



# Planning Department

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## MINUTES

### PLANNING BOARD

The Powell County Planning Board met in a regular session on Thursday, September 10, 2015 at 1 PM.

- Members Present:** John Beck, Earl Hall, Rick Hirsch, Randy Mannix, & Kenneth Martin
- Members Absent:** John Hollenback, Tracy Manley, Bill Pierce, & Bruce Thomas
- Staff:** Brian Bender, & Lewis Smith
- Public:** Earl Hoppe, Ken Jenkins, & Joe Willauer

Vice President Hirsch called the regular meeting to order at 1:12 PM.

#### Agenda Item #1 – Attendance

Five Members being present established a quorum.

#### Agenda Item #2 – Approval of Agenda

Vice President Hirsch asked if the Board is willing to alter the agenda to accommodate Mr. Hoppe.

The Planning Board agreed to the change and accepted the agenda to have Mr. Hoppe speak first.

#### Agenda Item #3 – Approval of Minutes

Member Beck explained the intent of his comment on Page #2 regarding town centers.

Member Mannix noted there is missing word on Page #3 under Public Comments.

Planning Director Bender noted both Member observations are correct.

Member Hall moved, with Member Beck seconding, to approve the August 6<sup>th</sup> Minutes with the noted corrections. The Planning Board approved the motion through a vote of five to zero.

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

a. None

**Agenda Item #5 - Public Hearings**

a. None.

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

a. Zbitnoff – Boundary Relocation COS

Vice President Hirsch opened the proceedings and asked for a summary from Mr. Bender.

Planning Director Bender explained the intent of the COS and highlighted the proposed lot boundaries on the Mapping Exhibit.

Member Mannix asked of the alignment of Arrastra Creek Road.

Ken Jenkins, the petitioners' surveyor explained the twenty-acre tract has frontage onto Arrastra Creek Road. He continued by noting the topography beside the road makes access difficult therefore, the owners may use an easement in the future.

County Attorney Smith asked why not record the easement first.

Ken Jenkins explained he cannot create an easement with a Boundary Relocation.

The Planning Board discussed the access onto Arrastra Creek Road.

Ken Jenkins described the family's purpose with this request.

Member Mannix asked for clarification of the acreage.

Ken Jenkins noted the acreage shown on the COS is correct. He continued by explaining these are undersized quarter-quarter sections

Member Mannix moved, with Member Martin seconding, for the Planning Board confirming the Zbitnoff Boundary Relocation COS is not an attempt to evade formal Subdivision Review. The Motion contained the one condition listed in the September 2<sup>nd</sup> Staff Report. The Board approved the motion through a vote of five to zero.

b. Growth Policy Update

Planning Director Bender explained the concept of an overlay zone to allow for residential lots smaller than the base zoning requirements.

The Planning Board discussed other factors influencing residential densities including how to accommodate growth in rural areas, the presence of conservation easements, the sustainability of local schools, and the value of land.

The Planning Board instructed Mr. Bender to provide an example of how an overlay zone technique applied to town centers can allow the centers attract residential development.

The Planning Board also discussed the possibility of establishing a separate variance process to create residential lots.

Joe Willauer presented the Planning Board with revisions to the Goals and Objectivities. He continued by explain the revisions focus on strengthening references to economic development activities.

c. Development Certificate Fees

Planning Director Bender explained he provided the County Commissioners with an overview of August's discussion regarding the possibility of increasing fees.

The Planning Board agreed there is a need to increase fees with an acceptable amount being \$75. The Board continued by advising Mr. Bender to contact Member Pierce to gauge his opinion.

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

Member Martin asked of the status of the range operated by Powell County Shooting Sports Association. The Board was glad to hear there were no complaints from the adjacent property owners.

The Planning Board agreed they should tour the development at Rock Creek Cattle Company and asked Mr. Bender to arrange the trip with Mike Stenberg.

**Agenda Item #8 – Staff Comments**

a. County Attorney

County Attorney Smith provided the Planning Board with an update on the road status through the Spotted Dog Wildlife Management Area.

b. Planning Director

Planning Director Bender informed the Planning Board that Randi Curtis submitted a Certificate of Survey incorporating comments expressed by the Board when they review the Court Ordered Division of Land in February.

Planning Director Bender briefed the Planning Board of the recent remediation activities at the Milwaukee Roundhouse by Montana DEQ.

c. Other

None.

**Agenda Item #9 – Public Comments**

Earl Hoppe spoke regarding the situation of having commercial activities on Eastside Road. He continued by asking how is the Planning Board going to respond to his letter.

Vice President Hirsch explained how the amendment process occurs and when the Board reviews land use categories for different parts of the County, they will consider Mr. Hoppe's concerns for Eastside Road.

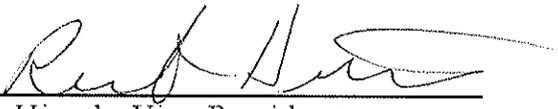
**Agenda Item #10 – Announcement of the October 8<sup>th</sup> meeting**

Vice President Hirsch announced the next meeting is set for October 8<sup>th</sup> at 1 PM.

**Agenda Item #11 – Adjourn**

The Planning Board through consensus adjourned the meeting with Vice President Hirsch noting the time of 3:20 PM.

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

  
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Rick Hirsch, Vice President

10/8/15  
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Date