community businesses, events, and gatherings
- ❖ Connect with regional agencies to access project funding, receive technical support, and boost the visibility of Laurel development opportunities

Goal 3: Update Subdivision Code to meet the needs of Laurel and the surrounding area

- ❖ Provide clear and consistent standards
- ❖ Ensure the proper scale and scope of regulations
- ❖ Include trails, open space, and greenway considerations in parkland subdivision review
- ❖ Regularly review and update the Subdivision Code as needed to remain current

Goal 4: Update the Zoning Code to provide for greater flexibility of allowable uses, clearer requirements, and more efficient land use

- ❖ Study the inclusion of different types of housing within residential districts
- ❖ Update Overlay Districts, Parking Requirements, and the Sign Code to better fit the City's needs and character
- ❖ Allow mixed-use live/work opportunities in commercial areas
- ❖ Enable property owners to use their land more effectively and efficiently

Goal 5: Use long term planning documents to identify funding and address priority needs for infrastructure and development

- ❖ Establish an Annexation Plan to develop priority growth areas and strategies
- ❖ Develop a Capital Improvement Plan for vital infrastructure to support the City as it grows
- ❖ Prepare a Commercial and Industrial Development Study for land adjacent to major transportation routes in the Laurel area

Annexation Goals and Objectives

Municipalities need to seize growth opportunities. Having strategies to address challenges for developing a community and preparing priorities for expansion are vital activities. Two overarching goals have been designated to help the City of Laurel grow through annexation.

Goal 1: Adopt a long-range view for growth of the City

- ❖ Establish a growth-conscious set of policies to expand the City and its services
- ❖ Create priority growth areas for extension of services
- ❖ Develop and approve an Annexation Plan for the Laurel Planning Jurisdiction
- ❖ Support the creation of a long-term Capital Improvement Plan for the extension of essential infrastructure

Goal 3: Manage fiscal responsibility with established and proposed annexation standards

- ❖ Ensure that the established standards are right and proper for the City of Laurel
- ❖ Ease the burden for developers to annex into the City while meeting established standards
- ❖ Allow greater flexibility in development patterns
- ❖ Determine the cost and benefits of annexation

Housing Goals and Objectives

Housing is a necessity in any community. The goals presented below are a means to ensure that people can find affordable, accessible, comfortable, and attractive housing in the community. To date, Laurel has not struggled with significant housing affordability issues. One housing trend that Laurel might consider is the growing demand for closer-knit, denser, and connected neighborhoods near commercial areas. Many younger Americans have abandoned the traditional single-family home for other housing, including rowhouses, tiny homes, condominiums, and apartments. Many older Americans are also focusing on downsizing to housing that is more accessible to local services, including restaurants, medical services, and grocery stores.

Housing is closely connected with transportation and economic development. Updating the zoning code to allow a more comprehensive array of housing options such as tiny homes, accessory dwelling units, and multi-family housing is an important goal. This update will ensure that currently developed parcels and vacant parcels within the City can be developed with more options for prospective buyers or renters. It is also crucial for Laurel to have standards and code that allow for the efficient use of space already within the City while enabling the effective use of land in the surrounding area.

Goal 1: Encourage a mixture of housing types to meet the demand of all market sectors

- ❖ Maintain a diverse array of housing and affordability levels
- ❖ Promote higher density housing types in the downtown area and adjacent to major transportation corridors
- ❖ Study mixed-use housing and other alternative housing types and styles
- ❖ Provide options for a full spectrum of housing from rentals to retirement housing

Goal 2: Provide information on housing-related grants, loans, and ownership programs

- ❖ Develop a list of resources for renters and homeowners
- ❖ Collect information on federal, state, local, and philanthropic rental and homeownership programs
- ❖ Advise Laurel area residents as to available support for housing, rent, and homeownership

Infrastructure Goals and Objectives

Infrastructure is the foundation of the community. It will be vital for the City to utilize long-range planning to establish infrastructure standards, map current infrastructure facilities, and identify infrastructure development costs for necessary and prospective projects.

The drafting of planning documents, including master plans and preliminary engineering reports (PERs) relating to the Laurel water system, wastewater system, and stormwater system, is critical to ensure orderly and effective growth of the City. A Capital Improvement Plan (CIP) is another vital infrastructure planning document that should be completed. Plans and engineering reports should provide useable data, allow for inclusion in grant applications, and present direct insight into necessary current and future projects.

Goal 1: Maintain an Effective and Efficient Public Infrastructure System that Adequately Serves the Needs of the City

- ❖ Develop a data-driven infrastructure maintenance schedule
- ❖ Determine any existing gaps in services and other infrastructure deficiencies within the City
- ❖ Adopt up-to-date infrastructure standards that are appropriate for the needs of the City
- ❖ Study using public spaces within floodplains, watercourses, and wetlands to be used as passive recreation areas such as parks and greenways
- ❖ Study the feasibility of recycling programs and other means to reduce solid waste
- ❖ Incorporate stormwater system planning into roadway and other infrastructure planning processes

Goal 2: Establish the Long-Term Capital and Infrastructure Needs for the City

- ❖ Develop a Capital Improvement Plan for the improvement and expansion of infrastructure
- ❖ Prepare a Water System Master Plan
- ❖ Create a Wastewater System Master Plan
- ❖ Complete a Stormwater Management Plan
- ❖ Ensure infrastructure planning documents are routinely updated.
- ❖ Confirm that the established infrastructure priorities are adequate

Goal 3: Seek out Possible Funding Sources for the Expansion and Improvement of Infrastructure and Essential Community Services

- ❖ Study the physical and financial needs for the extension of infrastructure to priority growth areas.
- ❖ Collaborate with Montana agencies on major projects and studies
- ❖ Explore federal, state, and philanthropic infrastructure grant opportunities
- ❖ Determine positive impacts from the expansion and improvement of infrastructure
- ❖ Apply for funding opportunities that are appropriate for city priorities and projects and assist in keeping user fees reasonable

Transportation Goals and Objectives

The transportation network brings people together. This network is a patchwork of streets, roads, sidewalks, bike paths, trails, and rail. It is crucial to couple transportation development with land use. To this end, a goal is the development of a more multi-modal approach to streets and pathways. Implementing bicycle and pedestrian improvements such as bike lanes, greenways, improved signage, and sidewalk improvements is critical. Furthermore, traffic and speed data should be studied on significant routes to determine street safety and determine possible resolutions to improve motorized and non-motorized traveler safety. Laurel seeks to make neighborhoods and commercial areas more accessible and connected by improving pedestrian facilities, including sidewalks, accessible curb cuts, signage, and road markings. Establishing a road network master plan is also vital to create a concrete plan for street expansion and continuity to support orderly and consistent growth patterns.

These transportation goals are a way to increase the quality of life, connect people to their community, increase safety, and plan for current trends and future growth. There are three overarching transportation goals, including objectives and strategies.

Goal 1: Preserve, Maintain, and Improve the existing transportation system

- ❖ Update the Long-Range Transportation Plan (LRTP)
- ❖ Establish a systematic approach for the maintenance and repair of the road network.
- ❖ Develop a Capital Improvement Plan to identify and prioritize significant transportation projects
- ❖ Establish a road network master plan to ensure street continuity, traffic flow, and neighborhood connectivity,
- ❖ Promote fiscal responsibility and high return on investment
- ❖ Coordinate roadway improvement projects to coincide with underground infrastructure improvements

Goal 2: Improve Mobility, Safety, and Accessibility for all users and modes of travel

- ❖ Implement bicycle and pedestrian improvements and traffic calming measures to transform the downtown area into a pedestrian-friendly place
- ❖ Create a looping bicycle/pedestrian trail and street system that connects different areas of Laurel
- ❖ Adopt pedestrian and multi-modal friendly transportation standards and safety measures
- ❖ Explore options to improve and expand the Laurel Transit program and strategies to create other multi-modal transportation connections.
- ❖ Partner with local, regional, and statewide groups to further integrate Laurel into the more comprehensive passenger transportation network

Goal 3: Connect Transportation Decisions with Land Use Decisions

- ❖ Integrate land-use planning and transportation planning to manage better and develop the transportation network.
- ❖ Utilize transportation projects to encourage intensive development patterns along significant routes and existing areas of the City.
- ❖ Adopt and implement consistent system policies and maintenance standards
- ❖ Ensure the development of a sustainable transportation system that minimizes environmental impacts

Economic Development Goals and Objectives

The Laurel economy has changed dramatically in the past few decades. The emergence of online retail has shifted the focus away from traditional brick and mortar downtowns businesses to easy to use and seemingly more convenient online or delivery options. Recently, small towns and cities across the country are finding that thoughtful economic development and land use planning can rehabilitate their downtowns and neighborhoods to reverse some of the losses related to the emergence of online retail.

The City has established focus areas for economic development. These areas include Laurel's traditional downtown core, the Southeast 4th St. Commercial district, the 1st Avenue Corridor, and Old Route 10 running west from the City. This chapter's primary focus is to establish a smarter, more sustainable development that adds character and connectivity to commercial areas. Commercial areas of Laurel should be attractive places to visit. Placemaking and beautification projects are useful to encourage residents and visitors to explore different areas of the City. Increasing walkability and mixed-use development can also create better housing and commercial opportunities.

The goals presented below are an effort to increase the attractiveness, usefulness, and quality of the community's commercial and economic sectors. The expansion brings new opportunities, and the area near the West Laurel Interchange has significant growth potential. This area could become a central area for the Laurel community's growth and development through the effective use of placemaking strategies, smart growth concepts, and cohesive zoning and development standards. Four main goals with related objectives have been established related to Economic Development as follows:

Goal 1: Develop downtown Laurel as a destination to live, work, and play

- ❖ Institute placemaking projects to further enhance district character
- ❖ Increase live-work opportunities for current and future residents and businesses
- ❖ Apply Tax Increment Financing (TIF) funding to beautification, blight removal, and public improvement projects

- ❖ Identify and find solutions for unused or underused parcels as candidates for development

Goal 2: Create a resilient local economy

- ❖ Strengthen core businesses and industries through communication and connections with technical support
- ❖ Ensure that local economic activities are inclusive and accessible to all stakeholders
- ❖ Implement policies that create stable and sustainable economic growth
- ❖ Work to highlight the shared benefits of working together as a community with local businesses stakeholders, and developers
- ❖ Provide an economic ecosystem that allows for a wide array of businesses, industries, and developments to thrive
- ❖ Study and implement policies to enhance local business demand and alternative strategies for value creation for the community

Goal 3: Collaborate with area organizations to support economic growth and local employment and training opportunities

- ❖ Communicate with local groups to determine any needs and assistance
- ❖ Create partnerships with local and regional groups to fill local service gaps and create needed programming
- ❖ Take part in events and workshops to support local business initiatives and activities
- ❖ Establish common ground with local and regional groups to provide resources and assistance
- ❖ Connect residents and businesses with like-minded economic, financial, and entrepreneurship resources and opportunities

Goal 4: Study options for new commercial and industrial properties in anticipated high growth areas

- ❖ Create a Corridor Master Plan for growth in and around the intersection with Old Route 10 and the West Laurel Interchange
- ❖ Study options and determine priorities for the possible establishment of Tax Increment Financing Districts (TIFs) and Targeted Economic Development Districts (TEDDs)
- ❖ Review and pursue opportunities for clustered commercial or industrial parks
- ❖ Develop funding strategies to provide services for priority growth areas.

Public Facilities and Services Objectives, Policies and Strategies

Effective and efficient public services are a significant draw for prospective residents, developers, and businesses. Above all, public facilities and services must be accessible, useful, and dependable for everyone residing, working, and visiting the City. Laurel should identify current gaps and determine the projected needs of public facilities as the City grows. It is crucial to work with public stakeholders and departments to include the whole population. Providing consistent and stable service delivery is essential.

Goal 1: Provide consistent and high-quality public services to the community

- ❖ Develop standard operating procedures to ensure consistency for city departments
- ❖ Develop maintenance procedures for parks, facilities, and public areas.
- ❖ Study current facilities and services to identify gaps and determine projected needs in services

Goal 2: Respond to the changing nature of the community

- ❖ Plan for the expansion of public facilities in priority growth areas
- ❖ Invest in public facilities that are accessible to everyone in the community
- ❖ Study how to improve city services to boost the quality of life for residents, businesses, and institutions

Goal 3: Work with city departments and local stakeholders to determine the priority expansion of public facilities and services

- ❖ Open lines of communication between city departments and local stakeholders to gather input on major projects
- ❖ Consider the public service requirements of large-scale projects before their approval and implementation
- ❖ Develop plans for the expansion of Fire, Police, and EMS facilities

Recreation Objectives, Policies, and Strategies

The wide array of Laurel city parks is a great asset to residents. It is the goal to ensure that current and future city parkland is an essential amenity. Parks should be developed and improved to act as neighborhood focal points. Many of Laurel's parks are very small, with some located in less than optimal locations. It is a goal to ensure that parkland is a useable and enjoyable amenity for residents. The City should study underutilized or burdensome parkland parcels and consider re-use scenarios.

Historical Riverside Park has been a staple of the community for almost one hundred years. The Riverside Park Master Plan was developed in 2018 to provide a blueprint for improvements and the park's use. It will be essential to continue the ongoing improvement efforts and develop policies to attract visitors. Riverside Park should be maintained as a historical, recreational, and economic asset in the future.

Goal 1: Develop parkland as an essential and enjoyable amenity for residents

- ❖ Ensure new developments have appropriate park space for recreation and general use
- ❖ Study how existing parks can be improved through new facilities, changed layouts, or additions
- ❖ Review current park infrastructure and determine if improvements are necessary to serve the needs of the surrounding area better

Goal 2: Promote Riverside Park as a vital historic, civic, and recreation resource for residents and visitors

- ❖ Adhere to the projects and strategies presented in the 2018 Riverside Park Master Plan
- ❖ Seek grant funding for structural and site improvements
- ❖ Develop historic markers for Riverside Park and its historic structures
- ❖ Study options for connecting Riverside Park to the city proper through infrastructure improvements, civic engagement, or other means
- ❖ Establish signage and marketing for the assets and resources of Riverside Park to area residents and visitors

Goal 3: Create an interconnected system of parks, greenspace, and trails that are accessible to all

- ❖ Create a city-wide Park System Master Plan to develop project priorities
- ❖ Consider the creation of a City Parks Department to oversee park operations and maintenance
- ❖ Identify unused land that can be transformed into green space or trails for use by the public
- ❖ Update the zoning and development codes to encourage the creation of bicycle and pedestrian trail corridors

Natural Resource Goals and Objectives

The Laurel planning jurisdiction contains a variety of terrain types and environments. The natural environment should be preserved and enhanced to balance environmental sustainability with economic growth, recreational opportunities, and development. Natural resources and the natural environment can be managed with growth activities to provide social, economic, and community benefits to people over time while continuing their natural functions. The natural resource goals and objectives have been developed with this balance of activities in mind.

Goal 1: Protect Laurel's natural resources and traditional environment

- ❖ Provide options for landowners for conserving portions of their land while developing others
- ❖ Achieve a balanced pattern of growth to ensure environmental concerns are considered during the development
- ❖ Manage the local water resources as a healthy, integrated system that provides long-term benefits from enhanced environmental quality

Goal 2: Incorporate sustainable development patterns in the Laurel subdivision and land use codes

- ❖ Review and update existing zoning and subdivision regulations to ensure environmental preservation and conservation are addressed
- ❖ Review and update landscaping ordinances as needed to best suit Laurel's natural environment
- ❖ Manage rivers, floodplains, wetlands, and other water resources for multiple uses, including flood and erosion protection, wildlife habitat, recreational use, open space, and water supply

Goal 3: Connect with local, regional, and state agencies and stakeholders to improve the natural environment in and around Laurel

- ❖ Sponsor environmental cleanup and rehabilitation programs that include the City, school district, community organizations, and residents
- ❖ Participate in regional watershed studies to achieve adequate long-term flood protection
- ❖ Explore the possibility of creating a conservation corridor along the Yellowstone River

Intergovernmental Coordination Goals and Objectives

Intergovernmental coordination and collaboration are essential to ensure that the City of Laurel can sustainably develop, seize growth opportunities, and improve residents, visitors, and businesses' quality of life. Consistent intergovernmental coordination will allow Laurel to be a partner and participant rather than a bystander in regional growth.

It will be necessary for the City to regularly communicate with local, county, and state partners to seize grant and development opportunities, provide the Laurel perspective, and connect local groups to those in the broader region. It is envisioned that the City will help direct residents, businesses, developers, and groups to helpful county, state, federal and institutional resources and supports.

Goal 1: Establish lines of communication with local, county, and state partners

- ❖ Create an accurate directory of government representatives and staff
- ❖ Update governmental stakeholders regarding ongoing projects and work in the Laurel area
- ❖ Develop working relationships with legislators, staff, and stakeholders at different levels of government

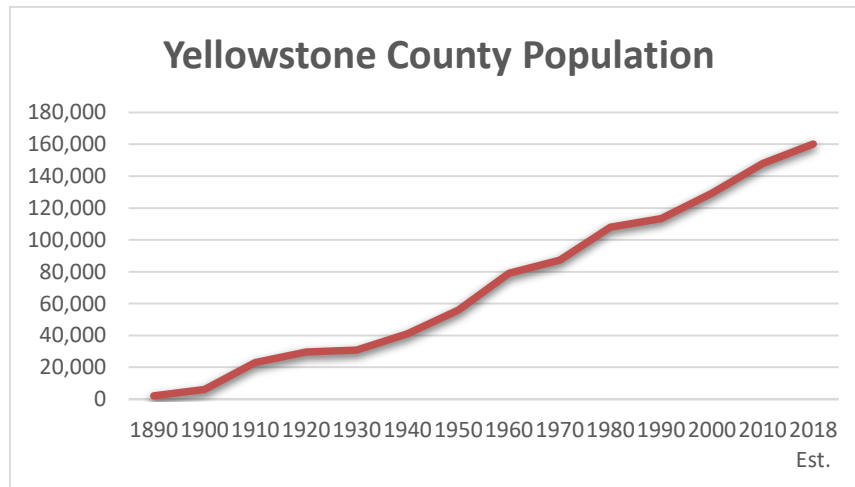
Goal 2: Coordinate with local and regional institutions to support and grow the Laurel community

- ❖ Work with economic development groups to seize opportunities for business growth
- ❖ Connect area businesses with institutions and governmental groups that can support their mission
- ❖ Communicate with area legislators to provide information on growth patterns and development in the Laurel area.
- ❖ Maintain open communications with state agencies and the Board of County Commissioners to confirm compliance with statewide codes and operational needs.

CHAPTER 4: COMMUNITY PROFILE

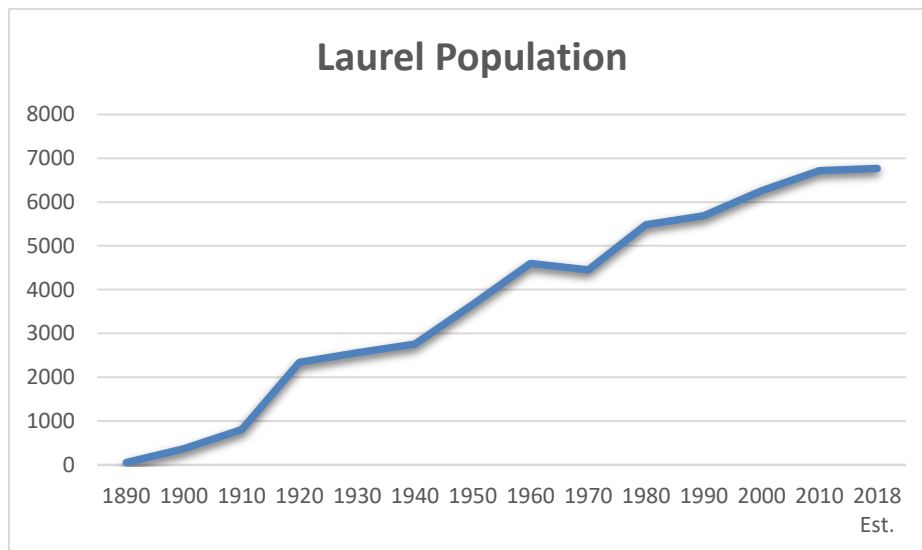
Population Trends

The City of Laurel was incorporated in 1908. The population of Laurel grew steadily after the early boom years of railroad and oil development. The nearby City of Billings has also contributed to the overall growth and development in Yellowstone County in the past few decades, with Laurel playing a somewhat lesser role. City staff anticipates a continuation of steady growth despite certain developments that may impact this, such as establishing the West Laurel Interchange for interstate I-90.



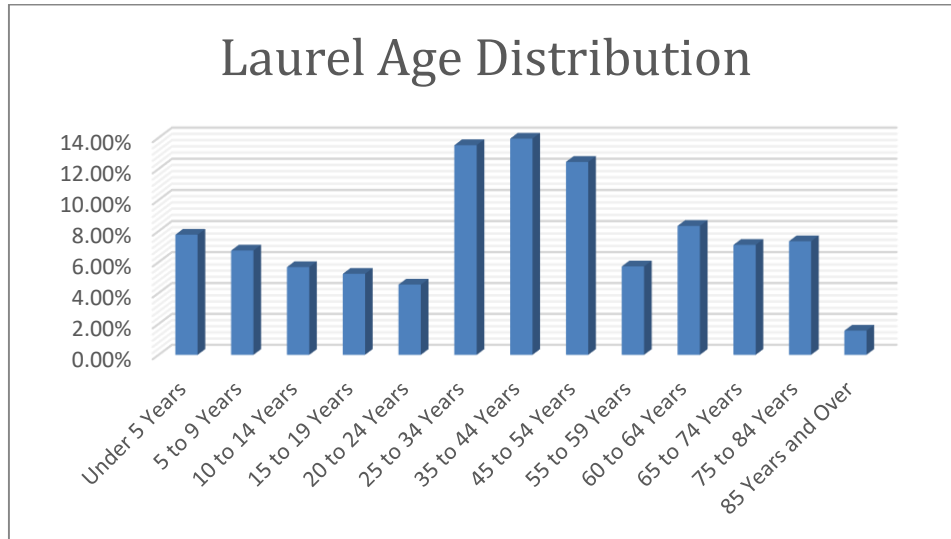
U.S. Decennial Census, 2013-2017 American Community Survey 5-Year Estimates

Laurel has grown slowly over the past forty years. It is anticipated that Laurel will reach a population of 7,000 after the 2020 U.S. Census is completed.



U.S. Decennial Census, 2013-2017 American Community Survey 5-Year Estimates

Residents of Laurel tend to be older. The chart below shows that most residents are above 25, with almost 40 percent of the population between the ages of twenty-five and fifty-nine.



2013-2017 American Community Survey 5-Year Estimates

Ethnic Characteristics

The charts below provide a summary of the ethnic makeup of the City of Laurel. The current Census estimates indicate that Laurel is not a very diverse community. The lowest estimate for white/Caucasian residents is 95.11 percent, which is displayed in the “Hispanic or Latino and Race” Chart below.

Race	Estimate	Percent
Total Population	6,885	100.00%
White	6,775	98.40%
Black or African American	11	0.16%
American Indian and Alaska Naïve	192	2.79%
Asian	0	0.00%
Native Hawaiian and Other Pacific Islander	0	0.00%
Some Other Race	16	0.23%
2013-2017 American Community Survey 5-Year Estimates		

Hispanic or Latino and Race	Estimate	Percent
Total Population	6,885	100.00%
Hispanic or Latino (of any race)	178	2.59%
Mexican	101	1.47%
Other Hispanic or Latino	77	1.12%
Not Hispanic or Latino	6,707	97.41%
2013-2017 American Community Survey 5-Year Estimates		

Households and Families

There are an estimated 2,882 households and 1,907 families in the City of Laurel. Households in Laurel have a median household income of \$50,778, while Laurel families have an estimated median income of \$68,575. An estimated 9 percent of Laurel residents are below the poverty level compared with 5.5 percent of families. It is forecasted that Laurel’s overall population will increase by 1.3 percent between 2019 and 2024, with an increase in total households of 1.1 percent and families of 8.6 percent.

Education

Laurel is a well-educated community. 94.07 percent of the population over the age of 25 has attained a high school diploma, with 51.21 percent having at least completed some college or an associate degree program. Laurel spends less per student than the United States average but maintains a more positive student per librarian and student per counselor ratio.

Education	Laurel, MT	United States
Expenditures Per Student	8,629.00	12,383.00
Educational Expenditures Per Student	7,897.00	10,574.00
Instructional Expenditures per Student	5,080.00	6,428.00
Pupil/Student Ratio	15.87*	16.80
Students per Librarian	464.70	538.10
Students per Counselor	348.50	403.20

Education in Laurel, Montana. Bestplaces.net. Accessed 2/3/2020.

*Figure 25: Student to Teacher Ratios (2013), Towncharts.com

Work Commute

Seventy-nine percent of Laurel residents commute to work alone in a car, truck, or van. This percentage is slightly higher than the national average of 76.4 percent. Laurel does have a higher than average carpool rate, with 13.66 percent versus the national average of 9.2 percent, according to the American Community Survey. Laurel residents travel an average of 21.5 minutes to work, which can be partially attributed to the fact that several Laurel residents travel to the nearby city of Billings for employment purposes. (Billings is approximately 17 miles away).

Commuting to Work	Estimate	Percent
Workers 16 Years and Over	3,528	100.00%
Car, Truck, or Van - Drove Alone	2,787	79.00%
Car, Truck, or Van - Carpooled	482	13.66%
Public Transportation (excluding Taxicab)	22	0.62%
Walked	82	2.32%
Other Means	15	0.43%
Worked at home	140	3.97%
Mean travel time to work (minutes)	21.50	
2013-2017 American Community Survey 5-Year Estimates		

CHAPTER 5: EMPLOYMENT AND POPULATION FORECASTS

A diverse mix of businesses helps a city thrive and allows residents to live, work, and play in their communities. A diverse array of businesses also keeps a community more resilient in the case of economic downturns. Laurel has been blessed with two long-term stable employers; the Montana Rail Link railyard and CHS Refinery. These two institutions are well established and are not anticipated to disappear. The City of Laurel hopes to diversify the local economy further and attract various businesses and related employment. The growth policy focuses on revitalizing Laurel’s downtown businesses, assessing how zoning can be updated to meet the needs of businesses and employees better, and connecting Laurel neighborhoods with the existing business communities to help increase traffic to existing establishments.

Employment Forecasts

66.92 percent of the estimated 5,362 residents of Laurel aged 16 years and over are in the labor force. Only 2.69 percent are unemployed, and 30.40 percent are not in the labor force, according to the 2017 U.S. Census estimates. The unemployment rate has remained steady, with the current rate at approximately 2.5 percent. Laurel also has a balanced split of occupations, with no general sector having more than 16 percent of the total labor pool. This type of mix of industries and employment is suitable for a community as it helps to insulate it from major economic shifts.

Industry	Estimate	Percent
Total Civilian Employed Population 16 years and over	3,588	100.00%
Agriculture, Forestry, Fishing and Hunting, and Mining	153	4.26%
Construction	262	7.30%
Manufacturing	315	8.78%
Wholesale Trade	157	4.38%
Retail Trade	603	16.81%
Transportation and Warehousing, and Utilities	206	5.74%
Information	66	1.84%
Finance and Insurance, and Real estate and rental and leasing	208	5.80%
Professional, Scientific, and Management, and Administrative and waste management services	299	8.33%
Education Services, and Healthcare and Social Assistance	533	14.86%
Arts, Entertainment, and Recreation, and Accommodation and Food Services	493	13.74%
Other Services, except public administration	233	6.49%
Public Administration	60	1.67%
2013-2017 American Community Survey 5-Year Estimates		

Housing

Housing is a critical asset to a community. Maintaining a mix of affordable housing is essential to attracting a diverse array of people to the community. Housing provides shelter and provides character to a community by way of how it is designed, situated, and utilized. The charts below provide an overview of housing in Laurel. Laurel has a low housing vacancy rate and many owner-occupied units.

Housing Occupancy	Estimate	Percent
Total housing units	2,992	100%
Occupied housing units	2,882	96.30%
Vacant housing units	110	3.70%
2013-2017 American Community Survey 5-Year Estimates		

Sixty-seven percent of all houses in Laurel are owner-occupied. This information means that people have invested their time, money, and effort into the Laurel community because they live here full-time.

Housing Tenure	Estimate	Percent
Occupied Housing Units	2,882	100.00%
Owner-Occupied	1,931	67.00%
Renter-Occupied	951	33.00%
2013-2017 American Community Survey 5-Year Estimates		

Affordable rents enable a wide array of people to live in the community. Seventy percent of renters in Laurel pay 35 percent or less of their income toward their monthly rent. This percentage is positive because it allows more money to be utilized for other consumer purposes, such as restaurants, shopping, and other services.

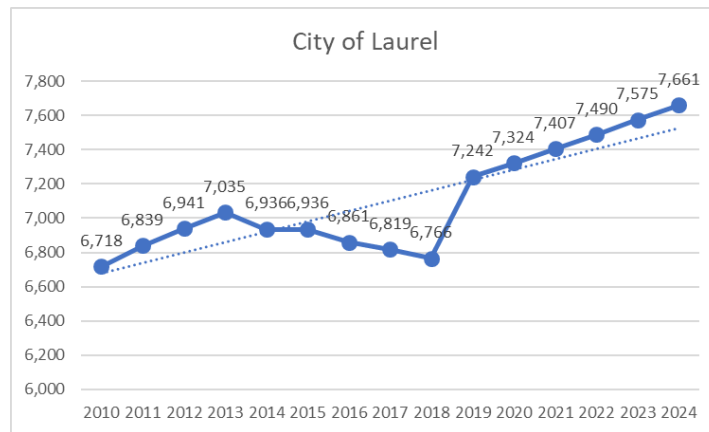
Gross Rent as a Percentage of Household Income	Estimate	Percent
Occupied units paying rent	898	100.00%
Less than 15.0 percent	115	12.81%
15.0 to 19.9 percent	183	20.38%
20.0 to 24.9 percent	52	5.79%
25.0 to 29.9 percent	161	17.93%
30.0 to 34.9 percent	121	13.47%
35.0 percent or more	266	29.62%
2013-2017 American Community Survey 5-Year Estimates		

Seventy-eight percent of houses in Laurel are worth between \$100,000 and \$300,000. The median household value is \$169,900. This data is very positive as affordable houses and rents allow a more diverse array of people to become homeowners and put long-term roots into the community.

Housing Value	Estimate	Percent
Owner-Occupied Units	1,931	100.00%
Less than \$50,000	203	10.51%
\$50,000 to \$99,999	155	8.03%
\$100,000 to 149,999	377	19.52%
\$150,000 to \$199,999	592	30.66%
\$200,000 to \$299,999	554	28.69%
\$300,000 to \$499,999	50	2.59%
\$500,000 to \$999,999	0	0.00%
\$1,000,000 or More	0	0.00%
Median (In Dollars)	\$ 165,900	
2013-2017 American Community Survey 5-Year Estimates		

Population Forecasts

Laurel saw a dip in population between 2013 and 2018 (from 7,035 to 6,766). This trend was reversed in 2019, with an increase in population to 7,242 residents. It is anticipated that Laurel will grow at a steady rate over at least the next five years. This assumption considers the community’s proximity to the City of Billings and the ability to attract businesses, residents, and commuters that support the Billings and Yellowstone County economy.



Growth Rate	2010-2019	2019-2024
Population	0.880%	1.30%
Households	0.840%	1.10%
Families	0.580%	8.60%
Median Household Income	X	1.68%
Per Capita Income	X	2.44%

CHAPTER 6: Land Use

Overview

Laurel is in South Central Montana, 16 miles west of Billings, the largest City in Montana. Laurel is located along major transportation routes, including Interstate I-90, Route 212, and Old Route 10. Laurel is located 223 miles east of Helena, the state capital, seventy miles from the northeast entrance of Yellowstone National Park, 80 miles from the Little Big Horn Battlefield National Monument, and 137 miles from Bozeman.

Laurel is located on the western boundary of Yellowstone County. This area has seen significant development with the City of Billings' continued growth, but the surrounding region remains sparsely populated and remains mostly prairie, rangeland, and farmland.

Trends

The City of Laurel has developed slowly in the past few decades. The development has focused itself north and west of the City. There are also many vacant and underused parcels within the City itself. The area adjacent to Interstate I-90 is mostly commercial and industrial. This similar land use is seen along Old Route 10 to the west of the City.

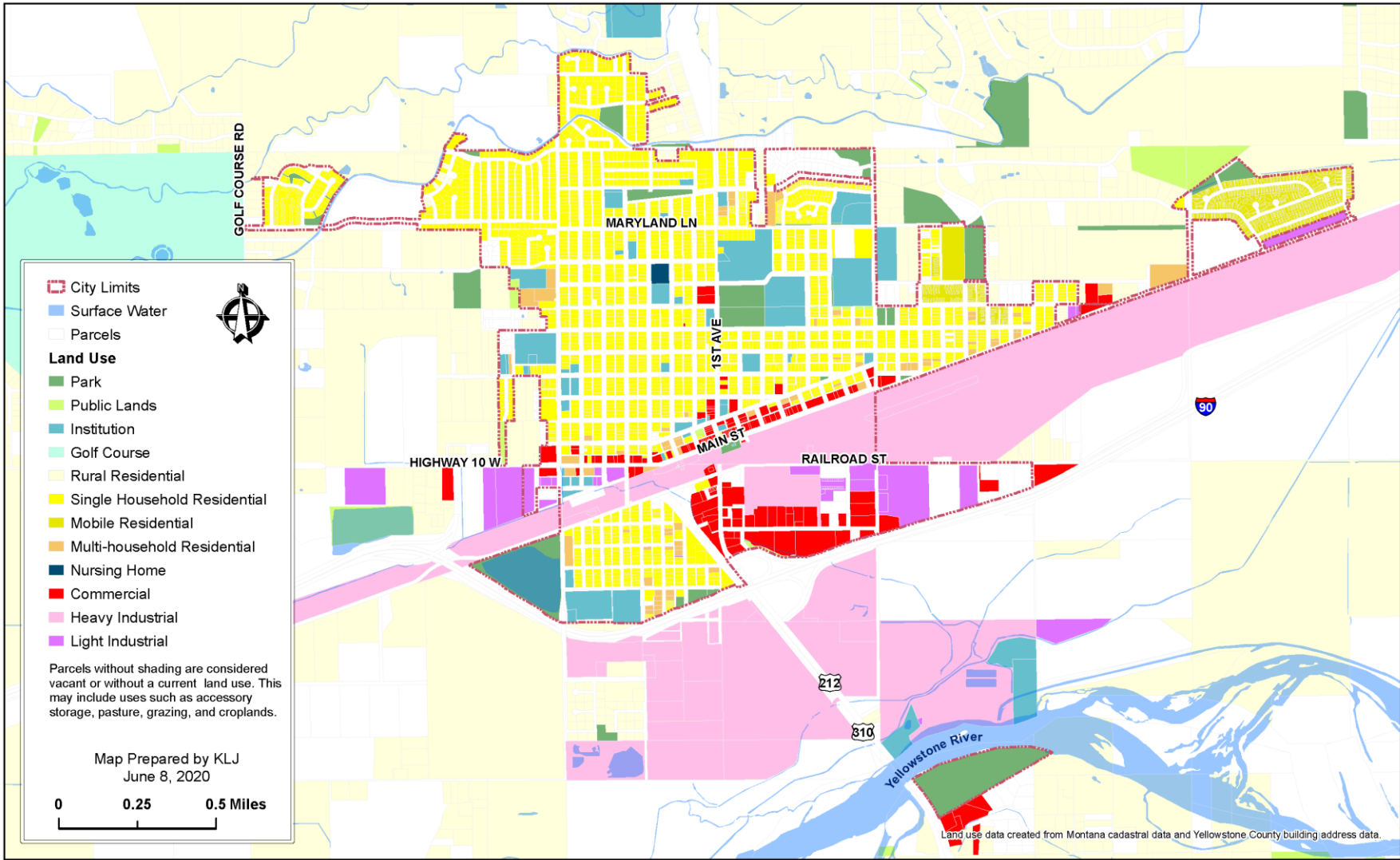
Existing Land Uses

The City of Laurel has a variety of established zoning districts. These districts cover a wide range of uses and purposes. The districts and their official definitions can be found below.

- Agricultural-open space (AO) zone - The agricultural-open space zone is intended to preserve land for agricultural and related use. Land within this zone is usually un-subdivided and contains a minimum of roads, streets, and other utilities. It may be cultivated acreage or land less suitable for cultivation, yet suitable for various agricultural enterprises using the broadest scope of the agricultural definition. Land within this zone may be located adjacent to highways and arterial streets. The AO zone is further intended to discourage the scattered intrusion of uses not compatible with an agricultural rural environment.
- Suburban residential (SR) zone - This zone is limited to single-family residential tracts on a minimum of five acres of land and on which agricultural uses may be conducted with the exception that animal units shall not exceed ten per five acres.
- Residential tracts (RT) zone - This zone is designed for single-family residential homes on a minimum of one acre of land. Livestock is limited to two livestock units per acre with additional units allowed per additional half-acre increments in conformance with Section 17.08.651 of this code. No livestock is allowed in the city limits, and all livestock must be removed if/when annexation occurs.
- Residential estates-22,000 (RE-22,000) zone - This zone is intended to provide of low-density, single-family, residential development in areas near or adjacent to the City that are served by either central water or sewer systems.

- Residential-7500 (R-7500) zone – This zone is intended to provide an area for medium, urban-density, single-family, residential environment on lots that are served by a public sewer and sewer system.
- Residential-6000 (R-6000) zone – This zone is intended to promote an area for a high, urban-density, duplex residential environment on lots that are usually served by a public water and sewer system.
- Residential light multifamily (RLMF) zone – This zone is intended to provide a suitable residential environment for medium density (up to a fourplex) residential dwellings. The area is usually served by a public water and sewer system.
- Residential multifamily (RMF) zone - The RMF zone is intended to provide a suitable residential environment for medium to high density residential dwellings; and to establish, where possible, a buffer between residential and commercial zones.
- Residential manufactured home (RMH) zone - The RMH zone is intended to provide a suitable residential environment for individual manufactured homes, manufactured home parks, and competitive accessory uses.
- Planned unit development (PUD) zone – This zone is intended to provide a district in which the use of the land is for the development of residential and commercial purposes, as an integrated unit.
- Residential professional (RP) zone - This zone is intended to permit professional and semiprofessional uses compatible with surrounding residential development.
- Neighborhood commercial (NC) zone - The NC zone is intended to accommodate shopping facilities consisting of convenience retail and personal service establishments which secure their principal trade by supplying the daily needs of the population residing within a one-half mile radius of such neighborhood facilities. The location and quantity of land within the NC zone should be a business island not more than four acres in size and that no business frontage should extend more than six hundred feet along any street.
- Central business district (CBD) classification - The CBD classification 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.
- Community commercial (CC) classification - The CC classification is primarily to accommodate community retail, service and office facilities offering a greater variety than would normally be found in a neighborhood or convenience retail development. Facilities within the classification will generally serve an area within a one and one-half mile radius and is commensurate with the purchasing power and needs of the present and potential population within the trade area. It is intended that these business facilities be provided in business corridors or islands rather than a strip development along arterials.

- Highway commercial (HC) district - The purpose of this district is to provide areas for commercial and service enterprises which are intended primarily to serve the needs of the tourist, traveler, recreationist, or the general traveling public. Areas designated as highway commercial should be located in the vicinity of, and accessible from freeway interchanges, intersections in limited access highways, or adjacent to primary or secondary highways. The manner in which the services and commercial activities are offered should be carefully planned in order to minimize the hazard to the safety of the surrounding community and those who use such services; and to prevent long strips of commercially zoned property.
- Light industrial (LI) classification - A LI classification is intended to accommodate a variety of business warehouse and light industrial uses related to wholesale plus other business and light industries not compatible with other commercial zones, but which need not be restricted in industrial or general commercial zones, and to provide locations directly accessible to arterial and other transportation systems where they can conveniently serve the business and industrial center of the City and surrounding area.
- Heavy industrial (HI) district – This district accommodates manufacturing, processing, fabrication, and assembly of materials and products. Areas designated as heavy industry should have access to two or more major transportation routes, and such sites should have adjacent space for parking and loading facilities.
- Airport (AP) zone - The AP zone is designated to preserve existing and establish new compatible land uses around the Laurel airport.
- Floodplain (FP) zone - This zone is designed to restrict the types of uses allowed within the areas designated as the floodplain and floodways as officially adopted by the Montana Board of Natural Resources and Conservation, Helena, Montana.
- Public (P) zone – This zone is intended to reserve land exclusively for public and semipublic uses in order to preserve and provide adequate land for a variety of community facilities which serve the public health, safety and general welfare.



EXISTING LAND USE

Laurel Area Existing Land Use Zoning, 2020

Residential and Rural Residential

Laurel's many residential districts provide a variety of densities, volumes, and types of housing. Laurel has a joint city-county planning board and has regulations that accommodate these two different modes of living. The older areas of the City, such as the south side and neighborhoods adjacent to downtown, have higher density zoning as is appropriate for those originally platted parcels and smaller-scale residential buildings. Newer developments and additions to the City generally have lower density zoning than the original Laurel townsite and are more suburban. It is important to provide a mix of residential styles and types to provide residents and prospective residents a housing choice.

Commercial

Laurel is a full-service community with supermarkets, gas stations, bars, and restaurants accessible to the public. There are a variety of different commercial areas as well. The traditional central business district remains heavily commercial, with some buildings containing apartments on the upper floors. The area adjacent to I-90 accessible from 1st Avenue S. by E. Railroad St. and SE 4th St. contains commercial and industrial properties that serve residents and highway travelers. The parcels along Old Rt. 10 contain a mix of zoning, including highway-focused commercial properties. Many properties located along E. Main Street are zoned Community Commercial and contain a variety of establishments.

Public

The City of Laurel maintains a full array of public facilities to serve the residents, businesses, and institutions within the city limits. The City maintains a fully staffed city hall, public library, public works shops, a water treatment plant, and a sewer treatment plant. The Laurel School District maintains the Laurel High School and Middle School along with Graff Elementary School, South Elementary School, and West Elementary School.

Parks

Laurel is home to many parks of all shapes and sizes. The most important of these parks are Thompson Park and Riverside Park. Thompson Park is in the City center and has many athletic fields, a public pool, and public facilities. Riverside Park is a historic park that has been used by residents and travelers to the area since before the City of Laurel officially existed. Throughout Laurel's history, this park has been used by private, civic, and government groups. Many other smaller parks are established as land has been annexed into the City and further developed.

Industrial

There is a large amount of industrial property in and around the City of Laurel. The City of Laurel was initially built around the commercial rail yard currently operated by Montana Rail Link, the most massive switching yard between Minneapolis and Seattle. The second major industrial property is the large refinery complex owned and operated by CHS Inc. The other crucial industrial property in and around the City is the Fox Lumber operation, located along East Railroad Street.

Urban Renewal

The City of Laurel established a Tax Increment Finance District (TIF) in 2007 that encompasses the traditional downtown area and the SE 4th Street commercial area. This District has provided financing for infrastructure projects and grant funding to local property owners and residents for façade, structural, signage improvements, and technical assistance within the district. The grant program is managed by the volunteer board that makes up the laurel Urban Renewal Agency.

CHAPTER 7: FUTURE LAND USE

Overview:

Laurel has struggled to grow over the past two decades due to a lack of long-term planning capacity, lack of funding, and a lack of focus on larger goals. Laurel's somewhat stagnant growth happened during a time of consistent growth for the neighboring City of Billings. Laurel must be forward-thinking if it wants to thrive as a separate entity outside of Billings. This change of thinking involves planning a commercial and industrial expansion, seizing growth opportunities, and adopting zoning and development standards that meet the city needs and attract developers and new residents.

Residents of Laurel pride themselves on the small-town character of the community. The City needs to properly plan for growth and have the appropriate regulations to grow and maintain the classic community character that residents enjoy. This balance includes establishing appropriate building design standards, zoning requirements, and signage standards to maintain community character.

Residential Districts

Residential areas within Laurel come in many shapes and sizes. Some are more densely built and more urban looking, while others are the traditional, modern American suburb with single-family homes. Many neighborhoods continue to maintain a more restrictive style code that limits specific residential uses, types, and sizes. Other neighborhoods have begun moving away from the strict guidelines toward a more inclusive model of allowing different styles, sizes, and housing types in residential areas.

Some different housing types compared to the traditional single-family home include accessory dwelling units (ADU's), townhomes, and rowhouses. Expanding housing options can be as simple as adjusting the number of allowable units and setbacks. Development in residential neighborhoods can come through small changes. Studying the existing districts and updating setbacks and other restrictions can significantly impact helping our neighborhoods evolve and grow over time.

Vacant Land

The City currently has numerous unused or vacant parcels that could be brought into productive use. Adaptive reuse of vacant structures is a strategy many cities use to revitalize downtowns. Prioritizing infill development for the downtown area and the SE 4th Street District can help bring new businesses, jobs, and residents. The City can also utilize Tax Incremental Financing (TIF) funding to support vacant properties' acquisition and rehabilitation within the downtown and SE 4th Street commercial areas. Partnering with local institutions and organizations to better utilize unused land as gathering spaces or as a home for community projects and other efforts can help people see new land uses that may have been unused/vacant for many years.

Development Standards

The City of Laurel currently has multiple development standards that include the Public Works Standards, rules governing utilities, and subdivision development requirements. Adopting a consistent and understandable set of development standards for areas within the City and its zoning jurisdiction will ease the development process for residents, landowners, and developers.

Extraterritorial Zoning

The extraterritorial zoning of Laurel extends approximately one mile outside the municipal city limits. This current zoning district is classified as "Residential Tracts" and is focused on low-density residential. The City needs to ensure that this zoning designation and its requirements still adequately cover county residents' needs within the zoning jurisdiction. It is recommended that City staff ensure this extraterritorial zoning can easily allow county residents to join the City if they so choose.

Infrastructure Extension

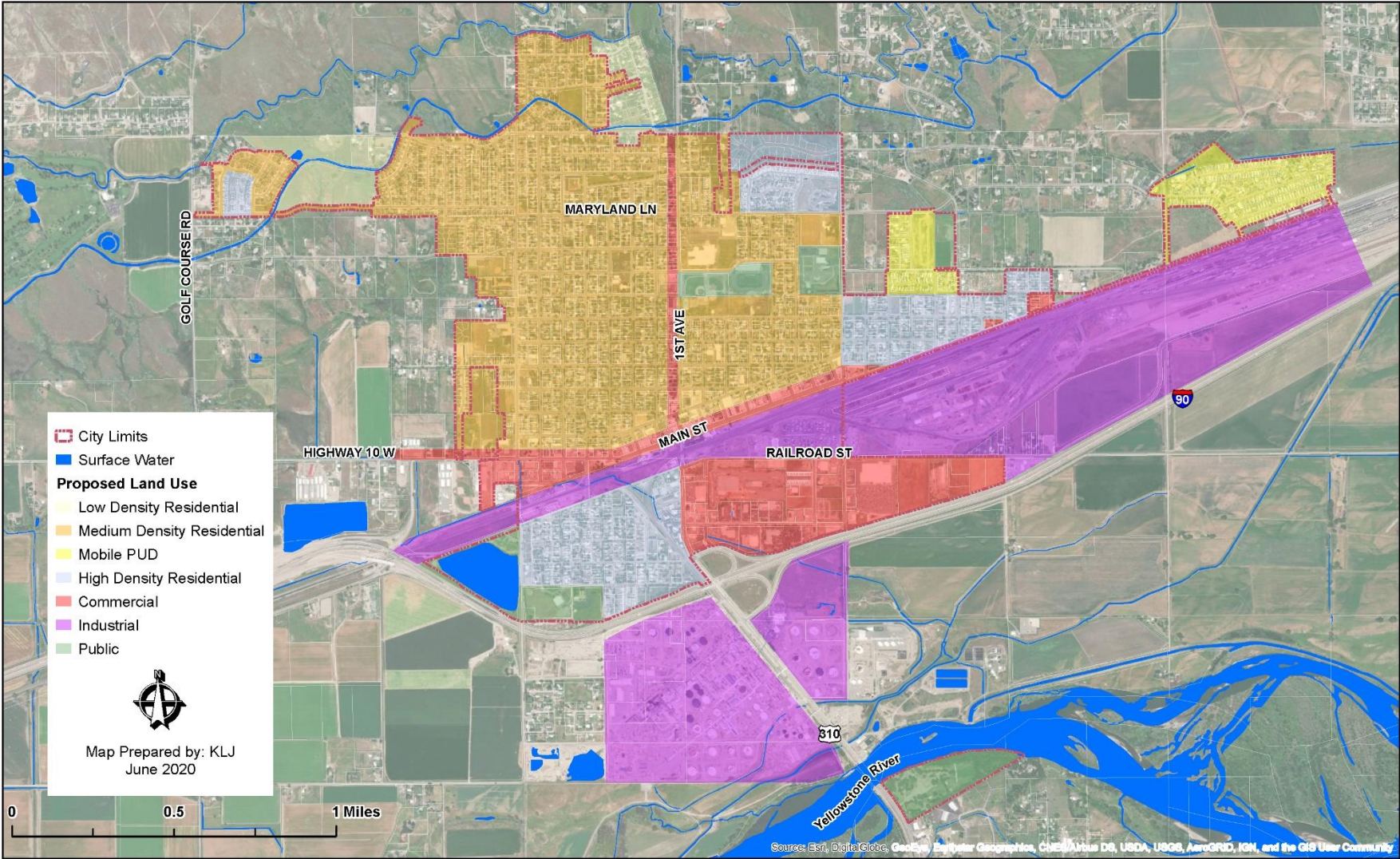
Planning for the expansion of city services and infrastructure is vital in bringing new growth to a community. The City did not address long-term infrastructure and growth for many years. Installing new infrastructure is expensive, but it is more costly to lose development opportunities that allow the community to grow and develop.



Identifying and installing critical infrastructure along major routes needs to be a priority for city staff. There are many opportunities to support these infrastructure efforts through public and private grants and loan programs. Many grant programs exist to extend infrastructure to support job creation and economic growth. Grants such as these can be used to expand infrastructure to the recently completed West Laurel Interchange.

New development and growth require adequate infrastructure to support it. Development of an Annexation Plan and

a Capital Improvement Plan can establish the priority areas for growth and establish project costs for identified infrastructure needs. Laurel has not previously prepared either of these types of plans. It would be wise for city staff, partners, and stakeholders to study the possibilities for significant commercial and industrial development in the area and plan infrastructure to accommodate these new land uses.



PROPOSED LAND USE MAP

Laurel Future Land Use, 2020

Future Land Use Goals and Objectives

This plan's overall goal is to conserve open space while maximizing areas currently in and directly adjacent to the City. Parks and greenways will be essential amenities for residential developments and commercial corridors and should be considered in initial planning rather than as an afterthought. Zoning will be updated to provide a more diverse array of housing types and density. Priority areas for annexation will be determined, and infrastructure extension costs will be discussed. Codes will be updated to maintain community character while simultaneously enabling the development of new neighborhoods. Current and future commercial and industrial parcels will be identified to promote effective and intense use of land. Work in the central business district will focus on infill and mixed-use development to create the most effective use of Laurel's traditional downtown.

Goal 1: Conserve open space and traditional land uses

- ❖ Encourage cluster developments to incorporate open space into new developments
- ❖ Provide options for landowners for conserving portions of their land
- ❖ Study and Implement strategies to create an interconnected system of parks and greenways and open space that are accessible to everyone

Goal 2: Develop downtown Laurel into a vibrant place to live, work, and play

- ❖ Encourage mixed uses for living, working, and shopping local
- ❖ Identify priority parcels for infill development
- ❖ Implement Placemaking projects to create a more livable and enjoyable downtown
- ❖ Partner with local groups to support community businesses, events, gatherings, and other efforts
- ❖ Connect with regional and state agencies to access project funding, receive technical support, and boost the visibility of Laurel development opportunities

Goal 3: Update Subdivision Code to meet the needs of Laurel and its surrounding area

- ❖ Provide clear and consistent standards
- ❖ Ensure the proper scale and scope of regulations
- ❖ Include trails, open space, and greenway considerations in parkland subdivision review
- ❖ Regularly review and update the Subdivision Code as needed to remain current

Goal 4: Update the Zoning Code to provide for greater flexibility of allowable uses, clearer requirements, and more efficient land use

- ❖ Study the inclusion of different types of housing within residential districts
- ❖ Update Overlay Districts, Parking Requirements, and the Sign Code to better fit the City's needs and character
- ❖ Allow live/work opportunities in commercial areas
- ❖ Enable property owners to use their land more effectively and efficiently

Goal 5: Use long term planning documents to address priority needs for infrastructure and development and identify appropriate funding resources

- ❖ Establish an Annexation Plan to develop priority growth areas and strategies
- ❖ Develop a Capital Improvement Plan for vital infrastructure to support the City as it grows

- ❖ Prepare a Commercial and Industrial Development Study for land adjacent to major transportation routes in the Laurel area

CHAPTER 7.5: ANNEXATION

Overview

The annexation of properties outside the current city limits must have Laurel remain a viable, independent community. Annexing territory into a municipality helps a city grow geographically, economically, and socially. Laurel's actual City has grown slowly over the past few decades, with very few new subdivisions and parcels annexing into the City despite many developments in the surrounding area. The City of Laurel and its residents seek to maintain their longstanding identity and character while supporting steady growth. Due to the City's proximity to the fast-growing City of Billings, annexation is now necessary to ensure Laurel's long-term viability, character, and independence.

Annexation planning is a long-term process in both scope and scale. Targets and goals are usually set for a timeline of five and ten years, with performance measures in place to track progress. Implementing successful annexation and growth activities involves thoughtful updates to local development and annexation codes, addressing infrastructure gaps, and outreach to nearby county property owners and developers to showcase the City's benefits.

Purpose

Annexation is presented in Title 7, Chapter 2. in the Montana Code Annotated that establishes the Creation, Alteration, and Abandonment of Local Governments. Parts of this chapter sets the conditions and rules for annexation and addition of territory into a municipality, establishes the ways areas can be annexed and provides specific limitations to these processes for both municipalities and property owners.

Annexation is a process that brings new territory into a municipality and extends public services to that territory. Annexation is a necessary process to continue the growth and development of communities in Montana. Adding new territory to a community adds new business opportunities, industry, recreation, and residential developments. Annexation also provides an opportunity for new resources and amenities to be added.

Importance

Laurel is currently at a crossroads in development. The City has not grown or expanded significantly in the past few decades, while Billings' nearby municipality has been steadily expanding westward toward Laurel. Billings has established and implemented a long-term annexation and expansion plan while Laurel has had piecemeal annexations and additions to the City. Laurel could find itself hobbled financially if it does not address annexing new territory that can create growth opportunities as Billings steadily expands into western Yellowstone County.

Proper annexation planning and implementation can lead to increased economic activity, new residential development, and increased revenues for the local government to provide services. Growth and expansion need to be an official part of Laurel's conversation to remain a viable, livable, and autonomous community in the future. It will be necessary to update the current annexation policy to ensure it provides reasonable restrictions, clear guidelines, and options and incentives to developers and property owners who want to annex the City.

Priority Areas

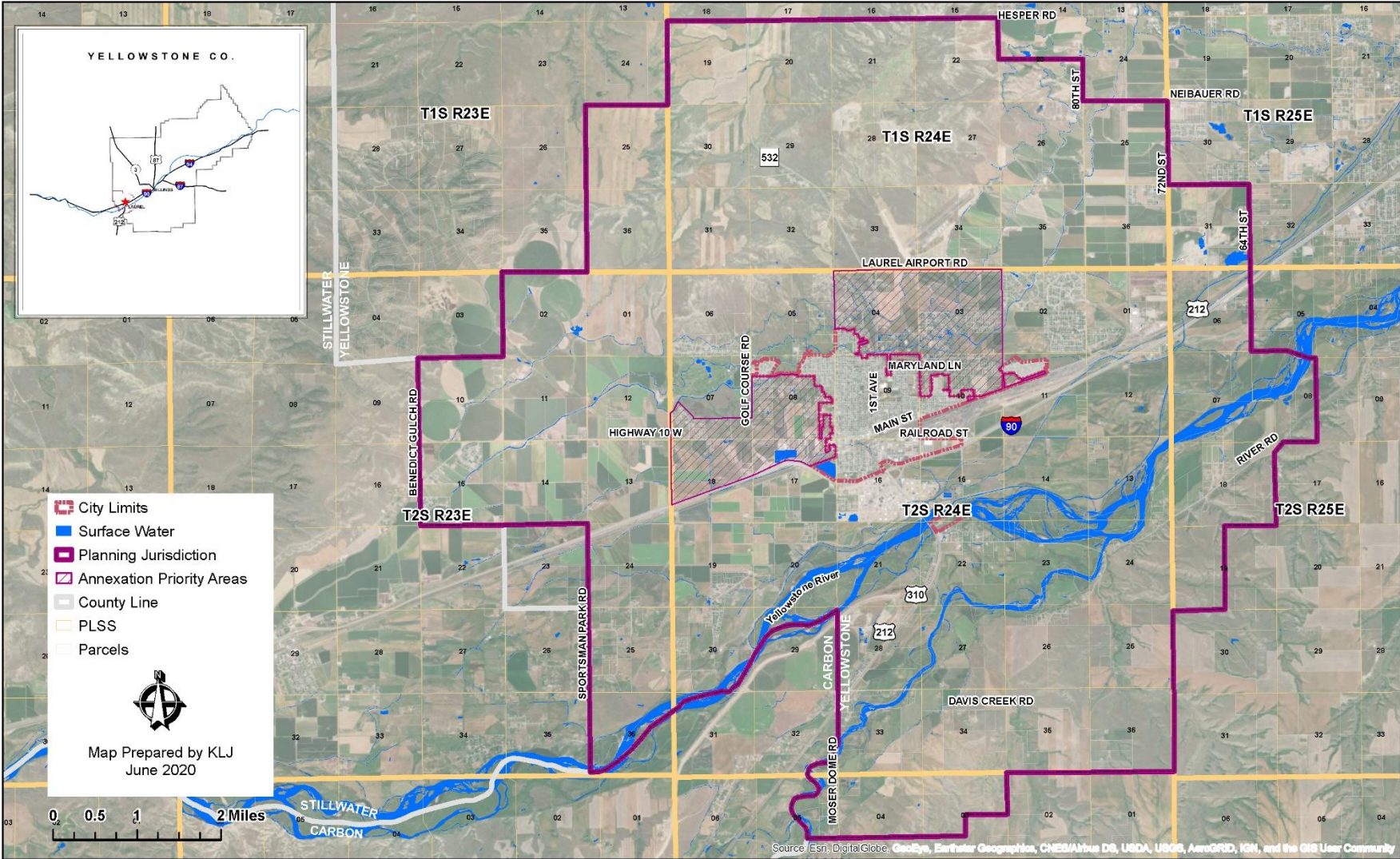
Establishing priority areas is essential for setting a plan for growth, starting discussions with property owners and developers, and preparing projects. A map of the Laurel Planning Jurisdiction and priority growth areas are presented on the next page.

Areas to the west of Laurel are a high priority for development due to their proximity to the City and established transportation corridors. The annexation of territory to the west presents the most viable options for growth. Roadways already serve this area, and there are adjacent services nearby. A high priority should be placed on parcels between 8th Avenue and Golf Course Road, parcels neighboring the intersection of Old Rt. 10, and the West Laurel Interchange.

There are many areas directly adjacent to the east of the City that would be prime candidates for annexation in addition to the previously mentioned westward expansion. The parcels between Alder Avenue and Yard Office Road, especially those along East 8th Street, should be considered and the lands adjacent to the Village Subdivision. These areas are already closely linked to the City with roads and services, and their inclusion would fill gaps in the Laurel City Map.

A few specific areas should be looked at for annexation north of the City as well. These include lands off West 12th Street that straddle the big ditch, areas between Montana Avenue and Great Northern Road, and the land neighboring 1st Ave North to Lois Place.

Growing the City of Laurel to the south is not a viable option because the CHS refinery makes up the bulk of the land between Interstate-90 and the Yellowstone River. The costs associated with the extension and construction of city services to those parcels adjacent to and south of the Yellowstone River would be prohibitive due to the distances needed to extend infrastructure and the fact that floodplain makes up much of the land adjacent to the Yellowstone River.



PLANNING JURISDICTION

Laurel Planning Jurisdiction and Priority Growth Areas, 2020

Annexation Policies

Laurel has not annexed many territories in recent years. This lack of annexation can be attributed to the 2008 annexation policy, which many prospective developers consider draconian. Many property owners and developers have remarked that the policy's strict requirements and its lack of alternatives and options for infrastructure financing and build-out place too high a price on annexation to make it feasible. Discussions should take place as to if this approved policy still serves the City's needs and what policies and requirements would enable growth activities and annexation more fully. A future annexation policy should also establish priority areas and specific goals over the next five to ten years.

Infrastructure Extension

Connection to improved utilities and services is the main driver behind annexing into a municipality. Laurel has not developed a long-term plan around extending services that can enable property owners to annex into the City more quickly. Developing a CIP will help Laurel prioritize growth areas and build out public services to position Laurel for growth and attract new properties and development to the City.

Annexation Goals

The following two goals were prepared to help the City of Laurel grow through annexation.

Goal 1: Adopt a long-range view for growth of the City

- ❖ Establish a growth-conscious set of policies to expand the City and its services
- ❖ Create priority growth areas for extension of services
- ❖ Develop and approve an Annexation Plan for the Laurel Planning Jurisdiction
- ❖ Support the creation of a long-term Capital Improvement Plan for the extension of capital infrastructure

Goal 2: Manage fiscal responsibility with established and proposed annexation standards

- ❖ Ensure that the established standards are right and proper for the City of Laurel
- ❖ Ease burden for developers to annex into the City while meeting established standards
- ❖ Allow greater flexibility in development patterns
- ❖ Determine the cost and benefits of annexation

CHAPTER 8: HOUSING

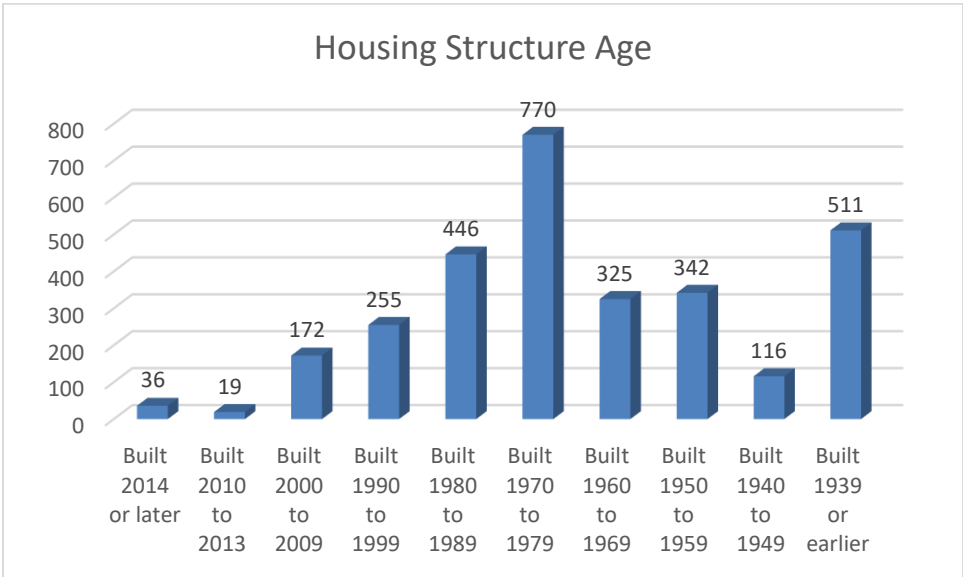
Overview

Housing is an essential element of any community. This chapter summarizes housing in Laurel and discusses some housing support programs to help renters and current and prospective homeowners. Having adequate, accessible, and affordable housing is an essential piece of what attracts people to a community. The City of Laurel has a variety of housing options and housing types that provide options for residents. It is crucial to maintain a wide array of housing that meets the market's different demands, including rental properties, multifamily units, single-family homes, and retirement homes.

Laurel's location has made it an attractive bedroom community to Billings. This strategic location opens opportunities for traditional neighborhood residential housing and embraces the growing trends of building closer-knit, dense, connected neighborhoods for more urban and in-town development. It will be necessary for the city to think about housing and real estate trends as it grows. This will ensure that the current population's housing needs are met while creating housing that will interest prospective residents and homeowners.

Households and Housing Units

Approximately 68 percent of Laurel's housing stock dates to before 1979. Aging housing stock can pose issues for maintenance, safety, and accessibility. These issues can lead to the need for code enforcement to step in to ensure the local ordinances are followed and that the situation has not become hazardous or dangerous. Ensuring that new housing is built will provide new homeownership opportunities and help raise the standard of housing available for residents.



2013-2017 American Community Survey 5-Year Estimates

Sixty-five percent of Laurel's housing stock is made up of detached single-family homes. Mobile homes make up the next most significant share of housing at 15 percent of units. This proportion of detached

single-family homes has been the norm for Laurel and many other cities and towns throughout the United States.

A growing trend to consider is that many younger and older Americans seek to downsize to smaller units and multifamily or connected units closer to shopping, amenities, and other essential and amenity services. It is important to think about these trends to embrace growth opportunities, whether in a traditional residential neighborhood or more urban or downtown environments.

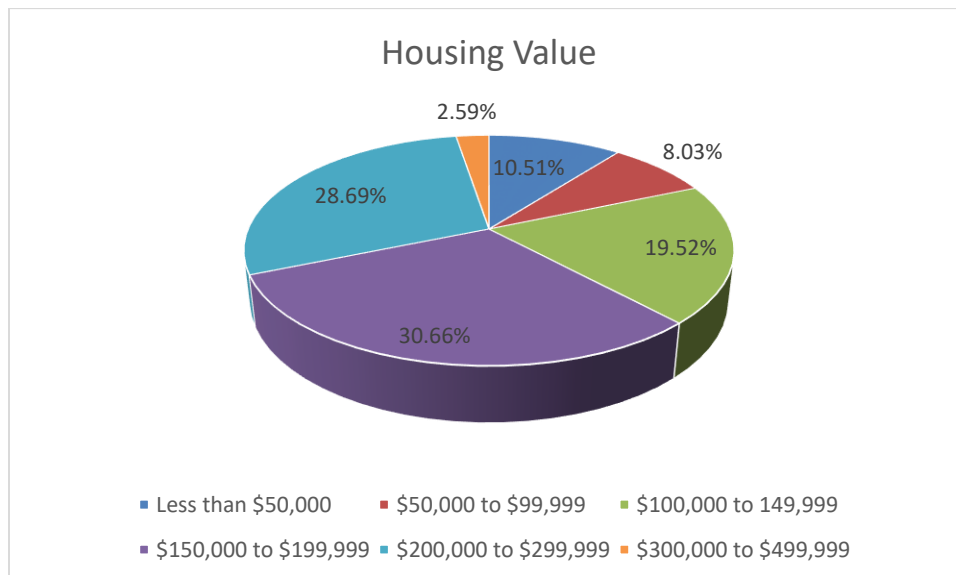
Units in Structure	Estimate	Percent
Total housing units	2,992	2,992
1-unit, detached	1,952	65.20%
1-unit, attached	87	2.90%
2 units	92	3.10%
3 or 4 units	103	3.40%
5 to 9 units	119	4.00%
10 to 19 units	48	1.60%
20 or more units	130	4.30%
Mobile home	461	15.40%
Boat, RV, van, etc.	0	0.00%

2013-2017 American Community Survey 5-Year Estimates

A move back towards traditional downtowns has also been seen across the United States. This trend presents various opportunities for diversifying the type and size of housing options to include rowhouses, townhomes, live-work (mixed-use) buildings, and more.

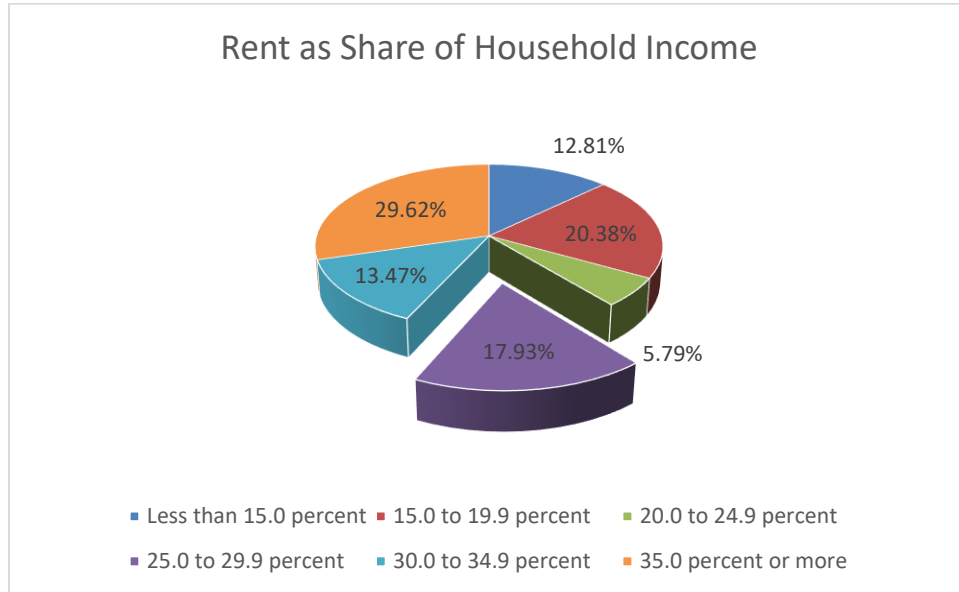
Housing Affordability

Many parts of the United States are facing issues with housing affordability. This affordability issue has included some communities in Montana, such as Bozeman and Whitefish. Housing in Laurel has generally remained affordable despite being located within twenty miles of the state's largest city. The charts below provide an overview of both current housing value and rental expenditures.



2013-2017 American Community Survey 5-Year Estimates

Rental affordability is an essential factor in retaining residents, especially those who may work in the service and retail industries. Overall, 57 percent of Laurel residents spend less than 30 percent of their income on rent. These statistics is a positive figure that allows a diverse array of residents to afford to live in Laurel.



2013-2017 American Community Survey 5-Year Estimates

Housing Programs and Incentives

Many housing support and incentive programs exist that are sponsored by non-profits, institutions, and state and federal agencies, including the following:

Montana Housing Support Programs

- ❖ Bond Advantage Down Payment Assistance program
- ❖ MBOH Plus 0% Deferred Down Payment Assistance Program
- ❖ Multi-Family Coal Trust Homes Program
- ❖ Housing Choice Voucher Program
- ❖ Veterans Affairs Supportive Housing (HUD-VASH)
- ❖ Project-Based Section 8
- ❖ Section 811 Supporting Housing for Persons with Disabilities

The Federal Government also has several First Time Homebuyer Loans and Programs, including the following:

- ❖ FHA Loan Program
- ❖ HUD - Good Neighbor Next Door Buyer Aid Program
- ❖ Homepath ReadyBuyer Program
- ❖ Energy Efficient Mortgage Program
- ❖ HOME Investment Partnerships Program

Community Land Trust

Community Land Trusts (CLTs) are non-profits that hold land permanently in trust for communities to make it available for housing, farming, ranching, commercial space, historic preservation, or open space. These organizations separate the land price from the improvements made to it, investing subsidy, and enforcing resale restrictions on properties to ensure permanent affordability. Trust Montana is a statewide organization that assists rural cities and towns with managing community land trusts to ensure they can maintain affordable and traditional land uses. CLTs serve an essential role in setting aside land as a community asset for generations to use and enjoy.

Inclusionary Zoning

Inclusionary zoning is a land-use policy that incentivizes dense housing development through tax relief, abatements, and bonuses. These zoning policies enable developers to maintain regular profits while capturing a share of excess profits for public benefit. Inclusionary zoning utilizes feasibility studies to analyze the impact of density and infill development on specific areas. Communities must carefully weigh each incentive's costs and benefits and evaluate them relative to the affordable housing requirements or goals. Incentives include:

- ❖ Density Bonuses
- ❖ Expedited Processing
- ❖ Fee waivers
- ❖ Parking reductions
- ❖ Tax abatements

Housing Goals and Objectives

Goal 1: Encourage a mixture of housing types to meet the demand of all market sectors

- ❖ Maintain a diverse array of housing and affordability
- ❖ Promote higher density housing types in the downtown area and adjacent to major transportation corridors
- ❖ Study mixed-use housing and other alternative housing types and styles
- ❖ Provide options for a full spectrum of housing from rentals to retirement housing

Goal 2: Provide information on housing-related grants, loans, and ownership programs

- ❖ Develop a list of resources for renters and homeowners
- ❖ Collect information on federal, state, local, and philanthropic rental and homeownership programs
- ❖ Advise Laurel area residents about available support for housing, rent, and homeownership

CHAPTER 9: INFRASTRUCTURE

Overview

The City of Laurel Department of Public Works operates the municipal water treatment and distribution system, the wastewater collection and treatment system. It conducts maintenance and improvement work on roads, streets, sidewalks, and parks. The City of Laurel has recently completed several major infrastructure upgrades. These include an upgrade to the Wastewater Treatment Plant, an overhaul of the Water Treatment Plant, installation of a new water Intake, and improvement of the sedimentation basins at the Wastewater Treatment Plant.

There are still primary infrastructure needs that need to be addressed. The City's water and sewer lines are aging, and in many places are still the original lines installed around the time of incorporation. A major priority is to study how to provide services to the West Laurel Interchange area, which has significant growth potential.

Opportunities also include expanding services to nearby county residents to the north, west, and east of the current city limits. There is a total of 2,858 water connections in the city system. Exploring funding for the extension and improvement of water and wastewater services to enable more annexation and development is worthwhile. Additionally, funding the expansion of the capacity of the City to handle stormwater runoff is of vital importance in increasing the longevity of streets, roads, and pedestrian areas.

The goals and objectives presented in this chapter are focused on just a few critical areas. It is hoped that the City can maintain an efficient and effective system of infrastructure and services that meets the City's needs while establishing long-term capital infrastructure goals to expand and improve services. The City should seek federal, state, and philanthropic grant and loan programs to support these goals and priorities.



Wastewater System

The City of Laurel's Wastewater Treatment Plant is located at 5310 Sewer Plant Road. It is staffed with three operators and one relief. The facility was first constructed in 1908 and underwent substantial upgrades in the 1930s and 1986. The Plant most recently underwent a significant upgrade that was completed in 2016. The reclamation system is a Biological Nutrient Removal system (BNR). The facility now conducts sludge dewatering as well. The new system has reduced nitrogen levels and phosphorus being discharged into the Yellowstone River. Improvement of the Sedimentation Basins was completed in 2019. The wastewater system has a capacity of 1,120,000 gallons per day. City staff should monitor the current wastewater and sewer system to ensure that it can meet the growing demands of the City.

Water System

The Laurel Water Treatment Plant is located at 802 Highway 212 South. An upgrade of the Water Treatment Plant was completed in 2019. The Plant operates 24 hours per day and is staffed with six employees plus management. The Water Treatment Plant has a treatment capacity of 5,000,000 gallons per day. The Plant provides water service to more than 6,700 people and has a total of 2,858 metered connections.

The Yellowstone River is the raw water source for the City of Laurel. A water right was filed in 1908, giving the City access to 12,600,000 gallons per day. A water reserve was granted in 1978 that allowed for the anticipation of future growth and added 6,380,000 gallons per day.

The original water distribution system was installed in 1908. There is currently one ground storage tank built in 1967 with a capacity of 4,000,000 gallons, with 2,000,000 of them being usable and the other 2,000,000 creating pressure for distribution. Additionally, the City has two booster pump stations. Pipe sizes in the system range from 2 to 18 inches in diameter. The 301 fire hydrants scattered throughout the system are tested routinely to ensure they are working correctly.

The City provides water to all areas within the City Limits; however, 82 residential connections and one industrial connection are outside the City boundary. Property owners in the county who are interested in connecting to the City system must make all the necessary excavations and pay for all materials necessary for connections. The current standards and regulations for public works and utilities require developers to extend to utilities.



The Yellowstone River has provided adequate water for the City, but in recent years concerns have been raised regarding enough flow due to erosion from flooding and droughts. The City has taken steps to counteract these concerns through significant upgrades to the Water Treatment System. Upgrades and improvements were completed on the sedimentation basins and the Water Treatment Plant in 2019. Additionally, a new water intake in the Yellowstone River was completed in 2017 to ensure a stable

water supply despite the changing nature of the river's course and level. One additional project that has been identified is the need for a second water reservoir to create extra storage capacity as the City grows. City staff should include this in any future public works planning documents.

Stormwater System

Stormwater is collected and managed to prevent flooding, erosion, and contamination of water sources. Water can carry pollutants such as oil, fertilizer, pesticides, soils, and trash as it runs off rooftops, paved streets, highways, and parking lots after a rain event or during snowmelt. Stormwater can flow directly into the Yellowstone River from a property or into a storm drain and through the city infrastructure until it is released into the Yellowstone River. The three significant concerns of stormwater management are the volume of runoff water, the timing of runoff water, and the potential contaminants the water is carrying.

The City of Laurel has historically experienced problems with flooding in the downtown area. Flooding activities are generally from heavy rain runoff and not directly due to the nearby Yellowstone River. The City of Laurel has a limited stormwater infrastructure to handle stormwater runoff. The majority of stormwater infrastructure is in the central business district and the South East 4th Street area. Stormwater management has also been established for the Elena, Iron Horse, and Foundation Subdivisions.

The City needs to address stormwater infrastructure within its current limits and as it expands. Creating an adequate stormwater management system helps keep roadways in good condition and lessens drivers' hazards in inclement weather. Stormwater system extensions should be considered during any roadway planning procedure to ensure roadway improvements do not have to be recreated.

Solid Waste Services

The City of Laurel Public Works Department provides exclusive solid waste collection services within the city limits. The City does not provide any solid waste collection services outside of the city limits. Garbage services are not exclusive to parcels that choose to annex into the City as per Montana state regulations. The City of Laurel operates the City's transfer station, which is located at 175 Buffalo Trail Road. The transfer station provides added services such as taking in large or bulky items, tree branches, and other unusual materials and pieces. Laurel utilizes the Billings Regional Landfill located nearby.

Infrastructure Goals and Objectives

Goal 1: Maintain an Effective and Efficient Public Infrastructure System that Adequately Serves the Needs of the City

- ❖ Develop a data-driven infrastructure maintenance schedule
- ❖ Determine any existing gaps in services and other infrastructure deficiencies within the City
- ❖ Adopt up-to-date infrastructure standards that are appropriate for the needs of the City
- ❖ Study using public spaces within floodplains, watercourses, and wetlands as passive recreation areas, such as parks and greenways
- ❖ Study the feasibility of recycling programs and other means to reduce solid waste disposal
- ❖ Incorporate stormwater system planning into roadway and other infrastructure planning processes

Goal 2: Establish the Long-Term Capital and Infrastructure Plan for the City

- ❖ Develop a Capital Improvement Plan for the Improvement and Expansion of infrastructure
- ❖ Prepare a Water System Master Plan
- ❖ Create a Wastewater System Master Plan
- ❖ Complete a Stormwater Management Plan
- ❖ Ensure infrastructure planning documents are routinely updated.
- ❖ Confirm that established infrastructure priorities are adequate

Goal 3: Seek out Possible Funding Sources for the Expansion and Improvement of Infrastructure and Essential Community Services

- ❖ Study the physical and financial needs for the extension of infrastructure to priority growth areas.
- ❖ Collaborate with state agencies on major projects and studies
- ❖ Explore federal, state, and philanthropic infrastructure grant opportunities
- ❖ Determine positive impacts of the expansion and improvement of infrastructure
- ❖ Apply for funding opportunities that are appropriate for city priorities and projects and that allow the City to maintain reasonable user fees for services

CHAPTER 10: TRANSPORTATION

Overview

Laurel is at the center of a major transportation network that includes local streets and sidewalks, state arterials, railroad lines, and an interstate highway. The city itself was surveyed and built on a gridded road network that provided orderly development for residential and commercial properties close to the railroad, Old Route 10, and 1st Avenue, which run through Laurel's downtown. The establishment of Interstate-90 near Laurel led to commercial development on the south side of the city. Subsequent developments of residential subdivisions and commercial areas have not continued the original ordered network, causing problems for road continuity, provision of services, and orderly and consistent city growth at its boundaries. The railyard and numerous railroad lines bisect the city, separating neighborhoods from each other and creating only two north-south access points, the 1st Avenue underpass, and the 5th Avenue railroad crossing.

Connecting transportation decisions with land use policy is a crucial city goal. A priority for the city is to develop a multi-modal approach to streets and pathways. City staff will encourage intensive land use within and adjacent to the city and along major transportation routes while ensuring residential developments provide adequate and accessible pedestrian improvements to allow everyone to access their community. Establishing a consistent maintenance plan to preserve, improve, and expand the transportation network will provide current and future residents with an easy and effective way to move around the city regardless of travel mode. The orderly growth of the transportation network will also be essential to ensure neighborhoods and commercial areas are easily accessible to all. These transportation goals help increase quality of life, connect people to their community, increase safety, and plan for current trends and future growth.

Local Routes & Maintenance

Laurel's downtown core and original neighborhoods were developed on a gridded network of streets and alleyways. Subsequent developments have strayed from this system and have not followed any set guidelines for road connections or continuity. This lack of orderly roads and pedestrian systems outside Laurel's traditional core has created future growth issues.

Very few existing streets allow for unbroken travel from the east to the west side of Laurel. New development has taken place without considering roadway connections and traffic planning. Subsequent subdivisions and



construction have not provided easements or right of way to continue city thoroughfares, and structures

were constructed within the path of right of ways. This lack of forethought is especially apparent west of 8th Avenue, which has many roads that seemingly go nowhere. It will be necessary for Laurel to establish specific guidelines to ensure adequate road connectivity for traffic flow, safety, wayfinding, and the extension of future services.

Laurel has only two north-south road connections between its northern and southern neighborhoods. The two connections are the 1st Avenue underpass and 5th Avenue railroad crossing. The nearest other connections are Exit 437 for East Laurel and Exit 426 to Park City. Investigating other means of north-south access and finding other connection points will improve emergency service response, ease traffic along major routes, and improve accessibility to and from different city areas.

Many of Laurel's roads are also in dire need of repair. Many of the city's older local roads were built with deficiencies and antiquated design methods, which now compound annual maintenance problems. The city recently completed a study of its municipal road network that included an inventory and provide solutions to the system's infrastructure deficits. Utilizing this study and updated development and service standards will lead to improved road conditions and connectivity for Laurel residents, businesses, and visitors.

State Highways

Two major state routes pass through Laurel. These are 1st Avenue, which forms the major north-south route, and Old Route 10, which runs east-west and acts as Laurel's Main Street. These routes support significant commercial and industrial traffic, resulting in congestion during peak hours at intersections. Seeking mobility and safety improvements along these two routes is encouraged to create more livable, accessible, and safer streets as the city updates its zoning code, subdivision code, and roadway standards. A map of road classifications has also been provided to show further details of the Laurel road network and other major streets and roadways in the city.

Federal Highways

Interstate-90 passes directly through Laurel. There are currently three off-ramps to access the highway, the most recent of these just completed in 2020 on the city's west end. The interstate has been a source of growth for the city, with many businesses locating in the SE 4th Street District adjacent to the highway.

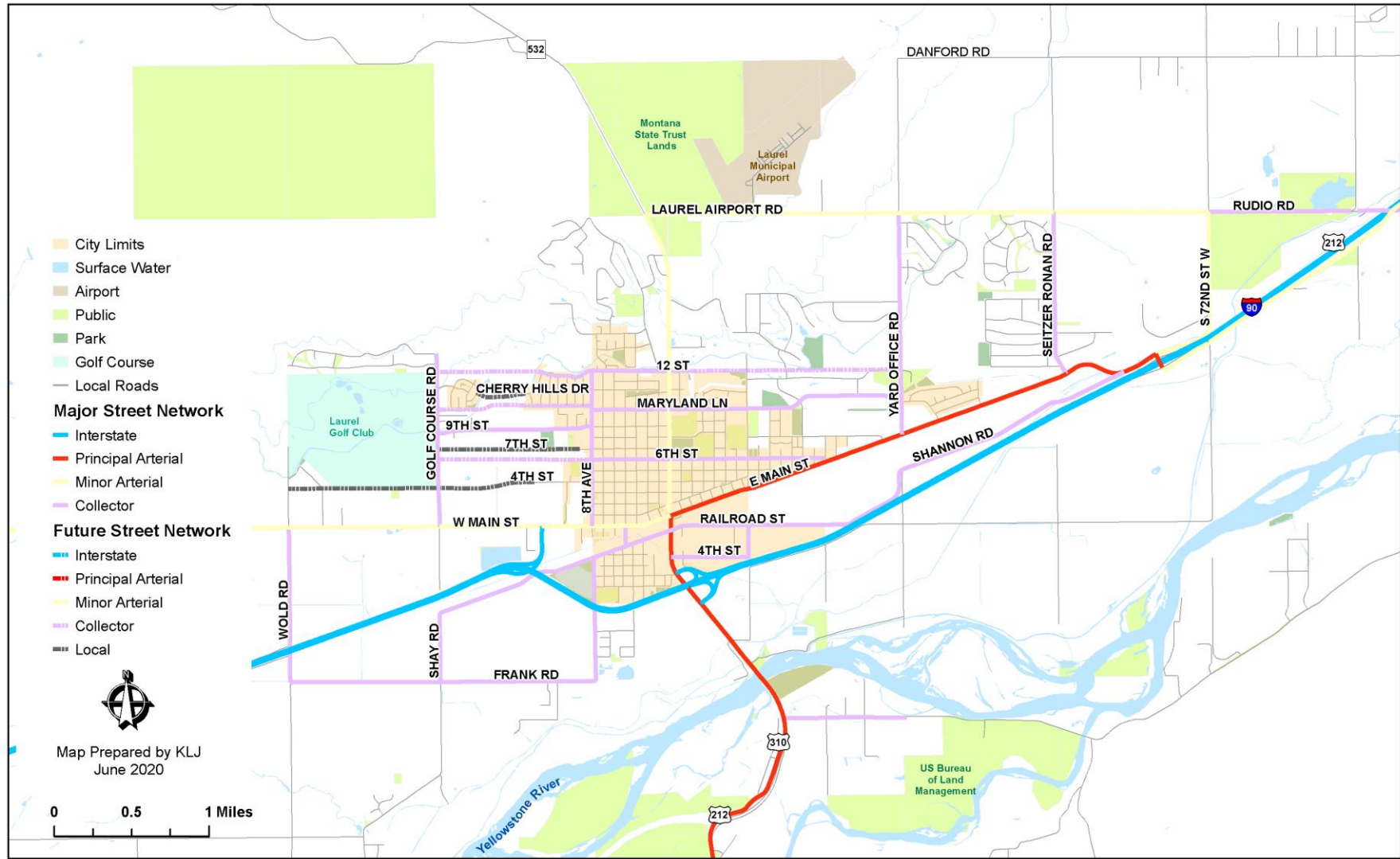
The Montana Department of Transportation recently completed a north-facing on/off-ramp west of Laurel to connect to 19th Avenue West. This additional on/off-ramp is expected to alleviate some access issues and provide new development opportunities. This additional access point is also anticipated to bring new growth opportunities for the area. Planning for this growth and seeking out possible funding sources to extend city services to this area is vital

Railroad

Montana Rail Link operates the rail yard in Laurel. This yard has been active since the late 1800s and is a historic asset to the transportation and economic sectors. The rail yard is a hub for freight and raw materials heading through the area. Despite not being within the city limits, the railroad, CHS refinery, and other industrial properties provide many benefits to the area by providing a healthy job base, revenue to the school district, and lower tax rates for residential and commercial properties.



The railroad is a major asset to the area and hinders transportation in and around the Laurel area. The railroad is not within the Laurel city limits, and as such, the city has little oversight of the activities taking place. The rail yard and its lines split the city into a north and south side with only two north-south connections, the 1st Avenue underpass, and the 5th Avenue crossing. The only other north-south connections are the East Laurel exit on Interstate-90 and Exit 426 in Park City.



MAJOR STREET NETWORK

Laurel Road Classifications, 2020

Roadway Classifications

- ❖ Interstate Highway (Principal Arterial)
 - Primary through travel route
 - Longest trip length
 - Highest trip speed
- ❖ Principal Arterial
 - Serves major activity centers and includes corridors with the highest traffic volumes and the city's longest trip length.
 - Provides the highest level of mobility, at the highest speed, for long uninterrupted travel.
- ❖ Minor Arterial
 - Interconnects principal urban arterials
 - Provides continuity for rural arterials that intercept urban boundaries
- ❖ Collector
 - Designed for travel at lower speeds and shorter distances.
 - Collectors are typically two-lane roads that collect and distribute traffic from the arterial system.
 - Collector roads penetrate residential communities, distributing traffic from the arterials
 - Urban collectors also channel traffic from local roads onto the arterial system.
 - Serves both land access and traffic circulation in higher density residential and commercial/industrial areas
- ❖ Local
 - Largest element in the American public road network in terms of mileage.
 - Local roads provide basic access between residential and commercial properties, connecting with higher-order roadways.
 - Provides access to adjacent land
 - Short distance trips

Public Transportation

Laurel Transit was established in 2010 through grant funding from the State of Montana. It was established to provide transportation services to the elderly and disabled population in the Laurel area. Laurel Transit currently provides on-demand transportation services within Laurel, its surrounding area, and scheduled service to Billings. Laurel Transit operates Monday-Friday, 10:00 am – 4:00 pm. The Billings scheduled service route begins at 7:30 am. Laurel Transit has connected with local and regional agencies whenever possible to expand its services to assist riders better.



Discussions have previously taken place around the viability of a fixed route system for the city of Laurel. These services are currently not feasible, but future coordination with identified partners and Billings MET Transit could change this situation. Further growth and development of Laurel could also

necessitate better in-town transit connections and a commuter route to Billings. The system could be improved through greater outreach with local groups and marketing services to Laurel residents.

Funding Sources

Many state and federal funding sources exist for transportation projects that impact:

- ❖ Road Safety
- ❖ Alternative Transportation
- ❖ Improved Mobility
- ❖ Economic Development
- ❖ Job Creation and Retention

Federal Agencies with available grants include:

- ❖ Federal Highways Administration
- ❖ U.S. Department of Transportation
- ❖ Federal Transit Administration
- ❖ U.S. Department of Agriculture
- ❖ U.S. Environmental Protection Agency

Transportation Goals and Objectives

The three overarching transportation goals with objectives and strategies are as follows:

Goal 1: Preserve, Maintain, and Improve the existing transportation system

- Update the Long-Range Transportation Plan (LRTP)
- Establish a systematic approach for the maintenance and repair of the road network
- Develop a Capital Improvement Plan to identify significant transportation projects
- Establish a Road Network Master Plan to ensure street continuity, traffic flow, and neighborhood connectivity
- Promote fiscal responsibility and high return on investment
- Coordinate transportation projects to coincide with underground infrastructure improvements

Goal 2: Improve Mobility, Safety, and Accessibility for all users and modes of travel

- Implement bicycle and pedestrian improvements and traffic calming measures to transform the downtown area into a pedestrian-friendly place
- Create a looping bicycle/pedestrian trail and street system that connects different areas of Laurel
- Adopt pedestrian and multi-modal friendly transportation standards and safety measures
- Explore options to improve and expand the Laurel Transit program and strategies to create other multi-modal transportation connections.
- Partner with local, regional, and statewide groups to further integrate Laurel into the more comprehensive passenger transportation network

Goal 3: Connect transportation decisions with land use decisions

- Integrate land use planning and transportation planning to better manage and develop the transportation network
- Utilize transportation projects to encourage intensive development patterns along major routes and existing areas of the city

- Adopt and implement consistent system policies and maintenance standards
- Ensure the development of a sustainable transportation system that minimizes environmental impacts

CHAPTER 11: ECONOMIC DEVELOPMENT



Overview

Laurel has two traditional industries that have been the community economic pillars; the railroad and oil refining. These two economic sectors play a significant role in the economy. Still, they have been joined by many other services and businesses that diversify economic opportunity to include retail, education, healthcare, and finance. Laurel has seen a decline in downtown and local businesses as Billings becomes more accessible, and online shopping and delivery become more readily used. Large and small communities have been forced to compete more and more for businesses, workers, and growth opportunities in an increasingly connected global economy. It will take significant effort to develop Laurel as a community with a self-contained business ecosystem where local businesses and entrepreneurs and larger statewide and national establishments can thrive.

Laurel's proximity to Billings is a smaller scale example of how different factors impact the local community economy. Laurel has been considered a bedroom community to Billings due to its proximity and number of Laurel residents who commute into Billings. It has also become easier for Laurel residents to travel to Billings for food, shopping, and other services. If it were in any other county in Montana, Laurel would be the center of economic development and business activities.

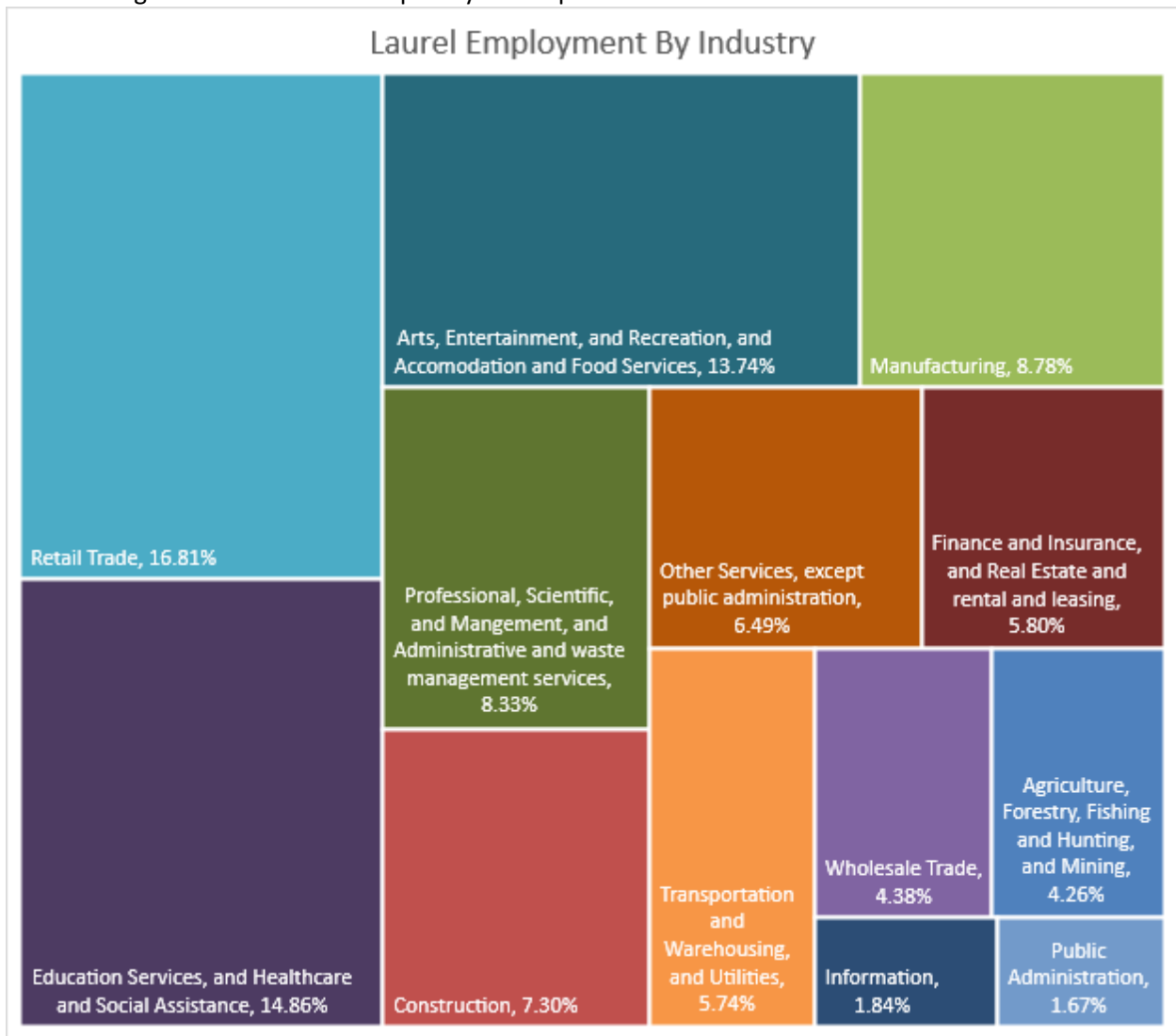
Laurel can still become a community where small businesses thrive, the downtown is healthy, and entrepreneurs take the risk to open a business even with its proximity to Billings. Creating a more attractive and active business community is not an impossible task. Goals have been established to help develop Laurel independently while keeping it connected with Yellowstone County and the Billings area.

Studying and adopting policies to develop downtown Laurel into a destination to live, work, and play can help breathe new life into the community. Focusing on resilient economic growth activities will create both new activity and sustainable, long term economic stability. Increasing Laurel's collaboration and communication with area groups can help connect stakeholders to business funding supports, employment, and training opportunities that would otherwise not be available. Growth is anticipated on the west side of Laurel. It is essential to plan for this growth by studying options for new commercial and industrial properties in priority areas.

The Local Economy

Workers in Laurel are employed in a wide array of industries. The following chart presents a visual representation of the different industries and their percentage in those workforces. A diverse employment base helps to ensure a stable and resilient economy. Improving the City's core sectors while opening up new growth opportunities is an important objective to help keep the local economy healthy.

Several major industries are located directly outside the city limits that have a large impact on the community. These include the MRL railyard and the CHS refinery. These two industries provide many jobs to Laurel residents and those residing within the Laurel planning jurisdiction. These anchor industries provide livelihoods to many Laurel area residents and support other industries and businesses in the Laurel planning area. It will be essential to maintain good relationships with MRL and CHS to coordinate growth efforts and adequately develop the Laurel area.



2013-2017 American Community Survey 5-Year Estimates

Economic Development Organizations

Various groups are active in the economic development field in the Laurel and Yellowstone County area. Big Sky Economic Development and Beartooth Resource Conservation & Development serve the Laurel community and have services available for businesses and residents. These agencies can help leverage funding and access to different state and federal programs to support local economic development efforts.

Laurel Chamber of Commerce

The Laurel Chamber of Commerce provides services to foster a healthy business climate in the Laurel area for business owners, employees, and customers. The Chamber supports and hosts many community events, including farmer's markets, the July 4th Celebration, and the Christmas Stroll. The Chamber has also developed relationships with local organizations and businesses to create a better business climate, a thriving downtown, and improve the community.



Big Sky Economic Development Agency

The official mission statement of Big Sky Economic Development is "... to sustain and grow our region's vibrant economy and outstanding quality of life, by providing leadership and resources for business creation, expansion, retention, new business recruitment, and community development."

Big Sky Economic Development Agency (BSEDA) is the South-Central Montana region's certified economic development authority. BSEDA directly serves a nine-county region, including Petroleum, Wheatland, Golden Valley, Musselshell, Sweetgrass, Stillwater, Yellowstone, Carbon, and Big Horn counties. BSEDA provides services and support for small business development, community development initiatives, federal procurement assistance, tax increment financing assistance, workforce development, veterans business assistance, and business financing.

The City of Laurel Planning Director is currently the Ex-Officio representative for the City of Laurel on BSEDA's Board of directors. The Ex-Officio member represents the interests of the City on the Board and communicates the position of the City to BSEDA's staff and partners.

Beartooth Resource Conservation & Development

Beartooth Resource Conservation & Development, or Beartooth RC&D, began in 1969 as a partnership between the USDA Natural Resource Conservation Service and Carbon and Stillwater Counties to serve that area. Beartooth is now an officially designated Economic Development District and has expanded its support to Sweet Grass, Yellowstone, and Big Horn Counties. Beartooth RC&D provides technical assistance and community development services to groups in the South-Central Montana region.

The overall mission of Beartooth RC&D is to improve local economic and social conditions by focusing on the conservation, utilization, and development of the natural and human resources of the region. The City has begun regular conversations with Beartooth RC&D to coordinate local economic development efforts and be notified of ongoing work in the region. Keeping communication channels open and collaborating on projects will help support Laurel's economic development and the surrounding area.

Economic Development Objectives and Policies and Strategies

Four main goals and related objectives have been established that focus on Economic Development and are as follows:

Goal 1: Develop Downtown Laurel into a destination to live, work, and play

- ❖ Institute Placemaking projects to further enhance District character
- ❖ Increase live-work opportunities for current and future residents and businesses
- ❖ Apply Tax Increment Financing (TIF) funding to beautification, blight removal, and area public improvement projects
- ❖ Identify and find solutions for unused and underused parcels as candidates for development

Goal 2: Create a resilient local economy

- ❖ Strengthen core businesses and industries through communication and connections with technical support
- ❖ Ensure that local economic activities are inclusive and accessible to all stakeholders
- ❖ Implement policies that create stable and sustainable economic growth
- ❖ Work to highlight the shared benefits of working together as a community with local businesses stakeholders, and developers
- ❖ Provide an economic ecosystem that allows for a wide array of businesses, industries, and developments to thrive
- ❖ Study and implement policies to enhance local business demand and alternative strategies for value creation for the community

Goal 3: Collaborate with area organizations to support economic growth and local employment and training opportunities

- ❖ Communicate with local groups to determine any needs for assistance
- ❖ Create partnerships with local and regional groups to fill local service gaps and create needed programming
- ❖ Take part in events and workshops to support local business initiatives and activities
- ❖ Establish common ground with local and regional groups to provide resources and assistance
- ❖ Connect residents and businesses with economic, financial, and entrepreneurship resources and opportunities

Goal 4: Study options for new commercial and industrial properties in anticipated high growth areas

- ❖ Create a Corridor Master Plan for growth in and around the intersection with Old Route 10 and the new West Laurel Interchange
- ❖ Study options and determine priorities for the possible establishment of Tax Increment Financing Districts (TIFs) and Targeted Economic Development Districts (TEDDs)
- ❖ Review and pursue opportunities for clustered commercial and/or industrial parks
- ❖ Develop funding strategies to provide services for priority growth areas.

CHAPTER 12: PUBLIC SERVICES AND FACILITIES

Overview

Municipalities provide numerous public services to their residents, businesses, and institutions. Effective public services are vital for a community to thrive. Public services include fire departments, police departments, parks and recreation programs, libraries, emergency medical services, and water and sewer utility systems. Public officials need to take a lead role by planning and implementing expansions and improvements of public services that maintain and improve their community's quality of life.

This chapter presents the array of public services operated by the City of Laurel and provides goals and objectives to improve and expand those services to help the community better. A proactive approach to public services can also lead to many benefits as newly established or upgraded services can incentivize new development and growth. Effective public services show prospective residents, business owners, and developers that the municipality is working to provide stable services while addressing future service needs.



City Administration

Laurel City Hall is located at 110 West 1st Street. The City Hall contains offices for the City Clerk-Treasurer, Water Department, Planning Department, and the Public Works Department. The City Hall also contains the City Council Chambers, the Office of the Mayor, City Court, and related administrative archives.

Laurel Police Department

The Laurel Police Department is a full-service department serving the community twenty-four hours a day, seven days a week. The City of Laurel currently has 13 sworn officers employed by the City. Services include patrolling for criminal activities and traffic violations, accident investigation, and misdemeanor and felony crime investigation. The Department's service area is within Laurel's municipal boundaries unless responding as backup to another law enforcement agency in the area.

The City of Laurel ensures that its officers are appropriately certified and trained above and beyond the state requirements. Officers must pass a twelve-week introductory police officer course at the Montana Law Enforcement Academy in the state capital of Helena. Furthermore, communication officers must also attend and pass a one-week course for their additional responsibilities. The Laurel Police Department also hosts its introductory reserve course annually for reserve officers.



The Laurel Police Department is currently located in the Fire-Ambulance-Police Building (FAP building). The facility is shared with the Fire Department and Ambulance service. The facility was built in 1976 and has seen several additions and renovations over time. This building is not sufficient for the needs of the departments located there. It will be essential to seek out funding options to improve, expand, or construct additional facilities for these departments.

Fire Protection and Emergency Medical Services

Laurel Volunteer Fire Department

The Laurel Volunteer Fire Department (LVFD) has served the City of Laurel and the surrounding area since its inception in 1909. The Mission statement of the Laurel Volunteer Fire Department is:

"Laurel Fire Department is committed to serving the City of Laurel, its residents, the surrounding fire districts, and the visitors to our City for any of their emergency fire rescue needs. We will do this through strong dedication and commitment to our community with a long tradition guiding us to what is important."



The LVFD provides full-service fire response service to the City of Laurel, Laurel Airport Authority, Yellowstone Treatment Center, Laurel Urban Fire Service Area, and Fire Districts 5, 7, and 8. These services include structure fires, wildland fires, vehicle fires, industrial hazards, water, ice rescue, vehicle extractions, Hazmat situations, rope rescue, and public service calls.

It has been recognized that the LVFD needs to adapt to the changing nature of fire services. It will be essential to improve the delivery of high-quality services to the community by planning and implementing new policies. The LVFD has begun the development of a "Fire Services Business and Work Plan" that presents information about the Department as well as goals and objectives to improve and expand fire services. Goals presented in the Draft Work Plan include:

- Finance – Develop avenues of revenue to offset costs for manpower, operations, and equipment replacement
- Equipment replacement – Develop a schedule for equipment replacement
- Education – Communicate with city officials on the beneficial aspects of the current LVFD structure
- Training – Continue and expand training to evolve with ever-changing fire services

- Communications – Develop communication lines between various groups at Department, local, county, and state levels.
- Performance Management – Evaluate Department on skills and abilities for career advancement and adjustments to training needs
- Construction of a New Fire Station – A new station will be necessary to meet a growing community's needs.

Firefighters in Montana are required to complete a minimum of thirty training hours per year. Many of the members of the LVFD regularly complete over 100 hours of training hours per year. Members of the LVFD are allowed to travel to specialized schools and training sessions to learn new information and share it with their fellow firefighters in the Department.

The LVFD is actively involved in the community through events and has held annual events such as Fire Prevention Weeks and Safety Days. The LVFD also manages the fireworks display for the 4th of July celebration. The Laurel 4th of July celebration is well-known throughout the state and brings awareness of the work of the LVFD.

The LVFD is currently set at 45 members to meet current community needs. The Department undertook a reorganization in 2010 to better coordinate efforts. This reorganization allowed the Department to meet any partially paid staff requirements for a department if the City of Laurel met the requirements for a Second-Class city of 7,500 residents or more.

As previously noted, the Department is in the Fire-Ambulance-Police Building (FAP building). This facility has three full bays and an extra half bay for equipment. The LVFD also has access to equipment bays at the Laurel City shops as necessary. It is anticipated that an expansion of the FAP building or the construction of a new facility will be necessary to cover the Laurel community's fire service needs long-term adequately.

Ambulance Service

The primary mission of the City of Laurel Ambulance Service (LAS) is to provide quality pre-hospital emergency medical services and transportation to medical facilities promptly and safely to those residing, visiting, or traveling through the Laurel service area. The Department is a hybrid model, with certain full-time positions and additional volunteers. The Department has a full-time director and five full-time Emergency Medical Technicians (EMTs). LAS staff are trained to provide at least a minimum of Basic Life Support (BLS) assistance. They also have the necessary endorsements from the state to provide other advanced services.

As previously noted, the LAS is located at the Fire-Ambulance-Police building. The FAP building has space for three ambulances, restrooms, a crew lounge, offices, a small kitchen, and storage rooms. The building also has a community meeting room attached. The City needs to consider options for upgrades, expansions, or new facility locations to improve emergency services.

School District

The Laurel School District serves the City of Laurel and the surrounding area. The District instructs 2,100 students in total. The District maintains instructional levels from Kindergarten through twelfth grade (K-12). The grades are grouped as follows:

- Kindergarten through 4th grade – Elementary School
- Grades 5 through 8 – Middle School

- Grades 9 through 12 – High School

The Laurel School District currently operates five school buildings that include:

- Laurel High School
- Laurel Middle School
- Fred W. Graff Elementary
- South Elementary
- West Elementary

The Laurel School District's Mission is: "Dedicated to the individual development of each student, every day, without exception." Students are assigned to a classroom or group depending on what will best serve that student. Considerations are made for class size, peer relations, student/teacher relations, and teaching instructional style. The School District also has administrative offices located at the old Laurel Middle School at 410 Colorado Avenue.

The Goals of the Laurel School District are:

- To deliver a quality educational program that promotes both academic success and the overall development of every student.
- To meet the needs and skill level of each student.
- To promote high student expectations, the importance of lifelong learning and creative/critical thinking.
- To provide the students with a strong desire to learn.
- To foster self-discovery, self-awareness, and self-discipline.
- To develop an awareness of and appreciation for cultural diversity.
- To stimulate intellectual curiosity and growth.
- To provide fundamental career concepts and skills.
- To help the student develop sensitivity to others' needs and values and respect for individual and group differences.
- To be free of any sexual, cultural, ethnic, or religious bias.

The District previously established goals for District growth in a 10-15 Year Master Facility Plan. This plan included developing a new facility for grades 3 through 5 and a transportation facility, the remodeling of existing schools, relocating administrative offices, selling aging district-owned structures, and addressing inadequate learning environments in certain facilities. The District developed these goals to grow with the community and adapt when necessary and will be updating their Master Facility Plan in 2021.

Public Library

The Laurel Public Library was created in 1916 via ordinance and opened to the public on July 18, 1918. The Library was first established at 115 West 1st Street, the site of the current City Hall. The Library relocated to its current facility at 720 West 3rd Street in 1989 after fundraising by volunteers, and the Library Board allowed for the move. The Laurel Public Library serves the citizens that reside within the city limits. Yellowstone County residents are served without cost. Stillwater and Carbon County residents can also apply for and receive a library card. The Library's mission is to provide a "place where community members can grow, teach, and interact in mutual benefit with others."

The current library facility is approximately 6,000 square feet and contains four wings. The Library's clients' general needs are met by the current building, but improvements have been discussed. The

Library could be improved by expanding the building to include a storage room, meeting rooms, and small study rooms. The needs of library clients have been growing, and the Library will need to grow with them.

The Library does not have any specific sharing agreements with the Parmly Library in Billings or other regional libraries. The Library is currently part of the Montana Shared Library Catalog Consortia by agreeing with the Montana State Library. This consortium comprises more than 140 libraries across the state consisting of public, academic, and particular library types.

Public Services and Facilities Goals and Objectives

Effective and efficient public services are a necessity for existing and prospective residents, developers, and businesses. Above all, public facilities and services must be accessible, helpful, and dependable for everyone residing, working, and visiting the City. City staff should identify the current gaps and projected needs of public facilities as the City grows. It is vital to work with public stakeholders and departments to ensure input and projects positively impact the whole population. Providing consistent and stable service delivery is paramount.

Goal 1: Provide consistent and high-quality public services to the community

- ❖ Develop standard operating procedures to ensure consistency for city departments
- ❖ Establish regular maintenance procedures for parks, facilities, and public areas
- ❖ Study current facilities and services to identify gaps in services and plan for future needs

Goal 2: Respond to the changing nature of the community

- ❖ Plan for the expansion of public facilities in priority growth areas
- ❖ Invest in public facilities that are accessible to everyone in the community
- ❖ Study how to improve city services to boost the quality of life for residents, businesses, and institutions

Goal 3: Collaborate with city departments and stakeholders to determine necessary expansion and improvement of public facilities to meet community need

- ❖ Open lines of communication between city departments and institutions to gain input on major projects
- ❖ Study the state of current public facilities to identify deficiencies and issues
- ❖ Identify necessary upgrades, changes, or expansions of public facilities to best serve the Laurel area
- ❖ Consider the public service requirements of large-scale projects prior to their approval and implementation

CHAPTER 13: RECREATION PLAN

Overview

Access to recreational opportunities and parkland is a critical component of quality of life for communities, especially Montana communities. The parks and public areas owned and maintained by the City of Laurel are assets to local and area residents. Access to walking, biking, hiking, and other local amenities help boost residents' and visitors' quality of life. Many cities and towns have begun establishing greenways and trails to connect parks and open spaces with local neighborhoods. Incorporating these into Laurel planning and development strategies can help enhance livability and help residents be healthier and more active.

City staff should consider developing a vision for the Laurel parks system that would establish priorities for park funding and placement of parks that would be most useful for residents. Creating a connected park and trail system would enable residents to enjoy more parts of Laurel and the surrounding area.



Many of Laurel's parks are very small, with some located at less than ideal or fully accessible locations. Parkland must be a fully useable amenity for residents. Parks should be developed and improved to act as neighborhood focal points. City staff should also study underutilized or burdensome parkland parcels and consider reuse scenarios.

Repurposing vacant or underused land as parks and trails can create many added benefits for a community. Downtown Laurel currently has large areas of vacant land owned by the BNSF Railroad and leased by MRL. Studying options for low impact reuse of this land as parkland or greenways could enliven downtown by activating the south side of Main Street, creating more opportunities for residents to spend time downtown, and creating more public space for events or gatherings.

Riverside Park has been a staple of the community for almost one hundred years. The Riverside Park Master Plan was developed in 2018 to provide a blueprint for improvements and the park's use. It will be essential to continue the ongoing improvement efforts detailed in that plan and develop policies to attract Yellowstone County and beyond. Riverside Park should be maintained as a historical, recreational, and economic asset in the future.

City Parks

There are many public parks throughout the City of Laurel. Some of the larger, more established parks are listed below. There are also many smaller unnamed parks throughout the city.

- ❖ Thomson Park
- ❖ Russell Park
- ❖ Nutting Park
- ❖ Kiwanis Park
- ❖ Murray Park
- ❖ South Pond
- ❖ Riverside Park
- ❖ Lions Park
- ❖ MT State Firefighters Memorial Park

Parks Funding, Governance, and Operations

The Public Works Department is responsible for maintaining and improving park facilities. Public Works provides staff time and funding toward the upkeep of park facilities. The City of Laurel Park Board comprises volunteers who provide oversight and input on park operations, maintenance, and activities.

Riverside Park is an essential historic asset for the city, the region, and Montana. Many private and public groups are active in this park's historic preservation, including the Yellowstone Historic Preservation Board that helps to support preservation and improvement efforts in Riverside Park.

Community Sponsored Events

Community sponsored events are an effective way to get residents outside, engaged with nature, and connected to their community. Laurel has a history of hosting popular events that get people outside and active. City staff and local stakeholders should continue to work together to promote outdoor events to encourage people to be more active in the community.

Laurel hosts several events throughout the year. The July 4th festivities include the Chief Joseph Run, pancake breakfast, parade, and fireworks celebration. Laurel also hosts an annual Christmas tree lighting event downtown, farmer's markets, and other seasonal events throughout the year.

The city's parks are a focal point for residents and visitors. They represent an important asset that makes Laurel a better place to live. City staff should partner with local groups to support community events and create more opportunities for recreational activities and outdoor enjoyment in the city's neighborhood parks.

Recreation Objectives and Policies and Strategies

Goal 1: Develop park land as an accessible and important amenity for residents

- ❖ Ensure new developments have appropriate park space for recreation and general use
- ❖ Study how existing parks can be improved through new facilities, changed layouts, or improvements
- ❖ Review current park infrastructure and determine if improvements are necessary to better serve the needs of the surrounding area

Goal 2: Promote Riverside Park as a vital historic, civic, and recreation resource for residents and visitors

- ❖ Adhere to the projects and strategies presented in the 2018 Riverside Park Master Plan
- ❖ Seek grant funding for structural and site improvements
- ❖ Develop historic markers for Riverside Park and its historic structures
- ❖ Study options for connecting Riverside Park to the city proper through infrastructure improvements, civic engagement, or other means.
- ❖ Establish signage and marketing for the assets and resources of Riverside Park to area residents and travelers.

Goal 3: Create an interconnected system of parks, greenspace, and trails that are accessible to all

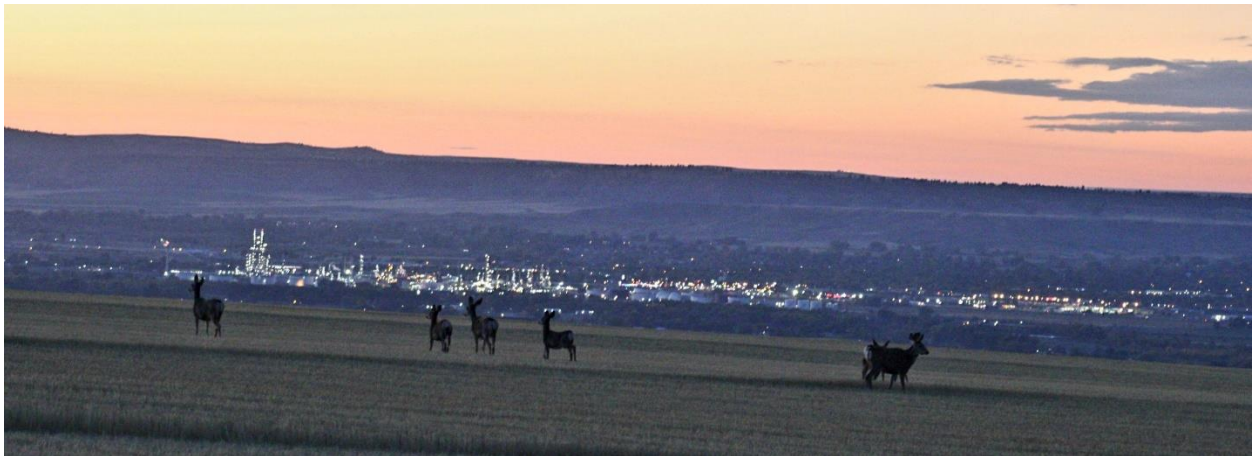
- ❖ Create a city-wide Park System Master Plan to develop park priorities
- ❖ Consider the creation of a City Parks Department to oversee park operations and maintenance.
- ❖ Identify unused land that could be transformed into greenspace or trails for use by current and future residents and visitors.
- ❖ Update the zoning and development codes to encourage the creation of bicycle and pedestrian trail corridors

CHAPTER 14: NATURAL RESOURCES

Overview

The Laurel planning jurisdiction contains a variety of terrains and environments. The city itself is urbanized and is surrounded by several residential subdivisions. A variety of farmland, grazing land, riverine areas, and wetlands surround the city and make up much of the planning area. Laurel's natural features pose unique opportunities and challenges that should be considered when planning for growth.

The natural environment should be preserved and enhanced to balance environmental sustainability with economic growth, recreational opportunities, and development. Natural resources and the natural environment can be balanced with growth activities to provide social, economic, and community benefits to people over time while continuing their natural functions. The proximity to natural areas such as parks, trails, and other open spaces is an essential variable for many people as they choose where to live and work.



The Laurel area is an interconnected network of land and water resources that contribute to the community's health, economic well-being, and quality of life. This network of natural resources requires investment and maintenance, just like roads and utility systems. Creating a balance of conservation, management, and growth can reward a community with excellent benefits, including increased quality of life, longer-lasting infrastructure, and improved property values.

Groundwater Resources

Groundwater quality and quantity will become a growing concern as Laurel and the surrounding area develops. Traditional modes of living will shift because of groundwater issues. The direct impact of development in the area will be a reduction of groundwater recharge capacity. Groundwater recharge has averaged 8.2 inches per year but depends on the specific land use and soil type. The planning area contains relatively thin alluvial gravel deposits of groundwater. The average saturated thickness of local aquifers is fifteen feet, with the thinnest saturated zones occurring along cliffs and bluffs and the Yellowstone River's channel.

Wildlife Habitat

Rivers, Streams, and Lakes

It is important to recognize the Yellowstone River as a critical asset to Laurel. The Yellowstone River provides a stable water source for the city and recreational opportunities and riverine wildlife habitat. Maintaining the Yellowstone River as a resource is a complex job that includes managing the river ecosystem, monitoring historic water rights, and considering the local community's needs for economic and residential uses.

There are also many year-round and seasonal drainage and irrigation ditches that carry water through the city. These ditches include the Nutting Drain Ditch, Big Ditch, High Ditch, and Cove Ditch. Flooding is known to occur intermittently near the ditches. High water levels on properties near the ditches are a concern for property owners seeking to develop their property.



Floodplains

A floodplain is an area of land adjacent to a stream, river, or other water sources that stretches from the banks or boundaries of its channel to the base of higher elevation terrain that experiences flooding during high discharge rainfall periods. Floodplains are natural drainage basins for the discharge of heavy precipitation. The Yellowstone River exhibits vast floodplains and variations in flow due to terrain. Flow rates are dependent upon the season and the amount of rain and snowmelt. Flows are usually at their highest during the spring months and into early summer.

The Federal Emergency Management Agency (FEMA) utilizes the 100-year floodplain boundaries as the standard measurement for floodplain regulation. The 100-year floodplain is the area that has a one percent chance of flooding each year from a specific water source. The federal government expects municipalities and counties to take a proactive approach to flood damage prevention. Laurel has had an established Flood Insurance Rate Map (FIRM) since 1982. This map was most recently updated in November of 2013.

Most of the Laurel planning area is outside the 100-year floodplain. The areas within the 100-year floodplain include many properties directly abutting the Yellowstone River and its tributaries, some irrigation and stormwater ditches running through the city, and portions of downtown Laurel along Main Street as well as directly adjacent side streets. Laurel's Riverside Park is also within the floodplain.

Wetlands

Wetlands are ecosystems that are flooded by water permanently or seasonally. Wetlands have unique vegetation, wildlife, and hydric soils. Wetlands near Laurel include riparian areas along the Yellowstone

and Clark's Fork Rivers, marshes, spring seeps, and prairie potholes. Wetlands have historically been obstacles and have been removed whenever possible. Much of Laurel and the surrounding area suffers from high groundwater. Close attention must be paid to high groundwater and its impacts on public utilities such as water lines, sewer lines, and stormwater drainage systems. It is vital to understand wetlands and their traditional role in the environment to better plan for growth and development.

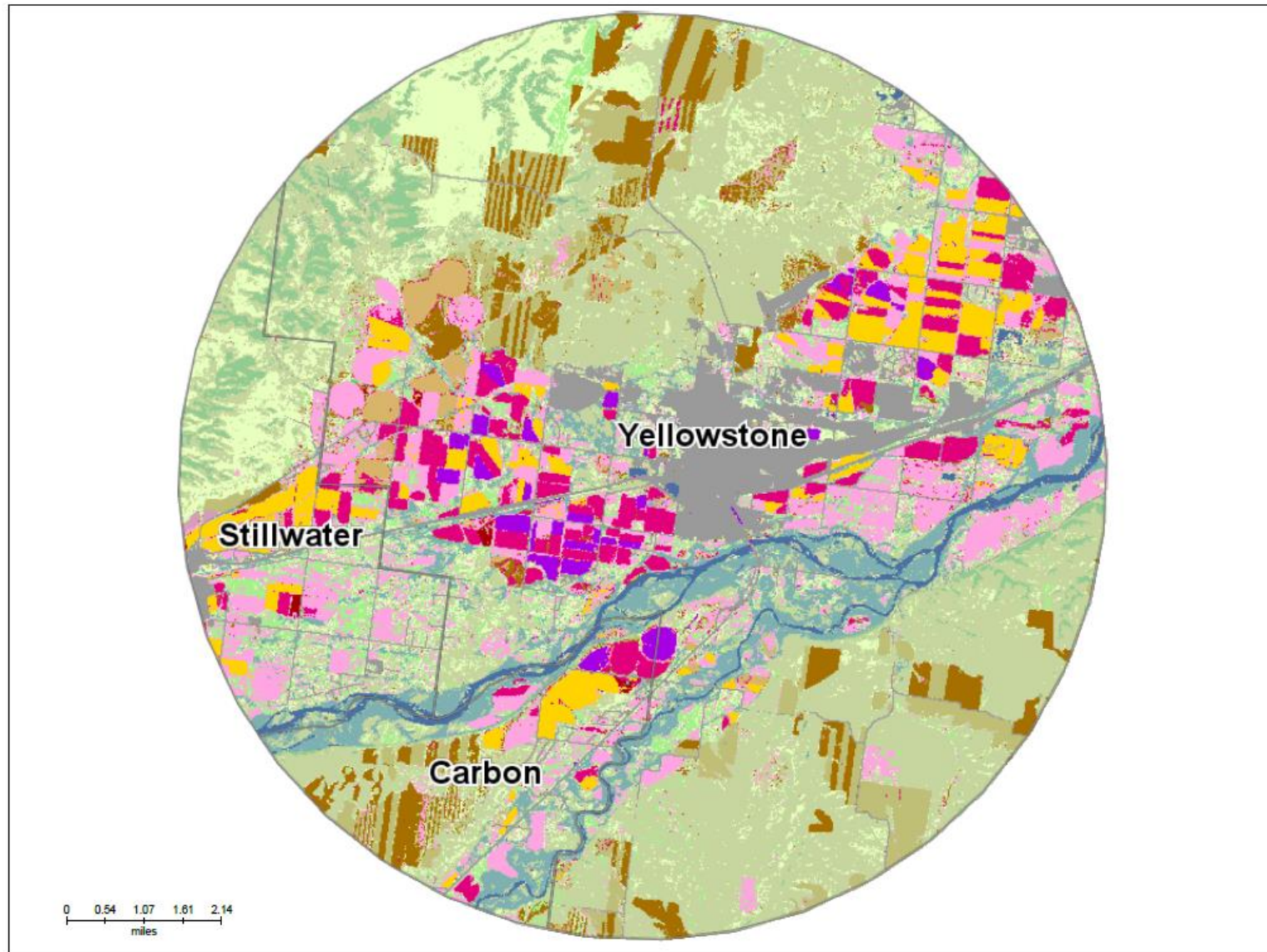
Agricultural Land

The U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) defines prime farmland as land with the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops. These crops also have the soil quality, growing season, and moisture supply needed to produce economically sustained high crop yields when managed appropriately.

Laurel and Yellowstone County have been home to agricultural farms and ranches since the beginning of European settlement in the area. There a vast amount of agricultural farmland within the Laurel planning jurisdiction itself. The map below presents the varieties of crops in the Laurel planning area.



Laurel - Crop Data



Land Cover Categories
(by decreasing acreage)

AGRICULTURE*

- Grass/Pasture
- Alfalfa
- Fallow/Idle Cropland
- Other Hay/Non Alfalfa
- Winter Wheat
- Barley
- Corn
- Spring Wheat
- Sugarbeets
- Dry Beans
- Triticale
- Peas
- Safflower
- Oats
- Flaxseed
- Canola

NON-AGRICULTURE**

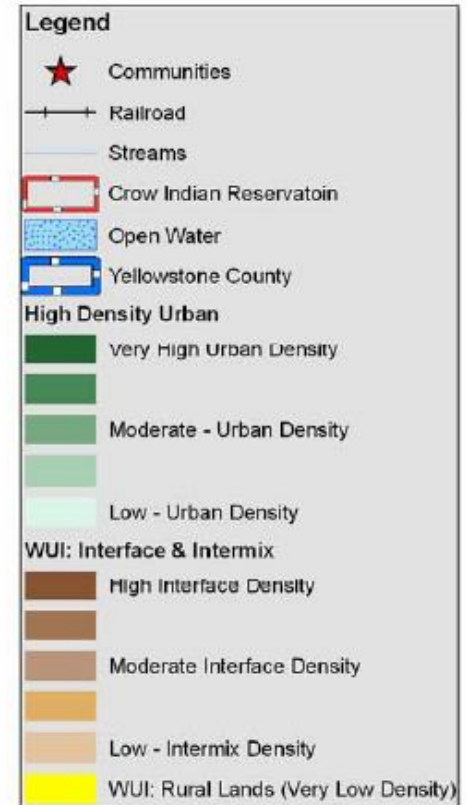
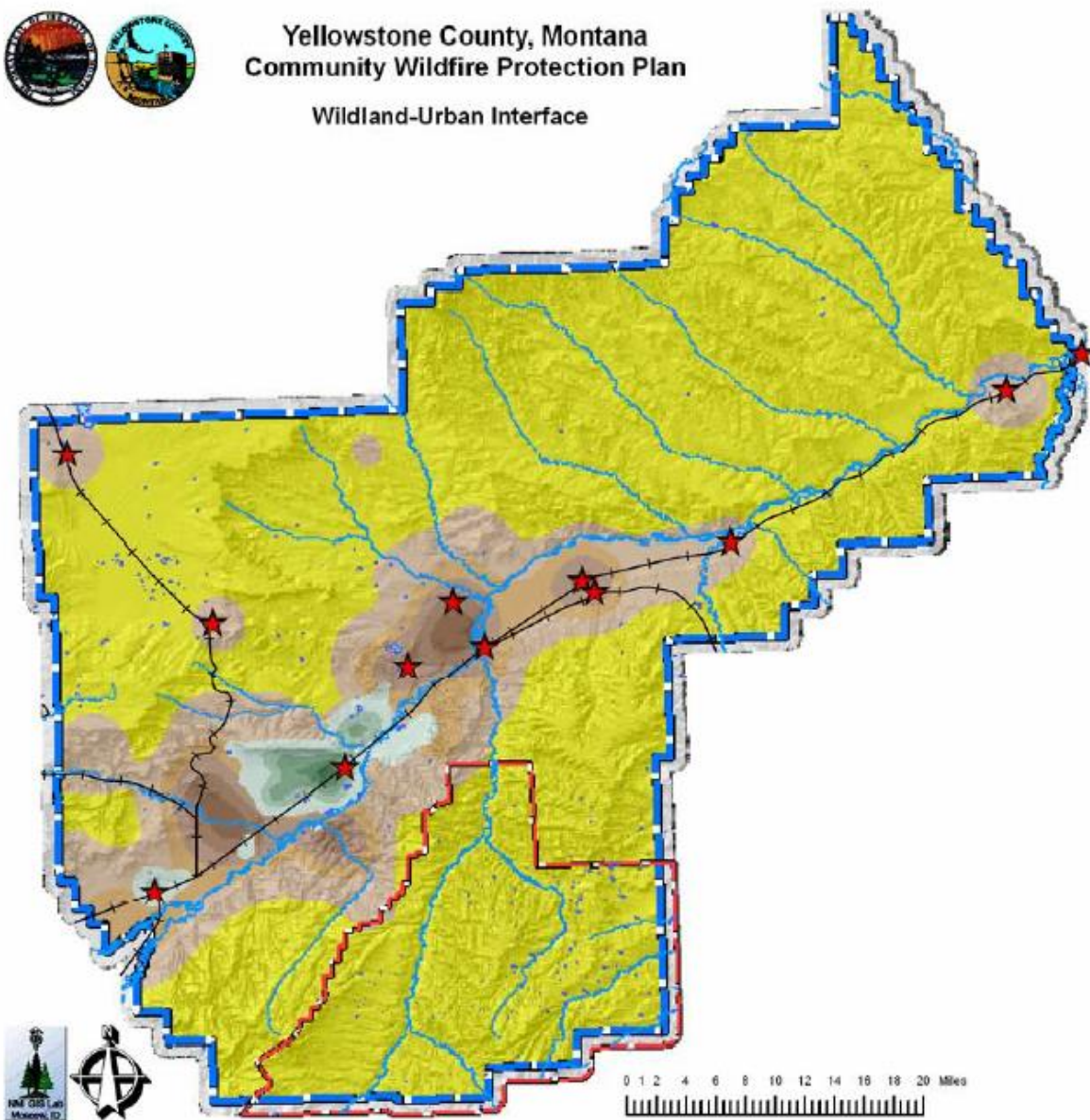
- Shrubland
- Woody Wetlands
- Evergreen Forest
- Developed/Low Intensity
- Developed/Open Space
- Herbaceous Wetlands

Wildland-Urban Interface and Significant Infrastructure



Yellowstone County, Montana
Community Wildfire Protection Plan

Wildland-Urban Interface



Wildland-Urban Interface

Laurel was part of the planning process for the Community Wildfire Protection Plan in 2006. A Wildland-Urban Interface (WUI) map was prepared as a part of this process. The planning process's goal was to improve fire prevention, reduce hazardous fuels, restore, fire-adapted ecosystems, and promote community assistance.

Yellowstone County has a diverse ecosystem with an array of vegetation that has developed with, and adapted to, fire as a natural disturbance. Decades of wildland fire suppression and long-standing land-use practices have altered the plant community. They have resulted in dramatic shifts in the types of fires and local species composition. Rangelands and farmland in Yellowstone County have become more susceptible to large-scale, high-intensity fires that threaten life, property, and natural resources because of these long-term practices.

Natural Resource Goals and Objectives

Goal 1: Protect Laurel's natural resources and traditional environment

- ❖ Provide options for landowners for conserving portions of their land while developing on others
- ❖ Achieve a balanced pattern of growth to ensure environmental concerns are considered during development
- ❖ Manage the local water resources as a healthy, integrated system that provides long-term benefits from enhanced environmental quality

Goal 2: Incorporate sustainable development patterns in the Laurel subdivision and land use codes

- ❖ Review and update existing zoning and subdivision regulations to ensure environmental preservation and conservation are addressed
- ❖ Review and update landscaping ordinances as needed to best match Laurel's natural environment
- ❖ Manage rivers, floodplains, wetlands, and other water resources for multiple uses including flood and erosion protection, wildlife habitat, recreational use, open space, and water supply

Goal 3: Connect with local, regional, and state agencies and stakeholders to improve the natural environment in and around Laurel

- ❖ Sponsor environmental cleanup and rehabilitation programs that include the city, school district, community organizations, and residents
- ❖ Participate in regional watershed studies to achieve effective long-term flood protection
- ❖ Explore the possibility of creating a conservation corridor along the Yellowstone River

CHAPTER 15: GROWTH POLICY IMPLEMENTATION

Overview

The 2020 Laurel Growth Policy is a significant upgrade of the existing Growth Management Plan. The previous Growth Management Plan provided very useful information regarding existing community characteristics as well as trends that had future implications for the community, but it did not provide specific recommendations regarding how the community might best address existing and emerging issues.

The content of this chapter is critical to compliance with state law and provides necessary details for the Laurel community to be eligible for various funding programs and resources. The chapter is organized into two primary sections as follows:

1. Section 1: Identification of tools available to Montana cities to help implement the growth policy; and
2. Section 2: Fulfills a specific requirement in Montana State Law requiring growth policies to evaluate jurisdictional subdivision regulations in the following three ways:
 - a. Identification of how local government defines various impact assessments as specified in the law
 - b. Addressing how public hearings for proposed subdivisions will be conducted, and
 - c. Addressing how the local government will make decisions with respect to various impact assessments

In addition, the second section identifies specific objectives, policies and strategies for six planning topic areas which are also outlined throughout the Growth Policy text:

- ◆ Land Use
- ◆ Housing
- ◆ Infrastructure
- ◆ Economic Development
- ◆ Public Facilities and Services
- ◆ Intergovernmental Coordination

In some cases, the topic areas identify specific resources and programs that are available to help implement strategies identified for each topic area. Objectives are also listed, and for each identified objective, there are recommended implementation measures. The implementation measures are either recommended policies or strategies. Recommended policies reflect the intent of how a governing body might address a planning topic or issue through policy. Strategies reflect a specific course of action that a governing body might utilize to address a specific planning topic or issue.

Implementation Tools

This section identifies several types of Growth Policy implementation tools. Generally, there are five types of tools at a local government's disposal to help implement a growth policy. They include:

- ◆ **Regulations:** Regulations are generally outlined and authorized by Montana Code Annotated (MCA) and adopted into law by local government.
- ◆ **Policies:** The Growth Policy and other adopted plans contain policies that express the community's interest in pursuing a course of action on topics and issues. Unlike regulations, local government has discretion in the implementation of policies.
- ◆ **Government Finance:** Government finance tools represent the community's financial commitment to fund the implementation of policies and strategies outlined in the Growth Policy.
- ◆ **Education:** Educational tools, such as the growth policy itself, include several activities that inform the public, appointed officials and elected officials that facilitate effective decision making.
- ◆ **Coordination:** Coordination tools are voluntary measures in the local government or between a local government and other local, state and federal government or agency that result in more efficient and effective delivery of services or a shared response to a common concern.

Provided below is a discussion of each of the types of growth policy implementation tools. The tools described are not all inclusive but rather are intended to provide examples of tools that are commonly used by communities in Montana. Several of the tools are already being utilized by the City of Laurel. The tools not in use may be considered as additional means to advance the implementation of the Growth Policy.

Regulatory Tools

Subdivision Regulations

MCA requires counties to adopt subdivision regulations that comply with the Montana Subdivision and Platting Act. Subdivision regulations control the creation or modification of the division of land into new parcels or tracts. They also control the design of subdivisions and provide standards for adequate provision of infrastructure without adversely impacting public services and natural resources.

The City of Laurel has adopted subdivision regulations that are enforced in the City or on lands proposed for annexation into the City. Subdivision regulations will need to be updated to be consistent with this Growth Policy and must include any amendments made during the 2020 Montana Legislative session.

Zoning Regulations

Zoning regulations are a common regulatory tool to control land use. One of the primary purposes of zoning regulations is to minimize land use incompatibility. Zoning regulations also establish standards that limit the density or intensity of development as well as other characteristics of development such as off-street parking, signs, lighting, site layout, etc. Zoning regulations are supplements to a zoning map that establishes zoning districts in the jurisdiction.

The zoning map provides the means to separate incompatible land uses and zoning regulations mitigate potential land use incompatibilities at the boundaries separating different zoning districts.

The City of Laurel adopted zoning regulations in 2001. Over the years, several amendments have been made. The city is in the process of reviewing a comprehensive update to the zoning regulations as prepared by their planning consultant. Pursuant to MCA, the City of Laurel can establish extraterritorial zoning jurisdiction up to one mile beyond the city limits if Yellowstone County and the city create the extraterritorial area and provide for joint administration.

Design Standards

Design standards are most often contained within zoning regulations but can also be established in subdivision regulations. The purpose of design standards is to enhance the appearance and functionality of a development. Overly restrictive design standards can impede development. If properly crafted, design standards can significantly enhance the built environment without placing undue burdens on a developer.

Floodplain Regulations

Floodplain regulations are intended to regulate the use of land located within an officially designated 100-year floodplain in order to protect buildings and occupants from the risks associated with flooding. Floodplain provisions are contained in the subdivision regulations. Some communities choose to participate in the National Flood Insurance Program Community Rating System (CRS). CRS is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. Any community in compliance with the minimum requirements of NFIP may participate. Participation in the CRS results in discounted premiums for flood insurance policy holders; between 5 to 45 percent depending on the rating of proposed floodplain management activities, reducing the likelihood or magnitude of damage resulting from a flood.

Zoning Compliance Permits

Zoning compliance permits ensure that development activities comply with zoning regulations. The City of Laurel requires the issuance of zoning compliance permits for most types of improvements to private property.

Building Permits

Building permits are utilized to ensure that construction of buildings follows the State of Montana Building Code. Building permits are required for all buildings over two hundred (200) square feet. Most residential building permits are issued by the City Building Inspector but permits for commercial or residential buildings with five or more dwelling units are issued by the State.

POLICY TOOLS

Neighborhood or Area Plans

The Growth Policy can be further implemented by more detailed neighborhood or area plans. With the adoption of the Growth Policy, plans may be prepared that provide a greater level of detail for specific areas or issues as the City finds need.

Annexation Policy

A city expands its boundaries and its jurisdictional authority through the process of annexation. There are six different methods for annexation authorized by state statute (Parts 42 through 46 of Title 7, Chapter 2, MCA). Part 46 authorizes an annexation resulting from a petition from private property owners.

Cities use two tools to facilitate and guide future annexations. The first is a “Limits of Annexation” map that delineates the areas surrounding the city that can be reasonably supported by urban services and infrastructure.

The map is prepared in coordination with the preparation of a capital improvements plan. The second is the use of annexation agreements. Entering into an annexation agreement with a property owner prior to the submission of development plans gives a local jurisdiction the opportunity to assign infrastructure and other costs associated with development of the annexed property.

Urban Planning Area

Urban planning areas are different than Extra Territorial/City-County Planning areas. An Urban Planning Area focuses on extension of infrastructure over a portion of the City-County Planning Jurisdiction and typically for a shorter time horizon than the jurisdictional area associated with the City-County Planning Jurisdiction.

Designation of an urban planning area is utilized for the extension of urban services as a jurisdiction grows. It delineates the geographic extent of how far outside the city limits the jurisdiction is prepared to extend urban services within a 10-year planning horizon. This is often accomplished by establishing an urban service area boundary beyond the city limits. The urban service area boundary is established in coordination with planned growth areas identified in the Growth Policy as well as the city’s capital improvement plan. This tool helps a city plan for future growth outside the city limits and puts property owners outside the city limits on notice of what areas will and will not be supported by the extension of urban services.

Urban Renewal Districts

The establishment of urban renewal districts facilitates redevelopment of specifically selected areas in the city. Title 7, Chapter 15, Part 42 of the MCA gives municipalities authority to establish urban renewal districts in areas that meet the statutory definition of “blighted” areas and authorizes the municipality to expend funds in the area to stimulate private investment.

Tax increment finance (TIF) districts are often used to recapture the city’s expenditure of funds for public improvements in the redevelopment area. TIF districts use the incremental increase in tax collections as blighted areas are redeveloped or other improvements are made to properties within the district. It is this increment that is used to retire debt to install the additional or new capital infrastructure. Prior to establishing an urban renewal district, municipalities are required to prepare and adopt an urban renewal plan. For more information see the TIF Section under Government Finance Tools.

GOVERNMENT FINANCE TOOLS

Capital Improvement Programs

City and county governments often program capital improvements on an annual basis. This is a reasonable practice for communities experiencing no or low levels of growth.

However, for communities anticipating or experiencing high levels of growth, the use of multi-year capital improvement programs is an important tool to plan for public expenditures associated with growth. In such cases, a local government may establish a five-year capital improvement program. As noted above, a multi-year capital improvement program can support the establishment of urban service areas and facilitate negotiation of an annexation agreement.

Fee Incentives

The reduction or full waiver of municipal fees can be utilized to support implementation of specific growth policy goals and objectives. Often the financial incentive is used to support affordable housing or redevelopment projects. The tool can also be used to support specific economic development policy.

Impact Fees

An impact fee is a charge on development assessed at the building permit or zoning compliance permit stage of a project to assist the funding of new or expanded facilities that are needed to accommodate the development. Impact fees are used by communities anticipating or experiencing high levels of growth and are intended to maintain existing or minimum levels of service with minimal costs to existing property owners.

Impact fees can be assessed for a wide range of community services including but not limited to public safety (EMS, police and fire), public works (sewer, water, transportation and drainage facilities), recreation, libraries, etc. Citizens who are assessed impact fees need to receive benefit from impact fee expenditures within a reasonable period, which most often is five years.

Local Government Owned Land

Land that is owned by local government, including school districts, is a valuable resource that can be used to implement growth policy goals and objectives. Undeveloped public land may be used to financially leverage private development that meets a community's high demand need. By reducing or eliminating land acquisition costs the jurisdiction provides a significant financial incentive to facilitate development that supports the implementation of land use, housing or economic development policy. When this implementation tool is used the local government should consider entering into a development agreement to ensure the developer provides the desired outcome.

Tax Increment Financing (TIF)

Tax Increment Financing (TIF) was first authorized by the Montana legislature in 1974. It is a locally-driven funding mechanism that allows cities and counties to direct property tax dollars that accrue from new development, within a specifically designed district, to community and economic development activities within that district. It is intended as a tool that can encourage and support investment in areas where growth has been hindered by a lack of infrastructure and/or the presence of blight.

TIF does not increase property taxes for individuals and businesses located within a designated district. It only affects the way that taxes are distributed after they have been collected. A base taxable value is determined upon the establishment of a TIF district, and any additional tax revenue that accrues due to new development over a specified time frame is used to finance a variety of district improvements.

Eligible improvement activities include:

- ◆ Land acquisition
- ◆ Rehabilitation and renovation
- ◆ Demolition and removal of structures
- ◆ Planning, marketing and analysis
- ◆ General redevelopment activities
- ◆ Constructing, improving and connecting to infrastructure
- ◆

EDUCATION TOOLS

Planning Studies and Data Collection

The Growth Policy provides significant information and data on the community's various characteristics. It also provides an extensive list of policies and strategies to implement growth policy objectives. In most cases the information and data contained in the growth policy will be enough to justify and implement the policies and strategies. However, there may be cases where the community will need to conduct more detailed follow-up planning studies and collect additional information to support an implementation activity.

Establishing impact fees or urban renewal districts are examples of implementation measures requiring additional study. As discussed below, ongoing collection of data will support Growth Policy monitoring.

Growth Policy Monitoring

The recommended policies and strategies contained in this Growth Policy are based on an assessment of current information and data. The policies and strategies remain relevant so long as conditions in the community are aligned with current trends. However, unanticipated circumstances or opportunities are likely to arise that will warrant a re-evaluation of policies or strategies whether they have been implemented or not. To support a re-evaluation of policies or strategies, data that is applicable to various planning topics should be collected and reported on an annual basis. This data will, in effect, provide community indicator information allowing the community to identify the emergence of new trends.

It is recommended that the City consider preparation of an annual community indicator report that can be used to support an evaluation of the level of success in achieving community goals and objectives, and an assessment of the need to implement or revise selected policies and strategies contained in the Growth Policy. Annual community Indicator reports also provide valuation information that can be used in the next update of the Growth Policy. The reports can also be used to justify need when requests for outside funding are made.

Community indicator reports should provide information that can be compared to information contained in the Growth Policy, so change can be measured.

Annual community indicator reports should include, but are not limited to an assessment and review of the following information:

- ◆ Building permits for new housing
- ◆ Volume of sales of residential property (Laurel Real Estate MLS Service)
- ◆ Crime statistics (Laurel Police Department)
- ◆ Client caseloads for senior citizen programs (Yellowstone County Council on Aging)
- ◆ Number and type of new or expanded businesses
- ◆ Number and type of new jobs created (Montana Department of Labor and Industry)
- ◆ Tax revenue
- ◆ School enrollment
- ◆ Levels of participation in recreational programs
- ◆ Remaining capacity of sewer treatment facilities
- ◆ Remaining capacity of the landfill
- ◆ Updated population projections prepared by the Montana Department of Commerce
- ◆ Annual departmental budget reports/requests
- ◆ Medical Facility programming/services

COORDINATION TOOLS

Intra-Governmental Coordination

The functions of local government are logically divided into departments. The departmentalization of local government services tends to discourage the sharing of information and coordination between departments. Too often synthesizing information from the various departments to get a holistic view of the community is solely the responsibility of the elected officials and most often occurs during preparation of annual budgets. It is recommended that Laurel consider the timely sharing of department reports with staff members responsible for overseeing implementation of the Growth Policy.

In addition, the City might consider assigning individual departments the task of implementing or evaluating the need to implement recommended policies and strategies that most clearly impact those individual departments. This is an excellent way to spread ownership of the Growth Policy. Annual department reports can provide information on the status of recommended implementation activities. The City might consider including a Growth Policy Implementation section into each department budget, to institutionalize the community's commitment to Growth Policy implementation.

Intra-governmental coordination is also an effective tool to more efficiently deliver services. When leaders of each department meet periodically to share information and service delivery challenges, there is more opportunity to enhance coordination between departments and identify ways that staff, equipment and other departmental resources might be shared to mitigate service delivery challenges.

Inter-Governmental Coordination

The same principles discussed in the previous section apply to coordination between local governments and between local governments and regional, tribal, state and federal agencies. Inter-governmental coordination provides an opportunity to regularly share information about plans and programs and enhance working relationships.

The City might consider establishing a semi-annual meeting schedule with regional, state and federal agencies and a quarterly meeting schedule for local governments within the county. Individual County Commissioners and City Council members can be designated as the liaison for each agency and/or local government. The intangible benefits of this coordination are often the maintaining of open lines of communication and a greater mutual understanding of the perspectives and needs of the larger region and state.

Evaluation of Yellowstone County/Laurel Subdivision Regulations

An evaluation of the administration and standards contained in the Laurel Subdivision Regulations is required as part of the Growth Policy. There are three items that need to be evaluated per Title 76, Chapter 1, Part 6, 76-1-601(3)(h), MCA. 1).

1. How local government defines the various impacts assessments as specified in 76-3-608(3)(a),
2. How local government makes decisions with respect to the impact assessments as made, and
3. How public hearings for proposed subdivisions are conducted.

Impact Assessments: Definitions and Evaluation Factors

Local government subdivision regulations are required to review proposed subdivisions in accordance with the following criteria provided in 76-3-608(3)(a):

- ◆ The effect on agriculture
- ◆ The effect on agricultural water user's facilities
- ◆ The effect on local services
- ◆ The effect on the natural environment
- ◆ The effect on wildlife and wildlife habitat
- ◆ The effect on public health and safety

For each of the above criteria, applicable definitions and evaluative provisions contained in the subdivision regulations must be identified.

Effect on Agriculture

Agriculture is defined as all aspects of farming or ranching including the cultivation or tilling of soil; dairying; the production, cultivation, growing, harvesting of agricultural or horticultural commodities; raising of livestock, bees, fur-bearing animals or poultry; and any practices including forestry or lumbering operations, including preparation for market or delivery to storage, to market, or to carriers for transportation to market. The effect on agriculture is evaluated utilizing the following provisions:

1. Is the proposed subdivision or associated improvements located on or near prime farmland or farmland of statewide importance as defined by the Natural Resource Conservation Service? If so, identify each area on a copy of the preliminary plat.
2. Is the proposed subdivision going to result in removal of any agricultural or timber land from production? If so, describe.
3. Are there any possible conflicts with nearby agricultural operations (e.g., residential development creating problems for moving livestock, operating farm machinery, maintaining water supplies, controlling weeds or applying pesticides; agricultural operations suffering from vandalism, uncontrolled pets or damaged fences)? If so, describe.

4. Are there any possible nuisance problems which may arise from locating a subdivision near agricultural or timber lands? If so, describe.
5. What effects would the subdivision have on the value of nearby agricultural lands?

Effect on Agricultural Water User Facilities

Agricultural water user facilities are defined as those facilities which provide water for irrigation or stock watering to agricultural lands to produce agricultural products.

These facilities include, but are not limited to, ditches, head gates, pipes and other water conveying facilities. The effect on agricultural water user facilities is evaluated by the following provisions:

1. Are there any conflicts the subdivision would create with agricultural water user facilities (e.g. residential development creating problems for operating and maintaining irrigation systems) or would agricultural water user facilities be more subject to vandalism or damage because of the subdivision? Describe.
2. Are there any possible nuisance problems which the subdivision would generate regarding agricultural water user facilities (e.g. safety hazards to residents or water problems from irrigation ditches, head gates, siphons, sprinkler systems or other agricultural water user facilities)? Describe.

Effect on Local Services

Local services are defined as any and all services that local governments, public or private utilities are authorized to provide for the benefit of their citizens. The effect on local services is evaluated by the following provisions:

1. Are there any additional or expanded public services and facilities that would be demanded of local government or special districts to serve the subdivision? Describe.
2. Are there any additional costs which would result for services such as roads, bridges, law enforcement, parks and recreation, fire protection, water, sewer and solid waste systems, ambulance service, schools or busing, (including additional personnel, construction and maintenance costs)? Describe.
3. Who would bear these costs (e.g. all taxpayers within the jurisdiction, people within special taxing districts, or users of a service)?
4. Can service providers meet the additional costs given legal or other constraints (e.g. statutory ceilings on mill levies or bonded indebtedness)?
5. Are there off-site costs or costs to other jurisdictions that may be incurred (e.g. development of water sources or construction of a sewage treatment plant; costs borne by a nearby municipality)? Describe.
6. How does the subdivision allow existing services, through expanded use, to operate more efficiently, or makes the installation or improvement of services feasible (e.g. allow installation of a central water system or upgrading a country road)?

7. What are the present tax revenues received from the un-subdivided land?
 By the County \$ _____
 By the municipality, if applicable, \$ _____
 By the school(s) \$ _____
8. What are the approximate revenues received by each above taxing authority if the lots are reclassified, and when the lots are all improved and built upon? Describe any other taxes that would be paid by the subdivision and into what funds (e.g. personal property taxes on mobile/manufactured homes are paid into the County general fund).
9. Would new taxes generated from the subdivision cover additional public costs?
10. How many special improvement districts would be created which would obligate local government fiscally or administratively? Are any bonding plans proposed which would affect the local government's bonded indebtedness?

Effect on Natural Environment

Natural environment is defined as the physical conditions which exist within a given area, including land, air, water, mineral, flora, fauna, sound, light and objects of historic and aesthetic significance.

The effect on the natural environment is evaluated by the following provisions:

1. What are the known or possible historic, paleontological, archaeological or cultural sites, structures or objects which may be affected by the proposed subdivision? Describe and locate on a plat overlay or sketch map.
2. How would the subdivision affect surface and groundwater, soils, slopes, vegetation, historical or archaeological features within the subdivision or on adjacent land? Describe plans to protect these sites.
3. Would any stream banks or lake shorelines be altered, streams re-channeled or any surface water contaminated from sewage treatment systems, run-off carrying sedimentation, or concentration of pesticides or fertilizers?
4. Would groundwater supply likely be contaminated or depleted as a result of the subdivision?
5. Would construction of roads or building sites require cuts and fills on steep slopes or cause erosion on unstable, erodible soils? Would soils be contaminated by sewage treatment systems? Explain
6. What are the impacts that removal of vegetation would have on soil erosion, bank or shoreline instability?
7. Would the value of significant historical, visual or open space features be reduced or eliminated?
8. Are there any natural hazards the subdivision could be subject to (such as flooding, rock, snow or landslides, high winds, severe wildfires, or difficulties such as shallow bedrock, high water table, unstable or expansive soils, or excessive slopes)?

9. How would the subdivision affect visual features within the subdivision or on adjacent land? Describe efforts to visually blend the proposed development with the existing environment (e.g. use of appropriate building materials, colors, road design, underground utilities and re-vegetation of earthworks).

Effect on Wildlife and Wildlife Habitat

Wildlife is defined as those animals that are not domesticated or tamed, or as may be defined in a Growth Policy. Wildlife habitat is defined as the place or area where wildlife naturally lives or travels through. The effect on wildlife and wildlife habitat are evaluated by the following provisions:

1. What impacts would the subdivision or associated improvements have on wildlife areas such as big game wintering range, migration routes, nesting areas, wetlands or important habitat for rare or endangered species?
2. What effect would pet, or human activity have on wildlife?

Effect on Public Health and Safety

Public health and safety are defined as the prevailing healthful, sanitary condition of wellbeing for the community at large. Conditions relating to public health and safety include but are not limited to: disease control and prevention; emergency services; environmental health; flooding, fire or wildfire hazards, rock falls or landslides, unstable soils, steep slopes and other natural hazards; high voltage lines or high pressure gas lines; and air or vehicular traffic safety hazards. The effect on public health and safety is evaluated by the following provisions:

1. Are there any health or safety hazards on or near the subdivision, such as: natural hazards, lack of water, drainage problems, heavy traffic, dilapidated structures, high pressure gas lines, high voltage power lines or irrigation ditches? These conditions, proposed or existing, should be accurately described with their origin and location identified on a copy of the preliminary plat.
2. Would the subdivision be subject to hazardous conditions due to high voltage lines, airports, highways, railroads, dilapidated structures, high pressure gas lines, irrigation ditches and adjacent industrial or mining uses?
3. How will the subdivision affect the adjacent land use? Identify existing uses such as feed lots, processing plants, airports or industrial firms which could be subject to lawsuits or complaints from residents of the subdivision.
4. What public health or safety hazards, such as dangerous traffic, fire conditions or contamination of water supplies would be created by the subdivision?

In addition to the above factors, the subdivision regulations also require preparation of a community impact report on the following public services and facilities.

1. Education and busing
2. Roads and maintenance
3. Water, sewage and solid waste facilities
4. Fire and police protection
5. Payment for extension of capital facilities

Public Hearing Requirements and Procedures

The subdivision regulations contain several sections that specify the procedural requirements for the following types of subdivision applications.

1. Divisions of land exempt from subdivision review
2. Review and approval procedures for minor subdivisions
3. Review and approval procedures for major subdivisions, including review and approval of preliminary and final plats
4. Expedited review of a first minor subdivision

The subdivision regulations apply to all jurisdictions within the county. The County is in the process of updating the subdivision regulations for consistency with all applicable enacted amendments to the MCA during the last three Montana legislative sessions. All procedural provisions, including those applicable to public hearings, are consistent with the current statutory provisions contained in the MCA.

Objectives, Policies and Strategies

A growth policy is a foundational document. It is intended to provide an overview of the community in terms of guidance for future planning. As a guiding document, the growth policy should encourage as many “finer point” studies and documents as possible to encourage refining of larger scope ideas.

Items outlined in the following tables are only options, and do not in any way obligate the governing body to pursue, fund or prioritize any given option or opportunity. Instead, the following are the recommended objectives and policies and strategies for each topic of the Growth Policy. For each policy and strategy, the entity responsible for implementation is identified and a recommended time frame for implementation is provided. The entity listed first for each policy and strategy (in italicized type) is assigned the primary responsibility to initiate and follow-through with implementation measures. In a few cases, multiple entities are assigned the primary responsibility for implementation. Other listed entities for recommended policies and strategies are responsible for supporting the implementation measures. Four implementation time frames are provided:

1. Immediate (defined as within a year after adoption of the Growth Policy)
2. Short-term (defined as not later than two years after adoption of the Growth Policy)
3. Mid-term (defined as between two and four years after adoption of the Growth Policy)
4. Long-term (defined as prior to the future update of the Growth Policy in 5 years (2025))

LAND USE

TABLE 1, LAND USE OBJECTIVES

Objective: Ensure developable land is available to accommodate anticipated population increases.		
Utilize the Land Use and Business Development map to assist in guiding development and extending the service area within the City.	<i>Planning Board</i> City Council	Immediate
Retain existing residents, including the young adult population, and accommodate new people, including energy sector workers and their families, moving into the community.	<i>BSEDA</i> City Council	Immediate
Objective: Accommodate future growth in areas that can be efficiently served by public services.		
Encourage county land use policies and development standards adjacent to Laurel that are compatible with city land use and development standards and land uses and infrastructure.	<i>Planning Board</i> County Commission	Short-term
Investigate the use of an urban service boundary or adequate public facilities ordinance to promote efficient extensions of infrastructure.	<i>Planning Board</i> City Council	Short-term
Objective: Implement land use policies and strategies to promote investment in Laurel and development of commercial uses		
Identify areas in the City of Laurel that would meet the MCA criteria for establishing a redevelopment plan.	<i>BSEDA</i> City Council	Short-term
Review the City code of ordinances to determine if existing regulations are imposing a constraint on new development.	<i>City Council</i>	Mid-term

Objective: Establish land use compatibility policy in planned future growth areas, including policy to limit incompatible development in existing agricultural areas.

Establish future land use policy to guide decisions on rezoning and land use map amendment applications.	Planning Board City Council County Commission	Short-term
Enforce zoning standards to mitigate adjacent land use incompatibilities.	Planning Board City Council	Immediate
Establish zoning standards that address land use transitions and compatibility with existing rural residential developed properties.	Planning Board City Council	Mid-term
Require recordation and notification of buyers of residential properties in proximity of agricultural land uses and operations such as harvesting, grazing of animals, etc.	Planning Board City Council County Commission	Short-term

Objective: Improve the physical appearance of existing neighborhoods and high visibility properties to retain a clean and safe sense of place.

Enforce zoning landscaping standards and consider establishing open space requirements for development projects.	Planning Board City Council	Immediate and short-term
Establish a street tree/landscaping program for community gateways and selected commercial sites.	Planning Board City Council County Commission	Long-term
Enhance code enforcement of properties not maintained or in need of repair.	City Council	Immediate
Report the identification of abandoned or derelict properties to the County Sanitarian who has the authority to investigate and decide if a public nuisance exists. If such a determination is made the matter will be brought to municipal court.	City Council County Commission County Sanitarian	Immediate
Continue to amend the City of Laurel zoning ordinance to promote high quality development.	Planning Board Zoning Commission City Council	Short-term
Update and enforce ordinances in City of Laurel.	Planning Board City Council	Short-term

HOUSING

TABLE 2, HOUSING OBJECTIVES

Objective: Increase the availability of housing choices for all people including low and fixed-income residents, senior citizens, homeless and disabled persons.		
Encourage development of apartment buildings in the City of Laurel to provide more housing options for residents with fixed incomes.	<i>BSEDA</i> Planning Board City Council County Commission	Short-term
Work with the owners of undeveloped vacant properties. Financial incentives such as tax abatement or directly monthly payments to the property owner should be considered.	<i>County Commission</i> <i>City Council</i>	Immediate
Objective: Increase availability of housing in the community, with special emphasis on increasing the supply of affordable and workforce housing.		
Use surplus city, county, town and school district owned land to establish public-private partnerships for developing affordable and workforce housing.	<i>County Commission</i> <i>City Council</i> <i>School Districts</i>	Short-term
Implement revisions to the zoning ordinance to encourage residential development and redevelopment in existing neighborhoods.	<i>Planning Board</i> <i>City Council</i>	Immediate
Promote Neighbor Works-Montana housing programs which include but are not limited to home buyer assistance (including income-based loans), foreclosure intervention, home maintenance guides, purchase of mobile homes, etc.	<i>BSEDA</i> City Council	Mid-term
Objective: Reduce the number of substandard housing units by securing outside funding for repair and rehabilitation.		
Establish a local housing rehabilitation program and seek state and federal funds to support its activities.	<i>BSEDA</i>	Short-term
Apply for Montana Department of Commerce Community Development Block Grant funds that can be used to develop a housing assistance program.	<i>BSEDA</i>	Short-term

Objective: Reduce the number of substandard housing units by securing outside funding for repair and rehabilitation.

Seek funding from the Montana Entity of Commerce Home Program non-competitive homeowner rehabilitation funds.	<i>BSEDA</i>	Short-term
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Objective: Make targeted public investments in neighborhoods to stimulate private investment.

Seek Montana Department of Commerce Community Block Grant Program funds for public facility projects in neighborhoods.	<i>City Council</i>	Short-term
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Objective: Establish minimum standards for temporary workforce housing.

Establish zoning and subdivision standards for the appropriate location, size, design standards, reclamation procedures and infrastructure for temporary worker housing.	<i>Planning Board</i> County Commission City Council	Immediate
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TRANSPORTATION

TABLE 3, TRANSPORTATION OBJECTIVES

Objective: Improve traffic safety and maintain existing streets and roads.

Formalize an adequately funded street and road maintenance program that is responsive to citizen complaints and uses criteria to prioritize street maintenance projects.	<i>City Council</i> County Commission	Long-term
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Establish, implement and enforce load limits on streets to reduce damage to streets, truck traffic congestion and noise and visual impacts of heavy truck traffic.	<i>Planning Board</i> City Council	Short-term
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Establish access management regulations in the City of Laurel zoning ordinance and the subdivision regulations.	<i>Planning Board</i> Zoning Commission City Council	Mid-term
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Objective: Plan for new streets and roads in future growth areas by preserving right-of-way for street and road extensions.

Implement a Future Roadway Functional Classification map to coordinate alignment of extended or new streets and in growth areas to maximize connectivity of the street network.	Planning Board City Council	Immediate
Prepare specifications for new roads based on the projected overall traffic volume and truck traffic volume, including the expected weight of loads.	City Council County Commission	Mid-term
Establish street connectivity standards in the City of Laurel zoning ordinance.	Planning Board Zoning Commission City Council	Short-term

INFRASTRUCTURE

TABLE 4, INFRASTRUCTURE OBJECTIVES

Objective: Maximize the functional life of existing water, sewer, storm water and solid waste facilities.

Establish and/or maintain an inspection and maintenance program for sewer, water and drainage facilities	City Council	Short-term
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Objective: Coordinate infrastructure planning with future land use policy and future growth areas.

Coordinate future infrastructure investment with future land use designations.	City Council Planning Board	Short-term
Develop a financially feasible five-year capital improvement plan (CIP) for infrastructure improvements in designated growth areas.	City Council	Mid-term
Create compatible development standards for streets, roads, water, and sewer in the county that can be annexed into the City.	Planning Board City Council County Commission	Mid - term

Objective: Establish policies that clearly define financial responsibilities for infrastructure improvements associated with existing and new development.

Refine policy and regulation on infrastructure cost sharing associated with development by providing preferential terms for development that clearly promote multiple Growth Policy goals and objectives.

Planning Board
City Council

Short-term

Monitor funding programs and apply for infrastructure project grant funds. (Details on several grant programs that support community infrastructure projects are provided below).

City Council

Immediate

Infrastructure Funding Opportunities:

Montana Department of Environmental Quality, Drinking Water State Revolving Fund Loan Program

The Montana Legislature established the Drinking Water State Revolving Fund (DWSRF) Loan Program for Drinking Water projects. The program provides at or below market interest rate loans to eligible Montana entities. The Department of Environmental Quality (DEQ) is the administering agency and assures the technical, financial and programmatic requirements of the program are met.

Eligible water projects include acquisition of land that is integral to the project, consolidating water supplies, engineering, new sources, treatment, source water protection, storage and distribution.

Eligible applicants are municipalities, public or private community water systems and non-profit, non-community water systems. The current interest rate for loans is 3.75 percent with payment schedules not to exceed 20 years. Drinking Water Projects qualifying as disadvantaged may extend the term up to 30 years.

Applications are accepted year-round. Preliminary engineering analysis must be reviewed prior to submittal of application.

Montana Department of Environmental Quality, Water Pollution Control State Revolving Fund Loan Program

The Montana Legislature established the Water Pollution Control State Revolving Fund (WPCSRF) Loan Program for water pollution control projects. The program provides at or below market interest rate loans to eligible Montana entities. Cooperatively, DEQ and DNRC administer the Water Pollution Control State Revolving Fund Loan Program.

Eligible water quality projects include wastewater treatment plant improvements, interceptors, collectors and lift stations, lagoon construction and rehabilitation, engineering and project inspection, and land used for disposal purposes.

All projects must be included in a project priority list and intended use plan for the fiscal year in which funding is anticipated, and the ability to repay loan funding must be demonstrated.

Eligible applicants are municipalities for wastewater projects as well as municipalities and private entities for nonpoint source projects. The current interest rate for loans is 3.75 percent with payment schedules not to exceed 20 years. Water Pollution Control projects qualifying as disadvantaged may extend the payment term up to 30 years.

Applications are accepted year-round. Preliminary engineering analysis must be reviewed prior to submittal of application.

Montana Department of Commerce, Treasure State Endowment Program Construction Grants (TSEP)

The Treasure State Endowment Program (TSEP) awards matching grants to local governments for construction of local infrastructure projects. TSEP construction grants provide help in financing infrastructure projects throughout Montana.

Eligible applicants include incorporated cities and towns, counties, consolidated governments, Tribal governments and county or multi-county water, sewer or solid waste districts.

A dollar-for-dollar match is required, but in cases of extreme financial hardship where the public's health and safety are seriously affected, grants up to 75 percent of the project costs may be awarded. Matching funds can be public or private funds. Construction grant applications are limited to a maximum of \$750,000. Applications are typically due the first week of May on even numbered years.

US Department of Agriculture, Water and Environmental Load and Grant Program (WEP)

Water and Environmental Programs (WEP) loans and grants provide funding for drinking water, sanitary sewer, solid waste and storm drainage facility projects in rural areas and cities and towns of 10,000 or less. WEP also makes grants to nonprofit organizations to provide technical assistance and training to assist rural communities with their water, wastewater and solid waste problems. Eligible projects include construction, repair and expansion of water, wastewater, storm water and solid waste systems.

Public bodies, non-profit organizations and recognized Indian Tribes are all eligible applicants for the program. This funding opportunity is capped at 75 percent of total project costs. Applications are accepted on a continual basis.

Economic Development Administration, Public Works Grant Program

The Economic Development Administration (EDA) provides public works investments to support construction or rehabilitation of essential public infrastructure and facilities to help communities and regions leverage their resources and strengths to create new and better jobs, drive innovation, become centers of competition in the global economy and ensure resilient economies.

Eligible projects are those pertaining to water and wastewater systems that address national strategic priorities, assist economically distressed and underserved communities, demonstrate a good return on EDA's investment through job creation or retention, demonstrate or support regional collaboration and employ public-private partnerships to use both public and private resources and/or leverage complementary investments.

Eligible applicants include municipalities, counties and Indian Tribes. The maximum award attainable is 75 percent of project cost. Application deadlines are variable and would need to be determined at the time of application.

US Department of Interior, Water Grant Program System Optimization Review Grant

The Water Program focuses on improving water conservation, sustainability and helping water resource managers make sound decisions about water use. It identifies strategies to ensure present and future generations will have enough clean water for drinking, economic activities, recreation and ecosystem health. The program also identifies adaptive measures to address climate change and its impact on future water demands.

Eligible projects include any plan of action that focuses on improving efficiency and operations on a regional or basin perspective. Eligible applicants include the state, Indian Tribes, irrigation districts, water districts or other organizations with water or power delivery authority.

A 50 percent match is required for this funding opportunity and the maximum award attainable is \$300,000.

ECONOMIC DEVELOPMENT OBJECTIVES, POLICIES AND STRATEGIES

TABLE 5, ECONOMIC DEVELOPMENT OBJECTIVES

Objective: Develop economic strategies that create a diverse local economy with employment opportunities for all ages.

Develop a marketing brand for the City of Laurel and Yellowstone County to market to potential businesses and future residents.	<i>BSEDA</i> <i>City Council</i> County Commission	Short-term
Survey existing businesses to identify needed skill sets and to identify ways the County or City can aid in improving business operations and productivity.	<i>BSEDA</i>	Mid-term
Maintain SEMDC as the one-stop service center that distributes information about available regional, state and federal technical assistance, loans and grant programs for expanding and start-up businesses.	<i>BSEDA</i> City Council County Commission	Short-term
Acquire an existing commercial building or construct a new facility to serve as a business incubator.	<i>BSEDA</i>	Long-term
Refine existing economic development strategies to target under-represented industries with forecasted high demand for jobs.	<i>BSEDA</i>	Mid-term
Capitalize on energy-sector growth and expand businesses to support primary energy industries.	<i>County Commission</i> <i>City Council</i>	Mid-term
Seek state and federal funds to increase telecommunications infrastructure in the community (specifically bandwidth) to increase efficiency of businesses, enhance the technology courses offered at the city high school and attract new businesses that require high-capacity telecommunications infrastructure.	<i>BSEDA</i> City Council	Short-term
Continue to support start-up businesses by providing technical assistance and temporary financial assistance such as low interest guaranteed loans.	<i>BSEDA</i>	Short-term

Objective: Enhance the community's quality of life to stimulate private investment.

Develop a main street grant program to fund façade and other property improvements to enhance visual aspects of the core of Laurel	<i>BSEDA</i>	Short-term
Establish a business improvement district or special district to fund streetscape improvements in the core of Laurel.	<i>BSEDA</i> City Council	Mid-term
Continue to promote the use of the revolving loan fund that is intended to provide gap lending for business development.	<i>BSEDA</i>	Immediate
Promote more special events by civic organizations to increase business activity and enhance the community's quality of life.	<i>BSEDA</i>	Mid-term

Objective: Maximize the use of outside economic development funding opportunities.

Take maximum advantage of existing economic development technical assistance and loan and grant programs offered by USDA Rural Development, the Montana Community Development Corporation, and Southeastern Montana Development Corporation.	<i>BSEDA</i> City Council County Commission	Short-term
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Objective: Ensure existing job training services provide skills needed by existing and targeted businesses.

Modify existing job training programs to be responsive to employment trends, specifically forecasted high-demand occupations.	<i>BSEDA</i>	Long-term
Promote establishment of a college satellite facility or a trade school or nursing program in the City of Laurel. Develop/promote remote learning programs to reduce transportation costs for college students and increase the number of college- aged students who can remain in the community.	<i>City Council</i> <i>County Commission</i> <i>BSEDA</i>	Short-term
Consider expanding the number of high school courses that offer college credits and enter into Articulation Agreements with nearby colleges to receive formal acknowledgement of course credentials.	<i>School Districts</i>	Short-term

Economic Development Funding Opportunities

Community Development Block Grant Program

Each year the US Entity of Housing and Urban Development (HUD) allocates grant funding to the Montana Department of Commerce for the Community Development Block Grant (CDBG) program. Funds are intended to benefit low or moderate-income persons, aid in prevention or elimination of slums or meet urgent community development needs. CDBG is broken into five different funding categories: Planning, Public Facilities, Housing and Neighborhood Renewal, Neighborhood Stabilization Program and Economic Development.

Eligible applicants include counties, incorporated cities and towns, and consolidated city-county governments. Deadlines are staggered throughout the year with planning grants being offered one year and construction grants the following year generally.

Montana Department of Commerce, Montana Main Street Program

The mission of the Montana Department of Commerce Main Street program is to be a coordinating resource for communities seeking to revitalize their historic downtown or core commercial districts and to provide technical assistance to communities of all sizes. The underlying premise of the Montana Main Street Program is to encourage economic development within the context of historic preservation.

In 2011, the project began gearing toward community development. The Montana Main Street Program was awarded a Preserve America sub grant from the Montana State Historic Preservation Office (SHPO) in 2011. The purpose of the grant was to focus on core and downtown planning and to build capacity under the Main Street program. It was this sub grant that focused the program toward community development.

PUBLIC FACILITIES AND SERVICES OBJECTIVES, POLICIES AND STRATEGIES

TABLE 6, PUBLIC FACILITIES AND SERVICES OBJECTIVES

Objective: Improve effectiveness and efficiency of government programs and services.

Encourage continued and expanded joint use of public facilities to provide cost effective local services.	<i>County Commission</i> City Council CPRD Board School Board Medical Board	Short-term
Coordinate County and City services and share facilities/equipment to increase efficiency of providing local services.	<i>County Commission</i> City Council	Short-term
Evaluate effectiveness of the existing differentiated water rates measured by per capita water consumption.	City Clerk City Council	Short-term

Objective: Provide responsive public services that improve the health, welfare and safety of City residents.

Create a brochure or marketing materials to increase the number of volunteer firefighters and ambulance service first responders and emergency medical technicians.	<i>Emergency Services Coordinator</i> Fire Department Chief Ambulance Director	Short-term
Facilitate expansion of the existing assisted living facility to address the unmet high demand for this housing option for senior citizens.	City Council	Mid-term
Establish a back-up Emergency Operations Center (EOC) facility that would be used during a declared emergency in the event the EOC in the courthouse is damaged or destroyed.	<i>Emergency Services Coordinator</i> County Commission	Short-term
Prepare new marketing strategies and outreach efforts to identify special need populations in the community.	<i>Emergency Services Coordinator</i>	Short-term

Objective: Enhance public involvement and timely/accurate notification of City and County projects.

Continue to encourage public participation in decisions on public projects and services.	<i>County Commission City Council</i>	Immediate
Utilize citizen task forces to research and evaluate the feasibility of new or expanded programs and community enhancement projects.	<i>County Commission City Council</i>	Short-term

INTERGOVERNMENTAL COORDINATION OBJECTIVES, POLICIES & STRATEGIES

The city interacts with a number of agencies and organizations including but not limited to, Laurel Schools, Eastern Montana Drug Task Force (EMDTF), Fish, Wildlife & Parks (FW&P), DEQ, DNRC and Yellowstone County which shares the library, weed management, senior citizen services, public health services, probation, and county landfill in the Laurel area.

Laurel has inter-local agreements with the school regarding cooperative efforts, shared use of facilities and other areas of mutual interest. The Laurel volunteer fire department has a mutual aid agreement with Yellowstone County Fire Services.

The Laurel Police Department works with the EMDTF, assists Yellowstone County on calls near Laurel and works closely with the Montana Highway Patrol.

Ongoing efforts will be maintained. These efforts include the mayor or administrative staff meeting with the Yellowstone County Commissioners, and school administrator at least once a year to discuss ongoing cooperative efforts and coordination. The Yellowstone County Commissioners appoint four members to serve on the City-County Planning Board which has jurisdiction of matters related to growth adjacent to the city of Laurel, yet outside the limits of the incorporated boundaries of the city. A copy of the Laurel Comprehensive Growth Plan will be submitted to the County Commissioners for review and comment prior to the adoption by the City Council.

TABLE 7, INTERGOVERNMENTAL COORDINATION OBJECTIVES

Objective: Establish an annexation policy encouraging coordination with the County.

Develop a coordinated city-county policy about annexation of developed properties addressing the transition from rural to urban services and fiscal impacts associated with the annexation.	<p><i>Planning Board</i> City Council County Commission</p>	Short-term
Establish extraterritorial zoning one mile beyond Laurel city limits. To implement this policy the City of Laurel would need to adopt its own city subdivision regulations.	<p><i>Planning Board</i> City Council</p>	Short-term

Objective: Develop a TIF district to create economic incentives and spur growth in Laurel’s core

Create TIF district with reasonable boundaries.	<p><i>City Council</i> BSEDA</p>	Short-term
Complete Determination of Blight study for selected district.	<p><i>City Council</i> Planning Board BSEDA</p>	Short-term
Work to establish who will be responsible for managing various aspects of the TIF district.	<p><i>BSEDA</i> City Council Planning Board</p>	Short-term
Create an Urban Renewal Plan in accordance with MCA conditions addressing blight.	<p><i>Planning Board</i></p>	Mid-term
Hold public hearings, adopt the plan and receive certification by the Montana Department of Revenue.	<p><i>City Council</i> Montana Dept of Revenue</p>	Mid-term
Determine taxable value of the district and calculate tax increment. Develop financing strategy for tax increment funds.	<p><i>City Council</i> BSEDA</p>	Mid-term
Utilize tax increment funds to implement improvements in district.	<p><i>City Council</i> Planning Board BSEDA</p>	Long-term

Objective: Maintain acceptable levels of service in developed areas as the City of Laurel and grow.

Establish policies that set minimum levels of service for essential services such as schools, fire, police, water and sewer.	<p><i>City Council</i> School Districts</p>	Mid-term
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Objective: Support development of agriculture in the community.

Support specialized agricultural businesses that produce high-value, high-demand products.

MSU Extension

Mid-term

Encourage continued and expanded use of state and federal land for agricultural purposes.

County Commission

Immediate

Promote community gardening programs in the city and the county to encourage residents to plant more local produce and create/expand farmer markets in Laurel

MSU Extension

Short-term

File Attachments for Item:

6. Review Draft Council Agenda of November 3, 2020.



**AGENDA
CITY OF LAUREL
CITY COUNCIL MEETING
TUESDAY, NOVEMBER 10, 2020
6:30 PM
ONLINE**

NEXT RES. NO.
R18-XX

NEXT ORD. NO.
O18-XX

WELCOME . . . By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified times for citizen comments on its agenda -- once following the Consent Agenda, at which time citizens may address the Council concerning any brief community announcement not to exceed one minute in duration for any speaker; and again following Items Removed from the Consent Agenda, at which time citizens may address the Council on any matter of City business that is not on tonight's agenda. Each speaker will be limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council. Citizens may also comment on any item removed from the consent agenda prior to council action, with each speaker limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council. If a citizen would like to comment on an agenda item, we ask that you wait until the agenda item is presented to the Council by the Mayor and the public is asked to comment by the Mayor. Once again, each speaker is limited to three minutes.

Any person who has any question concerning any agenda item may call the City Clerk-Treasurer's office to make an inquiry concerning the nature of the item described on the agenda. Your City government welcomes your interest and hopes you will attend the Laurel City Council meetings often.

Pledge of Allegiance

Roll Call of the Council

Approval of Minutes

1. Approval of Minutes of October 27, 2020.

Correspondence

2. Airport Authority Minutes of August 25, 2020.
3. Airport Authority Minutes of September 22, 2020.

Council Disclosure of Ex Parte Communications

Public Hearing

4. Public Hearing - A Resolution To Approve The Conditional Use Of The Property Located At 1009 East 6th Street In Laurel For The Construction And Operation Of A Union Meeting Hall At Such Address Within The City Of Laurel.
5. Public Hearing - Variance #1
6. Public Hearing - Variance #2

Consent Items

NOTICE TO THE PUBLIC

*The Consent Calendar adopting the printed Recommended Council Action will be enacted with one vote. **The Mayor will first ask the Council members if any Council member wishes to remove any item from the Consent Calendar for discussion and consideration.** The matters removed from the Consent Calendar will be considered individually at the end of this Agenda under "Items Removed from the Consent Calendar." (See Section 12.) The entire Consent Calendar, with the exception of items removed to be discussed under "Items Removed from the Consent Calendar," is then voted upon by roll call under one motion.*

7. Claims entered through 11/6/2020.
8. Approval of Payroll Register for PPE 11/1/2020 totaling \$_____.
9. Approval of Council Workshop Minutes of June 2, 2020.
10. Approval of Council Workshop Minutes of October 20, 2020.

Ceremonial Calendar

Reports of Boards and Commissions

11. Budget/Finance Committee Minutes of October 27, 2020.
Cemetery Commission Minutes of September 29, 2020.

Audience Participation (Three-Minute Limit)

Citizens may address the Council regarding any item of City business that is not on tonight's agenda. Comments regarding tonight's agenda items will be accepted under Scheduled Matters. The duration for an individual speaking under Audience Participation is limited to three minutes. While all comments are welcome, the Council will not take action on any item not on the agenda.

Scheduled Matters

12. Resolution - A Resolution Of The City Council Adopting The Updated 2020 Yellowstone County Hazard Materials Response Plan.
13. Resolution – A Resolution To Approve The Conditional Use Of The Property Located At 1009 East 6th Street In Laurel For The Construction And Operation Of A Union Meeting Hall At Such Address Within The City Of Laurel.

Items Removed From the Consent Agenda

Community Announcements (One-Minute Limit)

This portion of the meeting is to provide an opportunity for citizens to address the Council regarding community announcements. The duration for an individual speaking under Community Announcements is limited to one minute. While all comments are welcome, the Council will not take action on any item not on the agenda.

Council Discussion

Council members may give the City Council a brief report regarding committees or groups in which they are involved.

Mayor Updates

Unscheduled Matters

Adjournment

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