



# Planning Department

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## MINUTES

### PLANNING BOARD

The Powell County Planning Board met in a regular session on Thursday, February 11, 2016 at 1 PM.

- Members Present:** John Beck, Earl Hall, Tracy Manley, Randy Mannix, Bill Pierce, & Bruce Thomas
- Members Absent:** Rick Hirsch, John Hollenback, & Kenneth Martin
- Staff:** Brian Bender
- Public:** Todd Fickler, & Paul O’Leary

President Manley called the meeting to order at 1:06 PM.

Agenda Item #1 – Attendance

Six Members being present established a quorum.

Agenda Item #2 – Approval of Agenda

President Manley asked if there is a need to amend the agenda.

The Planning Board responded by confirming no changes are necessary.

Agenda Item #3 – Approval of Minutes

Member Pierce motioned, with Member Mannix seconding, to approve the January 7<sup>th</sup> Minutes as submitted. Before the vote, Member Pierce asked for clarification regarding verbiage on Page #3 by asking if he said “dangerous” instead of “hazardous.” Member Hall noted propane has the classification of being a hazardous material. The Planning Board approved the motion through a vote of six to zero.

**Agenda Item #4 – Continued or Tabled Business**

- a. Will Pauley’s CUP for a Commercial Propane Facility

Planning Director Bender explained the petitioner did not provide any new materials for review. He continued by saying the Planning Board needs to receive acknowledgment from the State Fire Marshal that the project complies with all applicable codes.

President Manley confirmed the Planning Board cannot discuss the request since the petitioner failed to provide any new information.

Member Hall asked for a copy of the codes provided by the State Fire Marshal.

**Agenda Item #5 - Public Hearings**

- a. None

**Agenda Item #6 – Non-public Hearing Items**

- a. Thomas Boundary Relocation COS

President Manley described the item for the benefit of the Planning Board.

Planning Director Bender provided an overview of the request and highlighted the proposed lot line alterations on the PowerPoint exhibit.

Member Mannix asked for an explanation regarding language listed on the Staff Report.

Planning Director Bender noted the language is the review criteria found in the Subdivision Regulations.

Bruce Thomas (speaking as the petitioner) explained the request and noted it is a legacy of corrected lot lines between Marion Sommers and his family.

Member Mannix motioned, with Member Hall seconding, to substantiate the Boundary Relocation is not an attempt to evade Subdivision Review. The Planning Board approved the motion through a vote of five to zero. Member Thomas abstained from the vote.

- b. Growth Policy Update

Planning Director Bender explained the Planning Board has before them a draft of the Rural Residential Overlay incorporating comments the Planning Board suggested at recent meetings. He continued by saying this how the Overlay would appear in the Zoning & Development Regulations.

Member Pierce asked how an overlay district operates.

Member Hall noted there is a word missing from #1 under Provisions. He continued by asking for simpler language for items #6 and #7 under Approval Criteria.

The Planning Board discussed if it is appropriate to have a weighting score for the Approval Criteria.

The Planning Board agreed to review the document and discuss it at the next meeting.

c. **Todd Fickler – Sign and Land Use Approvals Inquiry**

Todd Fickler described the proposal to renovate the property at 1007 Village Lane.

Planning Director Bender advised the Board a Conditional Use Permit is necessary to allow for new non-residential uses or if the new uses expand the site's uses by fifty-percent. He continued by saying the Ordinance requires a Conditional Use Permit for new or expanded commercial signage.

The Planning Board discussed how to consider the placement of a new sign cabinet on top of the existing pylon structure.

President Manley accepted a motion made by Member Thomas and seconded by Member Mannix declaring the proposed signs do not require a Conditional Use Permit. The Planning Board accepted the motion through a vote of six to zero.

**Agenda Item #7 – Planning Board Comments**

Member Pierce briefed the Board of the intention by the County Commissioners to reopen a County Road through the Spotted Dog WMA.

Member Hall explained the efforts by Montana DNRC to compose Structure Assessment Forms for development in fire prone areas.

**Agenda Item #8 – Staff Comments**

a. County Attorney

b. None.

b. Planning Director

Planning Director Bender summarized the 2015 permitting activity (Development Certificates: 25; Certificate of Surveys: 14; Minor Subdivisions: 5; & Conditional Use Permits: 3).

c. Other

None.

**Agenda Item #9 – Public Comments**

None.

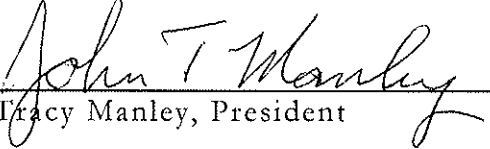
**Agenda Item #10 – Announcement of the February 11<sup>th</sup> meeting**

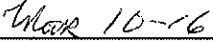
President Manley announced the Planning Board will hold their next meeting on March 10<sup>th</sup> at 1 PM.

**Agenda Item #11 – Adjourn**

The Planning Board through consensus adjourned the meeting with President Manley noting the time as 2:42 PM.

Respectfully Submitted,  
Brian P. Bender, AICP CEP, CFM  
Powell County Planning Director

  
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Tracy Manley, President

  
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Date