



YELLOWSTONE COUNTY BOARD OF PLANNING
CITY OF BILLINGS AND
YELLOWSTONE COUNTY, MONTANA



AGENDA

November 10, 2015 MEETING TIME: 6:00 p.m.
1st Floor Large Conference Room, Miller Building
2825 3rd Avenue North, Billings, Montana 59101

1. **CALL TO ORDER - Planning Board President:** Welcome and Introduction of new and returning Board Members.
2. **APPROVAL OF AGENDA*** - including any additions or deletions to agenda. The agenda for a regular meeting will be closed at 5:00 p.m. three (3) working days prior to the date of the meeting.
3. **MEETING MINUTES:** The approval of the October 27, 2015 meeting minutes will be delayed until the November 27, 2015 meeting.
4. **PUBLIC COMMENT PERIOD** – As required (3 minute maximum per person). *Any member of the public may be heard on any subject that is not on the agenda. The Planning Board will not take any action on these items at this time, but could choose to add an item to the next meeting's agenda for discussion.*
 - 4a) **Comments on items not on agenda and requests to add items to future agendas**
 - 4b) **Comments on items on the non-public hearing agenda items**
5. **DISCLOSURE OF CONFLICT OF INTEREST:**
6. **DISCLOSURE OF EX PARTE COMMUNICATION:** Ex Parte Communication Binder is available at the Sign-In and Agenda station.
7. **OLD BUSINESS** (Agenda items that were not discussed or not completed in a previous meeting or items requiring action).

- a. **(Continued from October 27, 2015 due to a lack of a quorum). Majestic Cove Mobile Home and RV Park. County Subsequent Minor. Motion and Recommendation to BOCC. Wyeth Friday, Planning Division Manager.**

Attachments

Findings of Fact Updated
Preliminary Plan

- b. **NEW BUSINESS:** (Agenda items new to this meeting).
- c. **Presentation/Discussion. 2015-2019 Transportation Improvement Plan, (TIP), Amendment II. Scott Walker, Transportation Coordinator**

Attachments

2015_2019 TIP_Amd II_DRAFT_current doc

- d. **PLAT REVIEW BOARD DISCUSSION. A PUBLIC HEARING WILL BE HELD FOR THESE ITEMS AT THE NEXT MEETING ON TUESDAY, NOVEMBER 24, 2015.**

- 2. **Plat Review/Discussion. Lots 2 and 3, Block 3, West King Commercial Park Subdivision, County Subsequent Minor. Dave Green, Planner II**

Attachments

Findings of Fact
Attachments

- 3. **Plat Review/Discussion. Bowman Subdivision, Lot 2 Block 1. County Subsequent Minor, Dave Green, Planner II**

Attachments

Findings of Fact
Attachments

- 4. **Plat Review/Discussion. Bottrell Subdivision, Lot 1 and Lot 4. County Subsequent Minor, Dave Green, Planner II**

Attachments

Findings of Fact
Attachments

8. **OTHER BUSINESS:**

- a. Motion. Planning Board Nomination Committee
- b. (Standing Item) Staff update. Long Range Strategic Issues and an overview of future City and County issues and projects.

9. **ADJOURNMENT**

FUTURE AGENDA ITEMS FOR TUESDAY, NOVEMBER 24, 2015

- A. **NOTICE: PLANNING BOARD MEMBERS, PLEASE CONFIRM YOUR ATTENDANCE WITH THE PLANNING CLERK TO ENSURE A QUORUM OF MEMBERS FOR THIS MEETING. Email: deinest@ci.billings.mt.us or Phone: 247-8610. Thank you!**
 - a. **Public Hearing. Motion/Recommendation to PCC. Transportation Improvement Program, (TIP), Amendment II. Scott Walker, Transportation Coordinator**
 - b. **Public Hearing. Motion/Recommendation to BOCC. Lots 2 and 3, Block 3, West King Commercial Park Subdivision, County Subsequent Minor. Dave Green, Planner II**
 - c. **Public Hearing. Motion/Recommendation to BOCC. Bowman Subdivision, Lot 2 Block 1. County Subsequent Minor, Dave Green, Planner II**
 - d. **Public Hearing. Motion/Recommendation. Bottrell Subdivision, Lot 1 and Lot 4. County Subsequent Minor, Dave Green, Planner II**



YELLOWSTONE COUNTY BOARD OF PLANNING
CITY OF BILLINGS AND
YELLOWSTONE COUNTY, MONTANA



Planning Board Meeting I (2nd Tuesday)

7. a.

Meeting Date: 11/10/2015

Information

INTRODUCTION

On September 1, 2015, the Planning Division received an application for preliminary plan approval for the Majestic Cove Mobile Home and RV Park. The property is located about 2.25 miles north of the intersection of Johnson Lane and Coulson Road in the Lockwood area. It is outside of zoning and is about 15 acres in size. This project has been in the process of being brought into compliance with State and Yellowstone County regulations for more than 8 years. It is reviewed as a subdivision for rent or lease under Chapter 6 of the County Subdivision Regulations and plans for 17 manufactured home sites and three RV sites. There are 13 existing manufactured home sites and the three RV sites on the property and the proposal is to add four new manufactured home sites and bring the entire property into compliance. Since a subdivision for rent or lease does not involve a property survey, a final site plan and subdivision improvement agreement will be recorded when this project completes preliminary and final plan review. Planning Board conducted a plat review at its meeting on October 14 and will conduct a public hearing at this meeting.

RECOMMENDATION

Staff recommends that the Planning Board recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plan of the Majestic Cove Mobile Home and RV Park and adopt the Findings of Fact as presented in the staff report.

PROPOSED CONDITIONS OF APPROVAL

Pursuant to Section 76-3-608(4), MCA, the following seven conditions are recommended to reasonably minimize potential adverse impacts identified within the Findings of Fact.

1. To minimize effects on local services, the natural environment, and public health and safety, prior to final plan approval the developer will receive approval from the Montana Department of Environmental Quality for the proposed onsite water (wells) and multi-user wastewater treatment system.
2. To minimize the effects on public health and safety and to meet County road standards, prior to final plan approval the developer will bring the internal private roads in the development up to County Gravel Road Standards and receive approval from the Yellowstone County Public Works Department.
3. To minimize effects on the natural environment, public health and safety, and to ensure compliance with the Yellowstone County Subdivision Regulations, prior to final plan approval the developer will receive approval from the Montana Department of Environmental Quality to ensure proper storm water management practices, and facility design are followed.
4. To minimize impacts on local services and agricultural operations, prior to final plan approval a

weed management plan must be completed and approved by the Yellowstone County Weed Department.

5. To minimize impacts to local services and public health and safety, and to meet the intent of park land use, prior to final plat approval the developer will remove the trailers, boat, and other non-park related materials stored or abandoned on the proposed park land property to ensure it is used as park and open space only.
6. Minor changes may be made in the SIA and final documents, as requested by the Planning and/or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
7. The final plan shall comply with all requirements of the County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County, and the laws and Administrative Rules of the State of Montana.

VARIANCES REQUESTED

No variances have been requested from the Yellowstone County Subdivision Regulations for this proposal.

DISCUSSION/STAKEHOLDERS

The Planning Board conducted its plan review at its meeting on October 14. Planning Board President Dick Clark asked the Board members if they had any questions or comments for staff, the applicant or his agent on the proposal.

Planning Board Member Clint McFarland asked staff if the two wells to be used for the domestic water system had been tested for quality and safety. Wyeth Friday explained that the wells are being tested during the permitting process with MDEQ but that the applicant's agent might have more information to add on this issue.

Planning Board Member Donna Forbes asked if a park plan had been submitted to the County Park Board by the applicant. Wyeth said he was not aware of a park plan being submitted but that the park land would need to be maintained, irrigated, and kept free of weeds by the mobile home park so it could be used for park and open space. He said other improvements to the park were not required. Wyeth did note that during a site visit to the property it was found that several trailers, a boat, and some other non-park related materials were being stored on the park land. He said staff would propose a condition to address this issue and provide it to the Board before the public hearing meeting (Please see Condition 5 in the recommendation section of this memo).

The applicant's agent, Forrest Mandeville with Engineering West, addressed the Board. He said MDEQ had previously approved the two wells serving as separate systems for portions of the development and the applicant planned to move forward with this approval and have the wells each serve some of the units in the development. He said that language in the Findings of Fact and SIA should be changed to reflect this (Staff has updated the Findings of Fact to reflect this information and attached it to this memo). He also added that most of the units have individual septic systems and that a new drainfield at the west side of the development will be a shared system for some of the units not already served. Forrest said he and the applicant are in agreement with the staff recommendations for conditions and the recommendation to remove the existing trailers from the park land.

Property owner Rockie McCaffree addressed the Board. He said when he purchased this property there were 36 units which is more than what was allowed by MDEQ and local regulations. He said there are not going to be any shared sewer systems aside from the one new multi-user drainfield. He said that each well was tested multiple times and nothing was found.

There were no other questions or discussion on this plan by the Board.

Attachments

Findings of Fact Updated

Preliminary Plan

FINDINGS OF FACT

The City/County Planning staff has prepared the Findings of Fact for the Majestic Cove Mobile Home and RV Park. These findings are based on the preliminary plan application and address the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Yellowstone County Subdivision Regulations (YCSR).

A. What are the effects on agriculture, local services, the natural environment, wildlife, wildlife habitat, and public health and safety (76-3-608(3)(a), MCA) (Section 3.2(H)(2), YCSR)

1. Effect on agriculture and agricultural water users' facilities

The subject property is not currently used for agricultural purposes and does not have water rights. Coulson Ditch is located outside the northeast boundary of the property and this development should not affect Coulson Ditch or any other agriculture or agricultural water users' facilities in the area.

2. Effect on local services

- a. **Water and Sewer** –The property will be served by two existing wells for potable water. The wells are to operate separately and will each serve a portion of the development. The water system and delivery of water was one of the past issues with the permitting of this development by the Montana Department of Environmental Quality. This review and permitting process with Montana Department of Environmental Quality should bring the entire system and operation into compliance.

The proposed project will utilize both existing individual septic systems for manufactured homes and RV units already on site and a multi-user drain field septic system for the proposed four new manufactured homes to be added to the existing project. The new multi-user drain field will be located on the southern portion of the property just south of Dvorak Lane. The water and wastewater system must be approved by the Montana Department of Environmental Quality prior to final plan approval. The applications for these systems were prepared earlier this year and are under review by MDEQ (**See Condition 1**).

- b. **Streets and roads** – The Majestic Cove Mobile Home and RV Park already has a series of existing internal private roads for access to most of the development. The roads are Dvorak Lane, Lulu Lane, and Yankee Street. An additional road will be built along the eastern edge of the development between new proposed unit 16 and 17 and existing unit 18 prior to final plat approval and the name will be approved by the County GIS Department. The private roads within the development must all be improved to the County Gravel Road Standards as per County Public Works (**See Condition 2**).

Access to the project is from Coulson Road, a County road in a road easement on the Burlington Northern and Santa Fe Railroad Right of Way along the western

side of the development. No additional easement width or road dedication for Coulson Road is being required by County Public Works for this development.

- c. **Fire and Police Services** – The property is within the Lockwood Fire Department’s jurisdiction. It is the subdivider’s responsibility to ensure provisions of a water source and adequate access to the proposed lots for emergency service’s needs. Lockwood Fire Department staff reported that an existing dry hydrant system of 40,000 gallons is available to serve the subject property ¼ of a mile away at the Pacific Steel business also on Coulson Road. The Yellowstone County Subdivision Regulations allow for a development to meet the water supply requirement if “an approved existing underground water storage tank is located within one-half (1/2) road mile from the furthest structure of the proposed subdivision...” Since the existing 40,000 gallon tank is about ¼ mile away, it will meet this distance for service.

The Yellowstone County Sheriff’s Department will provide law enforcement services. The Sheriff’s Office did not have any specific comments regarding this development proposal.

- d. **Solid Waste disposal** – The Billings Landfill has capacity for solid waste disposal. Solid waste will be collected and disposed of by a private garbage collection company. The Manufactured home park owner is responsible for arranging for collection.
- e. **Storm water drainage** – Stormwater will be managed on the site using existing landscaping areas and storm water ditches as approved by MDEQ. The ditches are to be located in the northeast portion of the site in the northern portion of the park land area, the north central portion of the site between Yankee Street and the proposed new road on the eastern side of the property and in the central portion of the property south of Unit 17 and north of Unit 13 and Unit 18. See the proposed site plan for specific locations as described here. The stormwater facilities will satisfy storm water management requirements and specifications of MDEQ (**See Condition 3**).
- f. **School facilities** – The proposed manufactured home and RV park is located in Lockwood School District #26 and students would attend the Lockwood Elementary School, Eileen Johnson Middle School and then Senior High School or Skyview High School in Billings School District #2. These schools all are able to take additional students and it is expected that the impact may be, minimal as only four additional homes are to be added with this project since the remaining units are already in place.
- g. **Parks and recreation** – This campground qualifies for major subdivision review and falls under Section 10.5 of the YCSR for park land dedication. The developer has proposed to provide park land in the form of 1.66 acres of private park

land/open space for the benefit of the residents of the development. The Yellowstone County Park Board staff has approved of this proposal.

It was noted during a site visit to the subject property that several trailers, a boat, and other non-park related materials are stored or abandoned on the proposed park property. These items do not meet the intent or use for park land and open space, and could pose a danger to park users. These items must be removed. A new condition has been proposed to address this issue (**See Condition 5**).

- h. **Historic features** – No known historical or cultural assets exist on the site, according to the State Historic Preservation Office (SHPO). However, the SHPO did state that there have been a few previously recorded sites within the area as well as some cultural resource inventories conducted. They were in the area but not on the site of this development.

3. Effects on the natural environment

The development will use noxious weed control measures to prevent the spread of noxious weeds to adjacent developed or agricultural land. A weed management plan must be completed and approved by the Yellowstone County Weed Control and a copy submitted to the Planning Division. Language will be updated in the SIA to reflect the approval and that a weed management plan is on file for this manufactured home and RV park (**See Condition 4**).

There are no apparent or known natural hazards on the property.

4. Effects on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. Montana Fish, Wildlife, and Parks (FWP) responded to a request for review and comment on the proposed subdivision and stated that this mobile home park is being built in proximity to good deer habitat. Some subdivisions in similar habitat report considerable and on-going problems with deer damaging landscaped shrubs, flowers, and gardens. Potential homeowners should be made aware that they may have deer on their properties, and informed that unless they take steps to deter the animals (such as fencing their yards), they may have damage problems. Homeowners should be notified that Montana Fish, Wildlife & Parks (FWP) does not provide direct assistance unless there is damage to commercial agricultural crops in non-residential areas, or a threat to public health and safety such as in the case of nuisance mountain lions or bears. Language has been added to the Conditions That Run With The Land section of the SIA to inform future owners of this wildlife information.

5. Effects on public health and safety

Plans and designs for the on-site waste water systems and the well systems will be reviewed and approved by the MDEQ. Storm water management will be reviewed and approved by MDEQ. Fire and emergency services are provided for this proposed development. The proposed development is outside of a mapped floodplain. Given the reviews and approvals in place for these systems as well as the emergency service

providers that serve this property, there should be minimal effects on public health and safety as a result of this development moving forward.

B. Was an environmental assessment required? If yes, what, if any, significant adverse impacts were identified? (76-3-616, MCA) (Chapter 9, YCSR)

Yes, an environmental assessment was required for this subdivision for rent or lease since it is located in an area where a long-range public works development program has not been adopted. The developer did provide an Environmental Assessment as required and provided details as to the conditions of the subject property and how it would impact the natural environment as well as local services. The Assessment did not identify any significant impacts that are not already addressed in the findings.

C. Does the subdivision conform to the Yellowstone County-City of Billings 2008 Growth Policy Update, the 2014 Billings Urban Area Long Range Transportation Plan, and the Billings Area Bikeway and Trail Master Plan? (Section 3.2 (H)(4), YCSR)

1. Yellowstone County – City of Billings 2008 Growth Policy Update

The proposed development conforms to the following goals of the 2008 Growth Policy:

- **Goal: Affordable Housing for all income levels dispersed throughout the City and County. (p. 6)**

The development has been in place for many years and provides more affordable housing in the Lockwood area but in a more rural setting.

- **Goal: More housing and business choices within each neighborhood. (p. 6)**

While this development creates its own small neighborhood in a very rural area, it does provide housing in close proximity to some businesses in the Lockwood area, including gravel mining, composting/landscaping, and heavy truck and equipment businesses.

The proposed and existing development does not conform to the following goal of the 2008 Growth Policy:

- **Goal: Predictable land use decisions that are consistent with neighborhood character and land use patterns. (p. 6)**

This manufactured home and RV park has been in existence for many years. It has had trouble with compliance with local and state regulations but is outside of zoning. The development is in an area that is a mix of agricultural, residential and commercial uses. It is the only significant residential development in the area until you travel a few miles back into Lockwood. It is the kind of more dense development that might be expected where municipal water and sewer services

are available.

2. 2014 Billings Urban Area Long Range Transportation Plan

The subject property is within the study area of the Transportation Plan, but the main road in this area, Coulson Road, is not identified as a major street in the Transportation Plan. Coulson Road in this area is an easement on the Burlington Northern and Santa Fe railroad right-of-way and no additional right-of-way or easement width is being required by the County with this project and no additional improvements are planned at this time.

3. 2011 Billings Area Bikeway and Trail Master Plan (BABTMP)

The subject property is outside of the study area of the BABTMP.

D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? [76-3-608(3)(b), MCA and Section 3.2(3)(a), YCSR]

The proposed and existing development will meet the requirements of the MSPA and the YCSR. The developer and the local government have complied with the subdivision review and approval procedures that are set forth by local and state subdivision regulations.

E. Does the subdivision conform to sanitary requirements? [Section 4.8(C) and 4.9 (C), YCSR]

The developer will need to receive approval from MDEQ for the existing/proposed wastewater systems, storm water management plan and facilities, and water system using two existing wells. All of these systems must be approved by MDEQ prior to final plan approval.

F. Does the proposed subdivision meet any applicable Zoning Requirements? [Section 3.2(H)(3)(e), YCSR]

The subdivision is outside the County's zoning jurisdiction.

G. Does the subdivision provide for necessary planned utilities? [76-3-608(3)(c), MCA and Section 3.2 (H)(3)(b), YCSR]

Utilities will serve the development internally on private property and no easements are planned. Electrical power is available through Yellowstone Valley Electric Cooperative and that utility had no comment on the project. Montana-Dakota Utilities (MDU) commented that natural gas is available but would have to be extended for 2 miles from its current location. No gas service is planned at this time.

H. Does the proposed subdivision provide for legal and physical access to all lots? [76-3-608 (3)(d), MCA and Section 3.2 (H)(3)(c)(d), YCSR]

Legal and physical access will be provided for the development from Coulson Road, a County Road in an easement, and private internal roads in the development. These internal private roads must be brought up to County Gravel Road Standards (**See Condition 2**).

CONCLUSIONS OF FINDINGS OF FACT

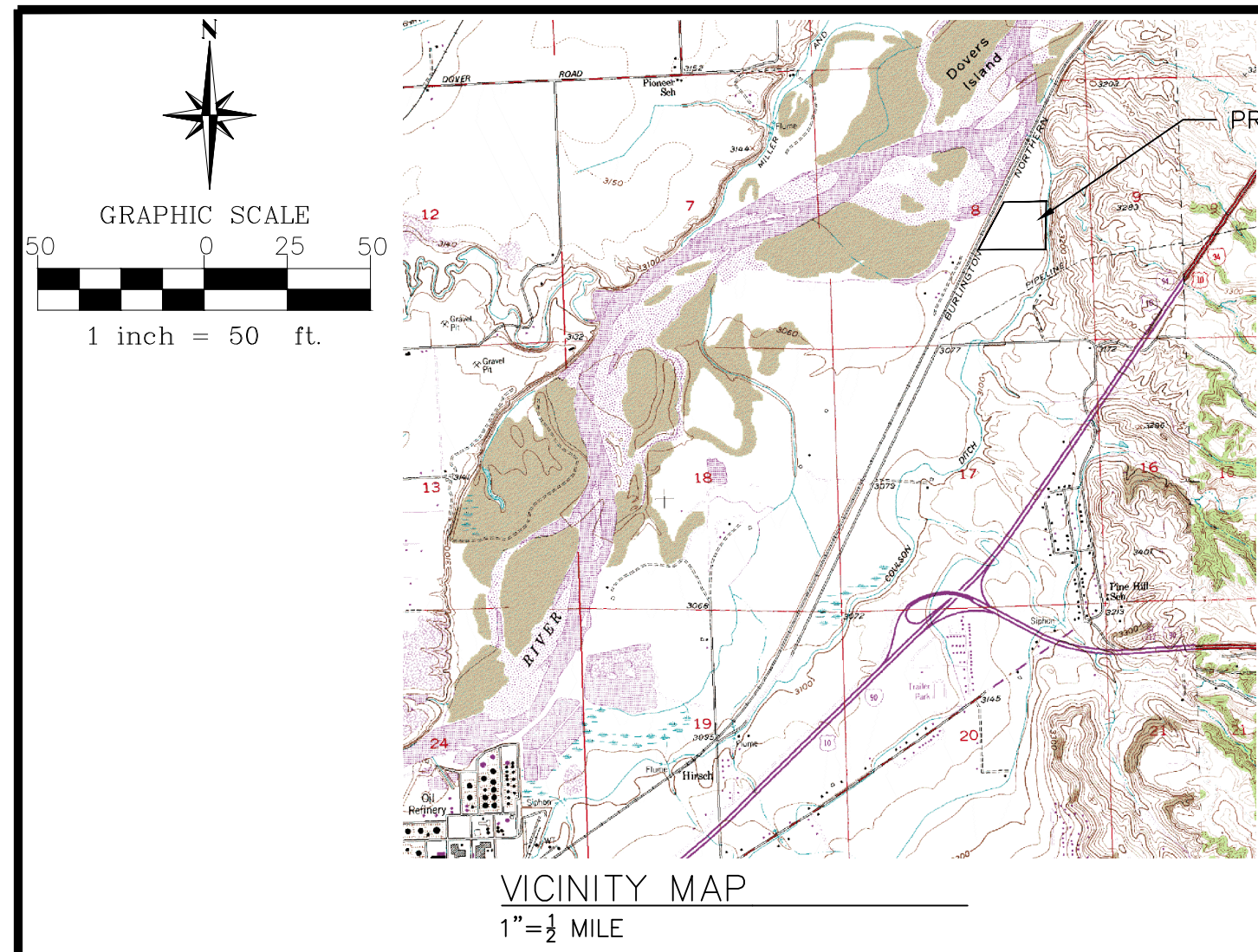
- The Majestic Cove Mobile Home and RV Park does not create adverse impacts that warrant denial of the subdivision for rent or lease.
- Impacts to agriculture, agriculture water user facilities, local services, public health and safety, the natural environment, and wildlife should be minimal. Impacts identified can be mitigated by reasonable conditions of final plan approval and information provided in the SIA.
- The development conforms to some of the goals of the 2008 Growth Policy.
- The applicant has complied with the MSPA and YCSR processes and the subdivision conforms to the law requirements.
- This development has been out of local and state compliance with subdivision and water and sewer system requirements for more than 8 years. This review and approval process will finally bring the property into compliance and enable it to operate as a mobile home and RV park in the future.

RECOMMENDATION

Staff recommends the Planning Board recommend to the Board of County Commissioners conditional approval of the preliminary plan of the Majestic Cove Mobile Home and RV Park and adoption of the Findings of Fact as presented in the staff report.

ATTACHMENTS

A: Preliminary Plan and Associated Documents

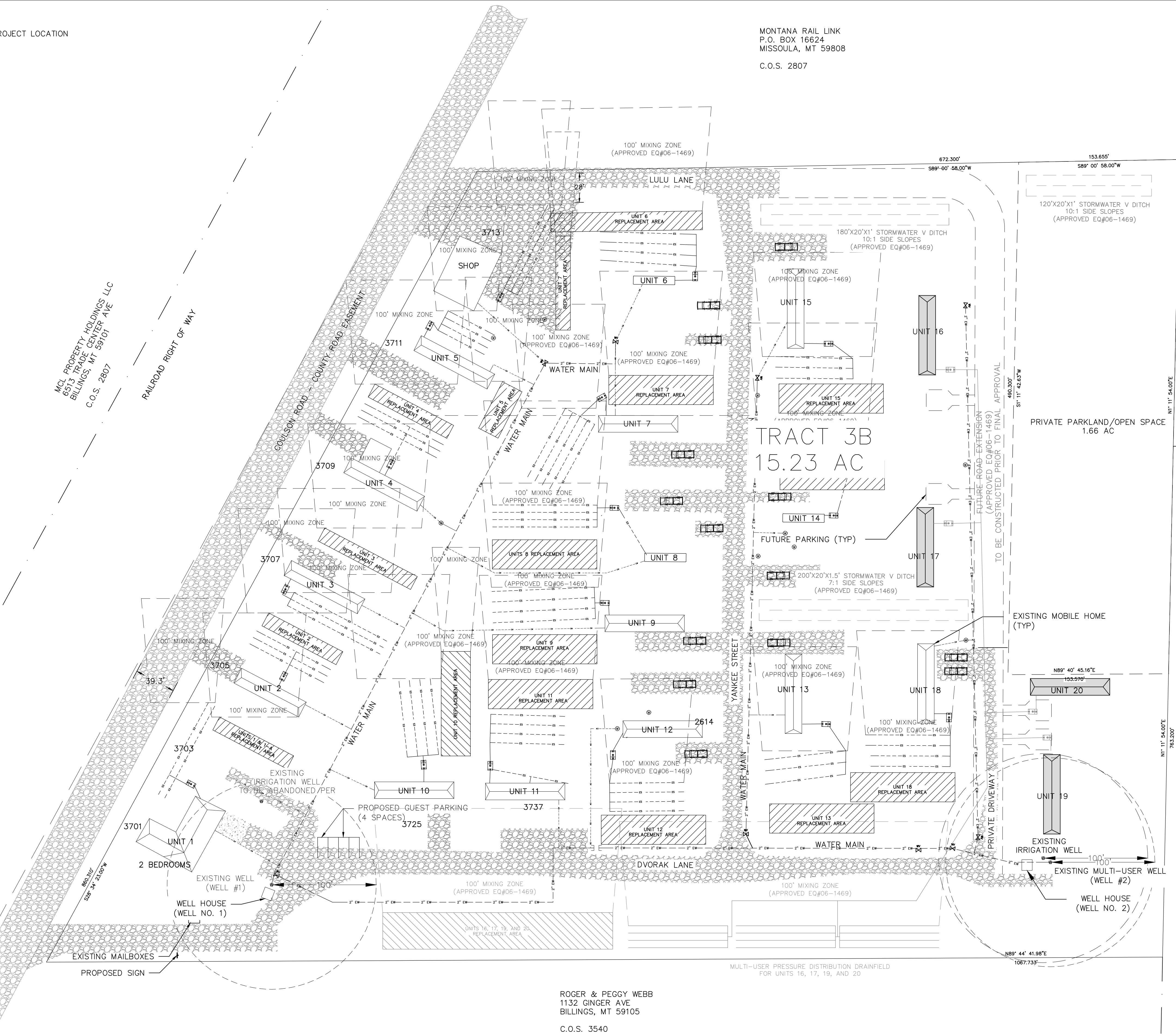


MONTANA RAIL LINK
 P.O. BOX 16624
 MISSOULA, MT 59808
 C.O.S. 2807

LEGEND

EXISTING WELL	
EXISTING DRAINFIELD	
EXISTING SEPTIC TANK	
EXISTING WATER LINE	
EXISTING WATER SERVICE	
PROPOSED REPLACEMENT	
EXISTING GRAVEL ROAD	
EXISTING MOBILE HOME UNIT (13 UNITS & 1 SHOP)	
EXISTING RV UNIT (3 UNITS)	
PROPOSED MOBILE HOME UNIT (4 UNITS)	
CONTOURS	

- NOTES:**
- 1) Construct storm water ditches and pond as shown on lot layout and per storm water drainage and road plans.
 - 2) No neighboring water or sewer facilities within 100 linear feet of proposed subdivision.
 - 3) No designated floodplain in area of proposed subdivision.



MCL PROPERTY HOLDINGS LLC
 6513 TRADE CENTER AVE
 BILLINGS, MT 59101
 C.O.S. 2807

ROGER & PEGGY WEBB
 1132 GINGER AVE
 BILLINGS, MT 59105
 C.O.S. 3540

WOODEN LLC
 P.O. BOX 22745
 BILLINGS, MT 59104
 C.O.S. 1225

TODD & TRINA BRESSLER
 2611 WATSON RD
 BILLINGS, MT 59101
 C.O.S. 1225

PREPARED FOR: ROCKIE AND DENA MCCAFFREE
 PREPARED BY: ENGINEERING WEST

SUBDIVISION DETAILS:

GROSS DEVELOPMENT AREA	15.12 ACRES
NET DEVELOPMENT AREA	13.46 ACRES
ROAD AREA	1.54 ACRES
PARKLAND AREA	1.66 ACRES
EXISTING ZONING	N/A
PROPOSED ZONING	N/A
EXISTING LAND USE	MOBILE HOME & RV PARK
PROPOSED LAND USE	MOBILE HOME & RV PARK
NUMBER OF UNITS	20
LINEAR FEET OF STREETS	1867 LF

**PRELIMINARY SITE PLAN OF
 MAJESTIC COVE MOBILE HOME & RV PARK**
 Being Tract 3-B of Amended Survey No. 2807
 Situated in the NW 1/4 & SW 1/4 NE 1/4 of Section 8, T1N, R27E, P.M.M.
 Yellowstone County, Montana

P.O. BOX 194
 PHONE 322-1116 FAX 322-8514
 COLUMBUS, MT 59019
 WWW.ENGINEERING-WEST.COM



DRAWN BY: CF	CHECKED BY: MS	SCALE: 1" = 100'
DATE: 8/24/2015	REV. DATE: ...	REVISION: ...
YELLOWSTONE COUNTY		TOWNSHIP: IN
RANGE: 27E		SECTION: 8

MAJESTIC COVE MOBILE HOME & RV PARK
 LOT LAYOUT

Planning Board Meeting I (2nd Tuesday)

7. c.

Meeting Date: 11/10/2015

TITLE: Draft 2015-2019 Transportation Improvement Program (TIP) Amendment II

PRESENTED BY: Candi Millar, Planning & Community Services Department Director

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

Federal regulations require the Billings Metropolitan Planning Organization (MPO) to review and update its Transportation Improvement Program (TIP) periodically. Given some funding adjustments with several transportation projects, the current Billings 2015-19 TIP must be amended to maintain compliance with State and Federal requirements.

The Transportation Improvement Program (TIP) is a short-range program of highway and transit projects in the Billings MPO area and is prepared by City-County Planning Division staff in cooperation with state and local agencies. The purpose of the TIP is to provide the mechanism for scheduling federal funds for surface transportation projects, indicate regional priorities, and demonstrate a short range transportation vision for the area. A secondary purpose of the TIP is to provide information about other transportation projects in the urbanized area that are exempt from the TIP approval process, such as projects that do not utilize federal funds.

This TIP amendment is being presented to the Planning Board for review due to cost updates to several projects. The projects listed in the TIP that have updates for cost increases include, but are not limited to: 1st Avenue North, Zimmerman Trail, and several safety projects. Staff has attached the document for reference. The Planning Board is being asked to review the TIP amendments at this meeting and conduct a public hearing on the TIP amendments at its meeting on November 23, 2015.

ALTERNATIVES ANALYZED

The current TIP includes updates of federal funding for several projects in the Billings area. The Planning Board may:

- Recommend approval to the Policy Coordinating Committee (PCC) of the 2015-2019 TIP Amendment II as drafted in order to continue the implementation of federally funded transportation projects as presented.
- Recommend modifications to the proposed 2015-2019 TIP Amendment II and present these recommendations to the Policy Coordinating Committee for further consideration.

Not approving the 2015-2019 TIP Amendment II would cause the Billings MPO to be out of compliance with State and Federal requirements and could affect the schedule and completion of transportation projects in the Billings MPO area.

FINANCIAL IMPACT

A range of federal funding sources is available to the Billings Urban Area for the purposes of funding transportation system improvements. A list of those sources is shown in the attached TIP. There is usually no direct impact to City or County funds in budgeting for these projects given the federal funding sources.

RECOMMENDATION

Staff recommends that the Planning Board review the 2015-2019 TIP Amendment II at this meeting and, after conducting a public hearing at the November 23 meeting, forward a recommendation of approval to PCC through its designee. The PCC is scheduled to meet on December 15, 2015 for action on this item.

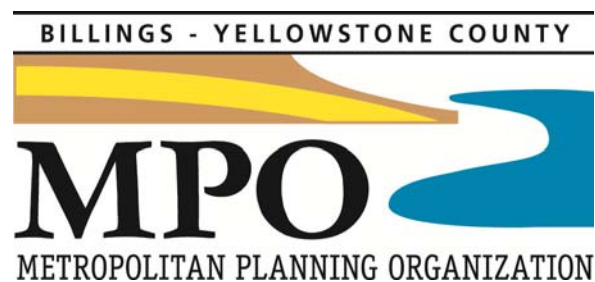
APPROVED BY CITY ADMINISTRATOR

Attachments

2015_2019 TIP_Amd II_DRAFT_current doc

BILLINGS URBAN AREA

TRANSPORTATION IMPROVEMENT PROGRAM (TIP)



FY 2015-2019

Amendment I - June 23, 2015

Amendment II-December 15, 2015

DRAFT

****This document is funded in part through grants from the Federal Highway Administration and Federal Transit Administration, U.S. Department of Transportation. The contents of this document do not necessarily reflect the official views or policy of the U.S. Department of Transportation.**

Prepared by:

Yellowstone County Board of Planning
Billings Metropolitan Planning Organization

In Cooperation With:

City of Billings
Yellowstone County
Yellowstone County Board of Planning
Montana Department of Transportation
Federal Highway Administration
Federal Transit Administration

Reviewed By:

	Approval	Amendment I	Amendment II
Technical Advisory Committee	11/25/14	05/21/15	11/05/2015
Yellowstone County Board of Planning	12/09/14	06/09/15	11/24/2015
Billings City Council	11/20/14	06/22/15	11/23/2015
Yellowstone County Commissioners	12/09/14	06/16/15	12/01/2015

Approved By:

Billings Policy Coordinating Committee	12/16/14	06/23/15	12/15/2015
Montana Department of Transportation	01/29/15		
Federal Highway Administration	01/28/15		
Federal Transit Administration	01/28/15		

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**METROPOLITAN TRANSPORTATION PLANNING PROCESS
SELF-CERTIFICATION**

The Billings Metropolitan Planning Organization for the Billings, Montana, urbanized area hereby certifies that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

- I. 49 U.S.C. Section 5303 and 23 U.S.C. 134 and CFR 450.334;
- II. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C 2000d-1) and 49 CFR, Part 21;
- III. Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59) regarding the involvement of disadvantaged business enterprises in the FHWA and the FTA funded projects (49 CFR part 26);
- IV. The provision of the Americans With Disabilities Act of 1990 (42U.S.C. 12101 *et seq.*) and the U. S. DOT implementing regulation (49 CFR Parts 27, 37 and 38);
- V. The provisions of 49 CFR part 20 regarding restrictions on influencing certain activities; and
- VI. Sections 174 and 176(c) and (d) of the Clean Air Act as amended (42 U.S.C. 7504, 7506(c) and (d)), 40 CFR, part 93.
- VII. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex or age in employment or business opportunity.
- VIII. 23 CFR, part 230, regarding the implementation of an equal employment opportunity on Federal & Federal-aid highway construction contracts.
- IX. The Older Americans Act as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in program or projects receiving Federal financial assistance.
- X. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender.
- XI. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR, part 27 regarding discrimination against individuals with disabilities.

Billings, Montana

Metropolitan Planning Organization

Signature/Date

Richard Clark, President, Yellowstone County Board of Planning

INTRODUCTION

PREFACE

The Yellowstone County Board of Planning (YCBP) is the metropolitan planning organization (MPO) for the Billings metropolitan planning area. The Transportation Improvement Program (TIP) is the funding mechanism for transportation projects requesting federal dollars in the Billings urbanized area. All MPO's are required by the current Federal Highway Bill SAFETEA LU to produce a TIP and update it at least every four years. SAFETEA LU was signed into law by President Bush in 2005, and extended by President Obama through June 2012. The act and extensions authorized highway, highway safety, transit, and other surface transportation programs.

On July 6, 2012 Moving Ahead for Progress in the 21st Century (MAP-21) was signed into law. The law provides federal program funding through the end of Federal Fiscal Year 2014 and brings program structure changes that will be fully addressed in future long range transportation plans and TIPs. This document contains a list of all surface transportation projects requesting the use of federal funds. Local jurisdictions working through the Billings MPO's Policy Coordinating Committee (PCC) determine how the area's transportation system is developed and expanded.

PURPOSE OF THE TIP

The TIP is a short-range program of highway and transit projects in the Billings metropolitan planning area and is prepared by YCBP staff in cooperation with state and local agencies. The basic purpose of the TIP is to provide the mechanism for scheduling federal funds for surface transportation projects, indicating regional priorities, and demonstrating a short range transportation vision for the area. A secondary purpose of the TIP is to provide information about other transportation projects in the planning area that are exempt from the TIP approval process such as projects that do not utilize federal funds.

THE TIP PROCESS

The development of the TIP document is the responsibility of the Billings MPO and provides an opportunity for local officials to determine priorities and spending for federal highway and transit funds. Any transportation project located in the Billings metropolitan planning area must be included in the TIP prior to receiving federal funds. TIP projects must be included in the area's 20 year Transportation Plan, and are proposed for the TIP by local elected officials, transit operating officials, or state highway agencies. The TIP is reviewed and endorsed annually by the Billings MPO's PCC and may be modified through the TIP amendment process. The PCC includes a Billings City Council representative, the Chair of the Yellowstone County Commission, the President of the Yellowstone County Board of Planning and the District Administrator of the Montana Department of Transportation. After PCC endorsement, the TIP is submitted to the Montana Department of Transportation (MDT) and to the Federal Highway Administration and Federal Transit Administration for federal review of the document and approval of conformity and fiscal constraint determination.

FEDERAL REGULATIONS

The Transportation Improvement Program (TIP) is a required planning program for federally assisted highway and transit improvements for the Billings metropolitan planning area and the Montana

Department of Transportation (MDT) over a five-year period. The principal focus is given to the first two years of the program, the Biennial Element, which contains projects that could be implemented between July 1, 2015 and June 30, 2017.

The TIP is prepared annually and is in conformance with 23 CFR, Part 450 324-330.

FINANCIAL RESOURCES

A range of federal funding sources is available to the Billings planning area for the purposes of funding transportation system improvements. Following is a list of those sources which, when available to the Billings area, are shown in the Transportation Improvement Program. Project implementation is indicated as expected to occur during the pertinent program year. Billings has had a favorable history of receiving federal earmarks as reflected in the table below.

BILLINGS FEDERAL EARMARK HISTORY – 2003 through 2012

YEAR	EARMARKS
2003	\$ 3,000,000
2004	\$ 2,000,000
2005	\$ 4,960,000
2006	\$ 35,173,900
2007	\$ 0.0
2008	\$ 4,596,200
2009	\$ 4,750,000
2010	\$0.00
2011	\$0.0
2012	\$54,457
TOTAL	\$54,534,557
10 YEAR AVERAGE	\$5,453,455

FUNDING SOURCES

- Surface Transportation Program Urban (STPU)
- Surface Transportation Program Primary (STPP)
- National Highway System (NHS)
- Interstate Maintenance (IM)
- Highway-Railway Crossing Program (RRX)
- Transportation and Community and System Preservation (TCSP)
- Surface Transportation Enhancement (STPE)
- Highway Safety Improvement Program (HSIP)
- Bridge Replacement and Rehabilitation Program (HBRRP)
- Urban Pavement Preservation (UPP)
- Community Transportation Enhancement Program (CTEP)
- State Funded Construction (SFC)

- Congestion Mitigation Air Quality (CMAQ)
- Montana Air Congestion Initiative (MACI)
- FTA Section 5309 (Formerly Sec. 3)
- FTA Section 5307 (Formerly Sec. 9)
- FTA Section 5310 (Formerly Sec. 16)
- FTA Section 5316 Job Access and Reverse Commute (JARC)
- FTA Section 5317 New Freedom
- Congressionally Directed Funds (MT, NCPD, DEMO)
- Safe Routes to School (SRTS)

AIR QUALITY CONSISTENCY

Billings was designated as a non-attainment area for both Total Suspended Particulates (TSP) and Carbon Monoxide (CO) on March 3, 1978, (Federal Register, Vol. 44, No. 150, page 45421, August 2, 1979). As such, Billings was required to prepare a Transportation Control Plan (TCP). The TCP identified strategies to mitigate the TSP and CO problems. The TCP is the Billings element of Montana's State Implementation Plan (SIP). The TIP is required to be, and is, consistent with the TCP as discussed in the Billings conformity statement.

In 1987 the standard for TSP was dropped, and a new standard for particulate matter under 10 microns in size (PM - 10) was adopted (7/1/87 at 52 FR 24854). The Environmental Protection Agency (EPA), has also adopted the PM 2.5 standard and Billings is considered to be in compliance with both of these new standards.

CONFORMITY OF THE BILLINGS AREA TRANSPORTATION IMPROVEMENT PROGRAM WITH THE 1990 CLEAN AIR ACT

A portion of the Billings Urbanized Area, (Billings), was designated non-attainment for carbon monoxide (CO) on 3/3/78 (43 FR 8962) with a secondary classification of "unclassified". EPA approved the Billings CO Control Plan on 1/16/86 (51 FR 2397). Billings was then re-designated as "Not Classified" on 11/6/91 (56 FR 56697). The area meets the qualifications of the Clean Air Act (CAA) for classification as an attainment area for ozone.

The Billings "not classified" carbon monoxide (CO) nonattainment area was re-designated by the Environmental Protection Agency (EPA) to attainment for the CO National Ambient Air Quality Standards (NAAQS) with an approved limited maintenance plan effective April 22, 2002. Under a CO limited maintenance plan, the motor vehicle emissions budgeted may be treated as essentially non-constraining for the length of the maintenance period because growth would need to exceed reasonable expectations to create a violation of the NAAQS for transportation-related CO. Therefore conformity demonstration using regional emissions analysis is not required; however, individual projects may still be required to conduct "hot spot" analysis.

As demonstrated in the following sections, the Transportation Improvement Program (TIP) satisfactorily meets the requirements established by the 1990 amendments to the CAA regarding the conformity of TIP's.

- The most recent estimates of CO mobile source emissions have been developed by the Analytical Services Section, Montana Department of Environmental Quality and are based upon development and transportation data provided by the Yellowstone County Board of Planning.

TRANSPORTATION CONTROL MEASURES

Specific Transportation Control Measures have not been proposed for Billings recently, however, the SIP completed in 1986 included the widening of Exposition Drive (Main Street) and the signalization at Main Street and First Avenue North. Both of these projects were completed in 1983.

There are no Transportation Control Measures (TCM's) in the State Implementation Plan (SIP) and therefore there are no specific TCM's recommended for implementation in this TIP.

TIP CONFORMITY

As a prerequisite for receiving Federal-aid transportation funds through the TIP, a determination must be made that the proposed transportation projects do not cause or contribute to violations of the carbon monoxide ambient air quality standards. An analysis, which meets the EPA conformity determination regulations specified in 40 CFR Part 51 was performed in conjunction with the development of the Billings Urban Area 2014 Long Range Transportation Plan. The plan was found to conform at the federal level November 10, 2014. The analysis appears in Section 4, pages 4-24 through 4-27 of the Plan document and is titled "Air Quality/Conformity". As the transportation projects in the TIP are contained in the Transportation Plan's analysis, a separate analysis for the TIP is not necessary.

There are no new regionally significant projects in this 2015-2019 Billings Urban Area TIP.

NEW PROJECTS EXEMPT FROM REGIONAL ANALYSIS-

(Table 1): EXEMPT PROJECTS

Project	Scope	Comments
Exposition Dr & 1 st Ave N-concrete pavement rehab 27 th St-1 st Ave S to Airport-mill/overlay (pavement preservation) 2012 Scour Mitigation-Bridge Scour Mitigation (Dick Johnson Bridge) I-90 Yellowstone River Bridge-Bridge Replacement		

REGIONALLY SIGNIFICANT PROJECTS

(Table 2): REGIONALLY SIGNIFICANT PROJECTS

Project	Scope	Comments
6 th Avenue/Bench Connection	Reconstruction	Completed, section has functionally classified and added to Urban System
Billings Bypass (aka North Bypass)	Location/Environmental	Ongoing
Bench Boulevard-Billings Phases I and II	Reconstruction	Phase I letting in 2013 Phase II letting anticipated in 2015

ENERGY CONSERVATION CONSIDERATIONS

Energy impact analyses have been conducted as a part of the urban transportation planning process. In addition, increased attention has been given to energy conservation and contingency planning on a project specific basis.

As part of the 2009 update of the Billings Urban Area Transportation Plan, energy conservation was considered in each of the proposed alternative transportation networks.

The City of Billings has a well-developed transit system, and ride-sharing opportunities have been examined. Transit facilities and highway system proposals will continue to be considered in a comprehensive method through the adopted Transportation Planning process.

The detailed energy conservation analysis of specific projects has been conducted for each of the major highway construction projects recommended in the 2009 update of the Billings Urban Area Transportation Plan.

PROGRAMMING OF NON-URBAN SYSTEM, FEDERAL AID AND STATE FUNDING

Proposed projects involving federal-aid funding, other than urban system funding, that are proposed within existing rights-of-way and which are determined to not significantly change traffic patterns, may not be considered to be of appropriate scale to warrant a modification to a currently valid TIP.

When there is knowledge of such projects prior to the annual adoption of the TIP, each project will be included in the program. Generally, projects falling within this category are those which serve to preserve and maintain the integrity of the existing plant or facility such as: overlays to improve or maintain surface conditions; bridge expansion joints and deck repairs necessary to maintain structural and surface sufficiency; slope repair necessary to maintain drainage adequacy; etc. Projects of this nature will be identified by MDT with appropriate justification when requesting program approval of federal highway funds. Local urban area officials will be advised by the Department through the local planning process of the Department's intent to expend federal funds (non-urban system) for such improvements in their area.

(Table 3) -TRANSPORTATION REVENUE ESTIMATES (2015-2019)

BILLINGS, MONTANA																		
YEAR	SURFACE TRANS PROGRAM (STP) (URBAN)*	CMAQ LOCAL	MONTANA AIR CONGESTION INITIATIVE (MACI)*	EARMARKS (MT/NCPD/ DEMO)	SURFACE TRANSPORTATION ENHANCEMENT**	TRANSPORTATION ALTERNATIVES (TA)	NATIONAL HWY SYSTEM (NHS) INTERSTATE MAINTENANCE (IM)	STATE HSIP UPP RRP MDT-MACI BH BR	GAS TAX		TRANSIT SEC 5307	TRANSIT SEC 5310	TRANSIT SEC TRANSADA	TRANSIT SEC 5339	OTHER FUNDS (LOCAL)	TOTAL		
CARRYFORWARD	\$ 12,016,934	\$ 6,232,673	\$ -	\$ 25,141,588	\$ 2,030,301											\$ 45,421,496		
2015									CITY	\$ 1,771,687	OPER.	\$ 1,718,629		\$ 70,000	OPER.	\$ 2,421,696	\$ 5,982,012	
	\$ 2,489,770	\$ 1,432,171	\$ 589,817			\$ 195,400	\$ 2,674,304	\$ 2,575,215	COUNTY	\$ 291,791	CAP		\$ 160,000		\$ 420,000	CAP	\$ 145,000	\$ 10,973,468
2016									CITY	\$ 1,771,687	OPER.	\$ 1,718,629				OPER.	\$ 2,421,696	\$ 5,912,012
	\$ 2,489,770	\$ 1,432,171	\$ 7,022,824			\$ 700,000	\$ 4,298,733	\$ 5,674,588	COUNTY	\$ 291,791	CAP		\$ 160,000	\$ 70,000	\$ 420,000	CAP	\$ 145,000	\$ 22,704,877
2017									CITY	\$ 1,771,687	OPER.	\$ 1,718,629				OPER.	\$ 2,421,696	\$ 5,912,012
	\$ 2,489,770	\$ 1,432,171	\$ 5,253,600			\$ 700,000	\$ 30,235,737	\$ 3,758,409	COUNTY	\$ 291,791	CAP		\$ 160,000		\$ 420,000	CAP	\$ 145,000	\$ 44,886,478
2018									CITY	\$ 1,771,687	OPER.	\$ 1,718,629		\$ 70,000		OPER.	\$ 2,421,696	\$ 5,982,012
	\$ 2,489,770	\$ 1,432,171	\$ 750,000			\$ 700,000	\$ 13,245,299	\$ 44,508,821	COUNTY	\$ 291,791	CAP		\$ 160,000		\$ 420,000	CAP	\$ 145,000	\$ 64,142,852
2019									CITY	\$ 1,771,687	OPER.	\$ 1,718,629				OPER.	\$ 2,421,696	\$ 5,912,012
	\$ 2,489,770	\$ 1,432,171	\$ 750,000			\$ 700,000	\$ 10,955,807	\$ 1,520,000	COUNTY	\$ 291,791	CAP		\$ 160,000	\$ 70,000	\$ 420,000	CAP	\$ 145,000	\$ 18,934,539
TOTAL	\$ 24,465,784	\$ 13,393,530	\$ 14,366,241	\$ 25,141,588	\$ 2,030,301	\$ 2,995,400	\$ 61,409,880	\$ 58,037,033		\$ 10,317,390		\$ 8,593,145	\$ 800,000	\$ 280,000	\$ 2,100,000		\$ 12,833,480	\$ 236,763,772

Given current funding uncertainties and unknwn impacts of future congressional or other Federal actions, Federal funding available may affect the programming of projects.

*Includes Non-Federal Match

**Surface Transportation Enhancement (CTEP) funding no longer available after 2015

***Funds to be transferred to 5307

TABLE 4(a) -TRANSPORTATION PRIORITY LIST						
BILLINGS, MONTANA						
	PROJECT	TYPE OF WORK	PROJECT LENGTH	PHASE	ESTIMATED COST	FUNDING SOURCE
SURFACE TRANSPORTATION PROGRAM-URBAN (STPU)						
	BENCH BLVD-US 87 INTERSECTION	Reconstruction		IC	\$195,095	STPU
				CN	\$264,950	STPU
				TOTAL	\$460,045	
	BENCH BLVD	Reconstruction		RW	\$525,000	STPU
				IC	\$5,018	STPU
				TOTAL	\$530,018	
	BENCH BLVD HILLTOP/PEMBERTON	Reconstruction		CN	\$3,660,751	STPU
				TOTAL	\$3,660,751	
	BILLINGS BYPASS	New Construction	5	CN	\$8,300,575	STPU
				TOTAL	\$8,300,575	
CONGESTION MITIGATION AIR QUALITY (CMAQ) Local Match						
	BENCH BLVD HILLTOP/PEMBERTON	Reconstruction		CN	\$7,150,649	CMAQ
				TOTAL	\$7,150,649	
MONTANA AIR CONGESTION INITIATIVE (MACI) State Match						
	27th St-1ST AVE S to AIRPORT	Signal Optimization		CN	\$4,503,600	MACI
				TOTAL	\$4,503,600	
	UNDERPASS AVE IMPROVEMENTS	Study		OT	\$309,337	MACI
				PE	\$0	
				CN	\$0	
				TOTAL	\$309,337	
	AIRPORT RD & MAIN ST - BLGS	Study		OT	\$152,503	MACI
				PE	\$0	
				CN	\$0	
				TOTAL	\$152,503	
	BILLINGS SIGNAL UPGRADES	Signal Optimization		OT	\$320,869	MACI
				TOTAL	\$320,869	
	LOCKWOOD SIGNALS - BILLINGS	Signal Optimization		OT	\$18,948	MACI
				TOTAL	\$18,948	
	DOWNTOWN STATE SIGNALS BLGS	Signals		PE	\$250,000	MACI
				CN	\$6,272,824	MACI
				TOTAL	\$6,522,824	
	MDT-MACI	Statewide CMAQ - Various		PE/OTHER	\$1,000,000	MACI
				TOTAL	\$1,000,000	
	MDT-MACI	Statewide CMAQ - ADA Compliancy		PE/OTHER	\$2,000,000	MACI
				TOTAL	\$2,000,000	
EARMARKS/DISCRETIONARY GRANTS						
	BENCH BLVD-US 87 INTERSECTION	Reconstruction	3	CN	\$2,114,314	MT
				TOTAL	\$2,114,314	
	ZIMMERMAN TRAIL	Rockfall Mitigation	1	PE	\$571,014	MT
				CN	\$988,521	MT
				TOTAL	\$1,559,535	
	ZIMMERMAN TRAIL	Roadway Improvements		PE	\$941,150	MT
				RW	\$119,484	MT
				CN	\$3,237,320	MT
				LOCAL	\$880,373	LOCAL
				TOTAL	\$5,178,327	
	BILLINGS BYPASS	New Construction	5	OT/ENV	\$4,689,600	NCPD
				PE	\$9,909,000	MT/NCPD
				RW	\$7,847,000	MT
				TOTAL	\$22,445,600	

**TABLE 4(b)-TRANSPORTATION PRIORITY LIST
BILLINGS, MONTANA**

INTERSTATE MAINTENANCE (IM)					
VARIOUS PROJECTS	Pavement Preservation		PE/CN	Per Project	IM
D5 INTERSTATE FENCING (only portion in MPO area)	Fencing		CN	\$700,000	IM
			TOTAL	\$700,000	
PINEHILLS INTCH-PRYOR CR INTCH (only portion in MPO area)	Pavement Preservation		PE	\$30,307	IM
			CN	\$857,250	IM
			TOTAL	\$887,557	
I-90 Yellowstone River-Billings	Replace Bridges		IC	\$386,894	IM
			RW	\$386,894	IM
			CN	\$6,190,400	IM
			TOTAL	\$6,964,188	
NATIONAL HIGHWAY SYSTEM - (NH)					
MDT PREVENTIVE MAINTENANCE	Pavement Preservation		ALL	Per Project	NH
BILLINGS - NW	Pavement Preservation		CN	\$4,946,400	NH
			TOTAL	\$4,946,400	
MAIN ST - BILLINGS	Pavement Preservation		CN	\$7,441,200	NH
			TOTAL	\$7,441,200	
AIRPORT RD - ZIMMERMAN TRAIL	Pavement Preservation		PE	\$75,690	NH
			CN	\$2,227,383	NH
			TOTAL	\$2,303,073	
27th St-1ST AVE S to Airport	Pavement Preservation		CN	\$7,661,595	NH
			TOTAL	\$7,661,595	
BILLINGS BYPASS	New Construction	5	IC	\$3,188,004	NH
			TOTAL	\$3,188,004	
EXPOSITION DR & 1ST AVE N BLGS	Pavement Preservation		PE	\$126,989	NH
			CN	\$1,257,185	NH
			TOTAL	\$1,384,174	
MT3-ZIMMERMAN TR INTR SCT IMPRV	Intersection Improvement		PE	\$716,907	NH
			RW	\$94,032	NH
			IC	\$62,688	NH
			CN	\$2,199,400	NH
			TOTAL	\$3,073,027	
1st AVENUE NORTH - BILLINGS	Major Rehabilitation		PE	\$1,024,945	NH
			RW	\$64,058	NH
			IC	\$64,058	NH
			CN	\$8,455,807	NH
			TOTAL	\$9,608,868	
BRIDGE (BH, BR)					
2012 Scour Mitigation (Yellowstone River (Dick Johnson Bridge))	Mitigation		PE	\$79,000	BH
			CN	\$520,000	STPB
			TOTAL	\$599,000	
I-90 Yellowstone River-Billings	Replace Bridges		PE	\$3,809,700	BR
			CN	\$38,599,300	BR
			TOTAL	\$42,409,000	
SURFACE TRANSPORTATION PROGRAM-URBAN PAVEMENT PRESERVATION (UPP)					
1ST AVE S-MINN AVE-13 ST-BLGS	Pavement Preservation		CN	\$964,700	UPP
			TOTAL	\$964,700	
4TH AVE N-13TH ST TO MAIN-BLG	Pavement Preservation		CN	\$452,300	UPP
			TOTAL	\$452,300	
6TH AVE N- 27TH TO 32ND (BLGS)	Pavement Preservation		PE	\$63,076	UPP
			CN	\$347,900	UPP
			TOTAL	\$410,976	
DIVISION STREET - BILLINGS	Pavement Preservation		PE	\$63,076	UPP
			CN	\$527,100	UPP
			TOTAL	\$590,176	
VARIOUS PROJECTS 2015-2019	Pavement Preservation		PE/CN	Per Project	UPP

**TABLE 4(c)-TRANSPORTATION PRIORITY LIST
BILLINGS, MONTANA**

TABLE 4(c)-TRANSPORTATION PRIORITY LIST BILLINGS, MONTANA					
HIGHWAY SAFETY (HSIP)					
SF 129-RNDABOUT KING 56TH	Roundabout	PE	\$705,817	HSIP	
		RW	\$165,000	HSIP	
		IC	\$54,925	HSIP	
		CN	\$3,044,800	HSIP	
		TOTAL	\$3,970,542		
SF 139-RNDABOUT CENTRAL/56TH	Roundabout	PE	\$349,219	HSIP	
		RW	\$253,976	HSIP	
		IC	\$126,988	HSIP	
		CN	\$2,778,099	HSIP	
		TOTAL	\$3,508,282		
SF 139 13TH/PARKHILL SIGNAL	Signal	PE	\$65,780	HSIP	
		CN	\$445,600	HSIP	
		TOTAL	\$511,380		
MT3-ZIMMERMAN TR INTRST IMPRV	Intersection Improvement	CN	\$2,131,422	HSIP	
		TOTAL	\$2,131,422		
SF-149 HILLCREST RIGHT TURN LN.	Intersection Improvement	PE	\$30,098	HSIP	
		CN	\$300,975	HSIP	
		TOTAL	\$331,073		
SF 129 BILLINGS HORIZONTAL CURVE SIGNAGE	Signage	PE/CN	\$1,126,611	HSIP	
		TOTAL	\$1,126,611		
SF-149 CLRS BILLINGS NORTH(only portion in MPC)	Centerline Rumble Strips	PE	\$27,851	HSIP	
		CN	\$285,000	HSIP	
		Total	\$312,851		
SF 149 - KING INTCH SFTY IMPRV	Safety	PE	\$4,114	HSIP	
		CN	\$10,275	HSIP	
		TOTAL	\$14,389		
SF 149 CLRS BILLINGS SOUTH(only portion in MPC)	Centerline Rumble Strips	PE	\$1,400	HSIP	
		CN	\$10,400	HSIP	
		TOTAL	\$11,800		
VARIOUS SAFETY PROJECTS	Safety	ALL	\$2,250,000	HSIP	
			\$2,250,000		
OTHER FUNDING					
STP ENHANCEMENTS	Various Projects	OTHER	\$2,030,301	CTEP	
ANNUAL OPERATION AND MAINTENANCE	Various Projects	OTHER	\$225,000	LOCAL	
MDT-MACI	Equipment Purchase	OTHER	\$220,562	CMAQ/LOCAL	
TRANSPORTATION ALTERNATIVES PROGRAM	Various Projects	OTHER	Per Project	TA	
STATE FUNDED MAINTENANCE	Various Projects	OTHER	\$1,746,000	STATE	
		TOTAL	\$4,221,863		
CN Estimates Include CE Costs					

(Table 4d)_Bench Boulevard

(Table 4d)_Bench Boulevard										
Project	Description	Phase	Program Schedule					Funding	State	Federal
Sponsor	Current TIP Est. Cost		Pre 2013	2014	2015	2016	2017	Source	13.42%	86.58%
Bench Blvd <i>UPN6041001</i>	Preliminary Engineering	PE	\$87,892		\$20,298			STPU	\$14,519	\$93,671
		PE	\$2,990,428		\$67,932			MT-Earmark	\$410,432	\$2,647,928
		IC**	\$1,269,416		\$136,668			MT-Earmark	\$188,696	\$1,217,388
		IC			\$5,018			STPU	\$673	\$4,345
		RW	\$1,585,000					MT-Earmark	\$212,707	\$1,372,293
		RW			\$525,000			STPU	\$70,455	\$454,545
		CN	\$3,479,201		-\$136,666			MT-Earmark	\$448,568	\$2,893,967
		CN	\$1,629,618		-\$52,153			STPU	\$211,696	\$1,365,769
	\$11,607,652	Total	\$11,041,555	\$0	\$566,097	\$0	\$0	\$1,557,747	\$10,049,905	
Bench Blvd <i>UPN6041002</i> BENCH BLVD-US 87 INTERSECTION	Reconstruction of roadway.	IC			\$195,095			STPU	\$26,182	\$168,913
		CN			\$2,114,314			MT-Earmark	\$283,741	\$1,830,573
		CN			\$264,950			STPU	\$35,556	\$229,394
			\$2,574,359	Total	\$0	\$0	\$2,574,359	\$0	\$0	\$345,479
Bench Blvd <i>UPN6041003</i> BENCH BLVD-HILLTOP/PEMBERTON	Reconstruction of roadway and bridge.				\$5,036,394	\$2,114,255		CMAQ/MT*	\$959,617	\$6,191,032
		CN				\$3,660,751		STPU	\$491,273	\$3,169,478
			\$10,811,400	Total	\$0	\$0	\$5,036,394	\$5,775,006	\$0	\$1,450,890
Totals	\$24,993,411		\$11,041,555	\$0	\$8,176,850	\$5,775,006	\$0	\$3,354,116	\$21,639,295	
<i>Funding projections are based on best available information and are subject to change given current funding uncertainties and unknown impacts of future congressional or other federal actions.</i>										
<i>*Excess apportionment being spent from CMAQ authority.</i>										
<i>** Includes non par funds of \$29,830</i>										

ADVANCEMENT OF PROJECTS

It is mutually agreed that the first two years of this program is the best estimate of the project phase that will be undertaken during the Biennial timeframe. Occasionally, projects advance through the design process faster than anticipated. An approved project may accelerate into the next logical phase providing that the funding source does not change from that, which was initially identified in the TIP. Federal, State, and local governments have agreed that a TIP revision is not required in order to accelerate a specific project phase, so long as other planned work is not unduly delayed. The priorities with regard to the FTA Section 5307 projects in the Biennial Element are: 1) Operating Assistance.

- The priorities with regard to the FTA Section 5310 projects in the Biennial Element are: 1) Replacement vehicles for MET Special Transit, 2) Replacement vehicles for MET Special Transit.
- The priorities with regard to the FTA Section 5309 projects are: 1) Livability Grant for ITS.

PRIVATE ENTERPRISE PARTICIPATION

Both the City of Billings and Yellowstone County have locally developed policies and procedures to examine opportunities for private sector participation in the provision of transit services and related support services. The City of Billings adopted resolution 86-15346 which states said policy and provides a process for implementation. The Council approved that resolution on July 7, 1986. Further, a Private Transportation Enterprise Participation Policy (PEP) and implementing procedures were adopted by the MPO's Technical Advisory Committee on April 24, 1986; by the Policy Coordinating Committee on May 8, 1986; and by the Yellowstone County Planning Board on May 13, 1986.

The City's MET Transit Department has examined various opportunities for private sector provision of services. The Department utilizes private tire firms to handle parts of servicing of the tire inventory. The Department also contracts with various private firms for radiator repair, air compressor rebuilds, as well as glass, bodywork on the vehicles, and occasional component rebuilds.

The required TIP documentation related to the PEP process is as follows:

- a) The City of Billings MET Transit System solicited the possible interest or involvement of the private sector in providing leased tires for the MET Transit fleet of coaches. In the spring of 1993, 1996, 2001, 2006 and 2011, a Request for Bids was sent to potentially interested private vendors and was also advertised in a local newspaper and a national transit journal. Bids are evaluated based on cost and ability to perform. Three firms requested bid packages. The current contract for the tire lease is in effect through August 31, 2012 with four additional one-year renewal options.
- b) No other proposals were received from the private sector.
- c) There are no known impediments to holding service out for competition.
- d) There are no known private sector complaints.

The Yellowstone County-City of Billings Planning Division has and will continue to follow its adopted policy and procedures regarding private sector participation. The mailing list of private providers has been updated and used to provide notice about TAC and PCC meetings, including those that deal with the Unified Planning Work Program, (UPWP), projects and process as well as the TIP process. Through these mailings the private providers are aware of the development of the proposed transit capital and operating projects as well as the proposed paratransit capital projects for the five years covered in the TIP.

FEDERAL TRANSIT ADMINISTRATION PROJECTS

The Federal Transit Act funded projects, including FTA Section 5309 grant projects, (Biennial Element) are intended to insure the continued efficient operation, maintenance and administration of the MET Transit system fleet and facilities, including meeting federal regulations such as the Americans with Disabilities Act (ADA). The operating grants are for the fiscal years of July 2015 to June 2016 and July 2015 to June 2016 and the Section 5309 grant projects will permit Bus and Bus Facilities projects in Fiscal Years 2015-2016 through 2015-2016.

The vehicle purchases for MET Special Transit are projects to enable the City to continue providing the required specialized demand-responsive paratransit service for citizens who are unable to use the MET Transit System due to their disabling conditions. The projects to purchase vehicles for other entities will address some of the transportation needs of developmentally impaired or disabled residents.

(Table 5) -TRANSPORTATION PROJECT PRIORITY LIST BILLINGS, MONTANA	
SECTION/PROJECT	PROJECT ESTIMATE
FTA SECTION 5307 (INCLUDES LOCAL FUNDS)	
OPERATING PROJECT (7-1-2014 TO 6-30-2015)	4,140,325
OPERATING PROJECT (7-1-2015 TO 6-30-2016)	4,140,325
OPERATING PROJECT (7-1-2016 TO 6-30-2017)	4,140,325
OPERATING PROJECT (7-1-2017 TO 6-30-2018)	4,140,325
OPERATING PROJECT (7-1-2018 TO 6-30-2019)	4,140,325
TOTAL	\$20,701,625
FTA SECTION 5310(INCLUDES LOCAL FUNDS)	
REPLACEMENT VEHICLES-TRANSIT (FY2015)	192,000
REPLACEMENT VEHICLES-TRANSIT (FY2016)	192,000
REPLACEMENT VEHICLES-TRANSIT (FY2017)	192,000
REPLACEMENT VEHICLES-TRANSIT (FY2018)	192,000
REPLACEMENT VEHICLES-TRANSIT (FY2019)	192,000
* DEPENDENT ON FUNDING AND APPLICATION APPROVALS BY MDT	
*TOTAL	\$960,000
FTA SECTION 5311* #Funds transferred to 5307	
OPERATING PROJECT (2015)	0
OPERATING PROJECT (2016)	0
OPERATING PROJECT (2017)	0
FTA SECTION 5339 (INCLUDES LOCAL FUNDS)	
CAPITAL PROJECTS 2015	525,000
CAPITAL PROJECTS 2016	525,000
CAPITAL PROJECTS 2017	525,000
CAPITAL PROJECTS 2018	525,000
CAPITAL PROJECTS 2019	525,000
TOTAL	\$2,625,000
TRANSADE (STATE FUNDED)	
OPERATING PROJECT (2016)	\$70,000
OPERATING PROJECT (2017)	\$70,000
OPERATING PROJECT (2018)	\$70,000
OPERATING PROJECT (2019)	\$70,000
TOTAL	\$280,000
TOTAL	\$24,566,625

(Table 6) - MULTI-YEAR STAGING PROGRAM						
CALENDAR YEARS 2015-2019						
BILLINGS, MONTANA						
PROJECTS	2015	2016	2017	2018	2019	>2019
BENCH BLVD-BILLINGS						
BENCH BLVD-US 87 INTERSECTION	■					
BENCH BLVD-HILLTOP/PEMBERTON	■	■				
BILLINGS BYPASS	■	■		■	■	■
BILLINGS BYPASS						
TRANSPORTATION ALTERNATIVES PROJECTS (VAR)	Per Project-----					
ZIMMERMAN TRAIL	■		■			
MT3-ZIMMERMAN TR. INTERSECT. IMPROVE.	■			■		
1ST AVENUE NORTH - BILLINGS		■			■	
D5 IM FENCING CHAINLINK		■				
MDT PREVENTIVE MAINTENANCE (NH)	Per Project-----					
MDT PREVENTIVE MAINTENANCE (IM)	Per Project-----					
STP URBAN PAVEMENT PRESERVATION(UPP)	Per Project-----					
ADA COMPLIANCE	Per Project-----					
2012 SCOUR MITIGATION					■	
I-90 YELLOWSTONE RIVER-BILLINGS				■		
SF 129-RNDABOUT KING 56TH		■				
SF 129 BILLINGS HORIZONTAL CURVE SIGNAGE			■	■		
SF 139-RNDABOUT CENTRAL/56TH				■		
SF 139-13TH/PARKHILL SIGNAL			■			
27TH ST. - 1ST AVE S TO AIRPORT			■			
4TH AVE N - 13TH ST TO MAIN BLG	■					
BILLINGS SIGNAL UPGRADES	■					
LOCKWOOD SIGNALS - BILLINGS	■					
PINEHILLS INTCH-PRYOR CR INTCH	■		■			
AIRPORT RD-ZIMMERMAN TRAIL	■		■			
6TH AVE N-27TH TO 32ND (BLGS)	■					
DIVISION STREET - BILLINGS	■					
SF-149 HILLCREST RIGHT TURN LN	■					
SF-149 CLRS BILLINGS NORTH	■	■				
SF 149 CLRS BILLINGS SOUTH	■	■				
SF-149 KING INTCH SFTY IMPRV	■		■			
CTEP - VARIOUS PROJECTS	■	■				
DOWNTOWN STATE SIGNALS BLGS		■				
BILLINGS-NW			■			
MAIN ST BILLINGS			■			
EXPOSITION DR & 1ST AVE			■			
1ST AVE S - MINN AVE 13TH ST BLGS	■					
	***ALL TIME FRAMES ARE APPROXIMATE					
■	PRELIMINARY ENGINEERING					
□	RIGHT OF WAY/UTILITIES					
■	CONSTRUCTION					

(Table 7) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FISCAL YEAR 2015
BILLINGS, MONTANA

PROJECT DESCRIPTION	UPN	PHASING	STP URBAN (STPU)	CMAQ LOCAL	MT. AIR CONGESTION INITIATIVE (MACI)	EARMARKS (MT, NCPD, DEMO)	SURFACE TRANSPORTATION PROJECTS STPE	TRANSPORTATION ALTERNATIVES PROGRAM (TA)**	NATIONAL HWY SYSTEM (NHS) INTERSTATE MAINTENANCE (IM)	HSIP UPP RRP BRIDGE	TRANSIT SEC 5307	TRANSIT SEC 5310**	TRANSADA	TRANSIT SEC 5339**	OTHER FUNDS*	TOTAL
Estimated carryover balance			\$ 12,016,934	\$ 6,232,673	\$ -	\$ 25,141,588	\$ 2,030,301	\$ -				\$ 27,000				
Estimated allocation			\$ 2,489,770	\$ 1,432,171	\$ -		\$ -	\$ 195,400	\$ 2,674,304		\$ 1,718,629	\$ 160,000	\$ 117,000	\$ 420,000	\$ 2,566,696	
Estimated beginning balance			\$ 14,506,704	\$ 7,664,844	\$ -	\$ 25,141,588	\$ 2,030,301	\$ 195,400				\$ 187,000				
MT3-ZIMMERMAN TR INTRSCCT IMPRV	8888	PE							\$ 716,907							\$ 716,907
BENCH BOULEVARD-BILLINGS	6041	RW	\$ 525,000													\$ 525,000
BENCH BLVD-US 87 INTERSECTION	6041	IC/CN	\$ 460,045			\$ 2,114,314										\$ 2,574,359
BENCH BLVD-HILLTOP/PEMBERTON	6041	CN		\$ 5,036,394												\$ 5,036,394
BILLINGS BYPASS	4199	PE/RW				\$ 17,755,315										\$ 17,755,315
ZIMMERMAN TRAIL	6040	PE				\$ 941,150										\$ 941,150
BILLINGS SIGNAL UPGRADES	9007	OT			\$ 320,869											\$ 320,869
LOCKWOOD SIGNALS - BILLINGS	9012	OT			\$ 18,948											\$ 18,948
TRAFFIC MITIGATION		ALL			\$ 250,000											\$ 250,000
MDT-PREVENTATIVE MAINTENANCE - IM		ALL							\$ 1,500,000							\$ 1,500,000
PINEHILLS INTCH-PRYOR CR INTCH (only portion in MPO)	8986	PE							\$ 30,307							\$ 30,307
MDT-PREVENTATIVE MAINTENANCE - NH		ALL							\$ 350,000							\$ 350,000
AIRPORT RD - ZIMMERMAN TRAIL	8987	PE							\$ 75,690							\$ 75,690
MDT-URBAN PAVEMENT PRESERVATION (UPP)		ALL								\$ 500,000						\$ 500,000
1ST AVE S-MINN AVE-13 ST-BLGS	8592	CN								\$ 964,700						\$ 964,700
4TH AVE N-13TH ST TO MAIN-BLG	8593	CN								\$ 452,300						\$ 452,300
6TH AVE N- 27TH TO 32ND (BLGS)	9003	PE								\$ 63,076						\$ 63,076
DIVISION STREET - BILLINGS	9004	PE								\$ 63,076						\$ 63,076
ENHANCEMENT PROJECTS-VARIOUS LOCATIONS		ALL														\$ -
STPE PONDEROSA SCHOOL PATH - BILLINGS	8183	CN					\$ 176,800									\$ 176,800
STPE ARROWHEAD SCHOOL PATH - BILLINGS	8184	CN					\$ 82,500									\$ 82,500
STPE SWORDS PARK OUTLET TRAIL - BLGS	8185	CN					\$ 117,900									\$ 117,900
STPE POLY DRIVE SCHOOL WALKS - BLGS	8186	CN					\$ 95,500									\$ 95,500
STPE BROADWATER SCHL LSCAPE - BLGS	8836	CN					\$ 188,795									\$ 188,795
STPE 19TH ST W WALKS - BLGS	8837	PE,CN					\$ 130,956									\$ 130,956
STPE POLY DRIVE BIKE/PED - BLGS	8838	CN					\$ 196,434									\$ 196,434
STPE 44TH ST W WALKS - BLGS	8839	PE,CN					\$ 111,312									\$ 111,312
STPE WICKS LN PATH - BLGS	8841	PE,CN					\$ 278,282									\$ 278,282
STPE BARRETT RD PATH - BLGS	8842	PE,CN					\$ 143,277									\$ 143,277
STPE CALHOUN LN WALKS - BLGS	8843	CN					\$ 188,795									\$ 188,795
STPE JACKSON ST WALKS - BLGS	8822	PE,CN					\$ 236,266									\$ 236,266
STPE KING AVE TRAIL - BLGS	8823	PE,CN					\$ 83,484									\$ 83,484
TRANSPORTATION ALTERNATIVES-VARIOUS LOCATIONS		PE						\$ 150,000								\$ 150,000
TA BROADWATER AVE PATH-BILLINGS	8701	PE						\$ 45,400								\$ 45,400
SAFETY PROJECTS VARIOUS		PE/RW/IC/CN								\$ 250,000						\$ 250,000
SF 129 RNDABOUT KING 56TH	8052	RW/IC								\$ 220,000						\$ 220,000
SF-149 HILLCREST RIGHT TURN LN.	8904	PE								\$ 30,098						\$ 30,098
SF-149 CLRS BILLINGS NORTH(only portion in MPO)	8906	PE								\$ 27,851						\$ 27,851
SF 149 - KING INTCH SFTY IMPRV	8941	PE								\$ 4,114						\$ 4,114
SF 149 CLRS BILLINGS SOUTH(only portion in MPO)	8907	PE							\$ 1,400							\$ 1,400
TRANSIT OPERATING (7/2014-6/2015)											\$ 1,718,629		\$ 70,000		\$ 2,421,696	\$ 4,210,325
REPLACEMENT VEHICLES											\$ 187,000				\$ 40,000	\$ 227,000
TRANSIT CAPITAL (7/2014-6/2015)		CAPITAL											\$ 420,000		\$ 105,000	\$ 525,000
TOTAL			\$ 985,045	\$ 5,036,394	\$ 589,817	\$ 20,810,779	\$ 2,030,301	\$ 195,400	\$ 2,674,304	\$ 2,575,215	\$ 1,718,629	\$ 187,000	\$ 70,000	\$ 420,000	\$ 2,566,696	\$ 39,859,580

*Local Match for Transit **Dependent on Funding & Application Approvals by MDT ***FUNDS TO BE TRANSFERRED TO 5307

(Table 8) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FISCAL YEAR 2016

BILLINGS, MONTANA															
PROJECT DESCRIPTION	UPN	PHASING	STP URBAN (STPU)	CMAQ LOCAL	MT. AIR CONGESTION INITIATIVE (MACI)	EARMARKS (MT, NCPD, DEMO)	TRANSPORTATION ALTERNATIVES PROGRAM (TA)**	NATIONAL HWY SYSTEM (NHS) INTERSTATE MAINTENANCE (IM)	HSIP UPP RRP BRIDGE	TRANSIT SEC 5307	TRANSIT SEC 5310**	TRANSADA	TRANSIT SEC 5339**	OTHER FUNDS*	TOTAL
Estimated carryover balance			\$ 13,521,659	\$ 2,628,450		\$ 4,330,809	\$ -				\$ -				
Estimated allocation			\$ 2,489,770	\$ 1,432,171	\$ -	\$ -	\$ 697,900	\$ 4,298,733	\$ 5,674,588	\$ 1,718,629	\$ 160,000	\$ 70,000	\$ 420,000	\$ 2,566,696	
Estimated beginning balance			\$ 16,011,429	\$ 4,060,622	\$ -	\$ 4,330,809	\$ 697,900				\$ 160,000				
ZIMMERMAN TRAIL	6040	RW				\$ 119,484									\$ 119,484
BENCH BLVD-HILLTOP/PEMBERTON	6041	CN	\$ 3,660,751	\$ 2,114,255											\$ 5,775,006
ADA COMPLIANCE		ALL				\$ 500,000									\$ 500,000
TRAFFIC MITIGATION		ALL				\$ 250,000									\$ 250,000
DOWNTOWN STATE SIGNALS BLGS	8036	CN				\$ 6,272,824									\$ 6,272,824
MDT-PREVENTATIVE MAINTENANCE - IM		ALL						\$ 1,500,000							\$ 1,500,000
D5 IM FENCING - CHAIN LINK (only portion in MPO)	8131	CN							\$ 700,000						\$ 700,000
MDT-PREVENTATIVE MAINTENANCE - NH		ALL						\$ 1,000,000							\$ 1,000,000
27th St-1st Ave S to Airport	7910	IC/RW							\$ 253,424						\$ 253,424
MDT-URBAN PVMT PRES (UPP)		ALL							\$ 500,000						\$ 500,000
TRANSPORTATION ALTERNATIVES-VARIOUS LOCATIONS		ALL					\$ 200,000								\$ 200,000
TA BROADWATER AVE PATH-BILLINGS		CN					\$ 497,900								\$ 497,900
I-90 YELLOWSTONE R-BILLINGS	7972	RW/IC						\$ 773,788							\$ 773,788
1ST AVENUE NORTH - BILLINGS	9022	PE						\$ 1,024,945							\$ 1,024,945
SAFETY PROJECTS VARIOUS		PE/RW/IC/CN							\$ 500,000						\$ 500,000
SF 129 RNDABOUT KING 56TH	8052	CN							\$ 3,044,800						\$ 3,044,800
SF 139-CENTRAL & 56TH RNDABOUT	8611	RW/IC							\$ 380,964						\$ 380,964
SF-149 CLRS BILLINGS NORTH(only portion in MPO)	8906	CN							\$ 285,000						\$ 285,000
SF 149 CLRS BILLINGS SOUTH(only portion in MPO)	8907	CN							\$ 10,400						\$ 10,400
TRANSIT OPERATING (7/16-6/17)		Operating								\$ 1,718,629		\$ 70,000		\$ 2,421,696	\$ 4,210,325
VEHICLE REPLACEMENTS**		Purchase									\$ 160,000			\$ 40,000	\$ 200,000
TRANSIT CAPITAL (7/16-6/17)		Capital											\$ 420,000	\$ 105,000	\$ 525,000
TOTAL			\$ 3,660,751	\$ 2,114,255	\$ 7,022,824	\$ 119,484	\$ 697,900	\$ 4,298,733	\$ 5,674,588	\$ 1,718,629	\$ 160,000	\$ 70,000	\$ 420,000	\$ 2,566,696	\$ 28,523,860

*Local Match for Transit **Dependent on Funding & Application Approvals by MDT

(Table 9) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FISCAL YEAR 2017

BILLINGS, MONTANA															
PROJECT DESCRIPTION	UPN	PHASING	STP URBAN (STPU)	CMAQ LOCAL	MT. AIR CONGESTION INITIATIVE (MACI)	EARMARKS (MT, NCPD, DEMO)	TRANSPORTATION ALTERNATIVES PROGRAM (TA)**	NATIONAL HWY SYSTEM (NHS) INTERSTATE MAINTENANCE (IM)	HSIP UPP RRP BRIDGE	TRANSIT SEC 5307	TRANSIT SEC 5310**	TRANSADE	TRANSIT SEC 5339**	OTHER FUNDS*	TOTAL
Estimated carryover balance			\$ 12,350,678	\$ 1,946,367		\$ 4,211,325	\$ -								
Estimated allocation			\$ 2,489,770	\$ 1,432,171	\$ -	\$ -	\$ 700,000	\$ 30,235,737	\$ 3,758,409	\$ 1,718,629	\$ 160,000	\$ 70,000	\$ 420,000	\$ 3,447,069	
Estimated beginning balance			\$ 14,840,448	\$ 3,378,538	\$ -	\$ 4,211,325	\$ 700,000				\$ 160,000				
BILLINGS BYPASS	4199	IC						\$ 3,188,004							\$ 3,188,004
ZIMMERMAN TRAIL	6040	CN				\$ 3,237,300								\$ 880,373	\$ 4,117,673
MT3-ZIMMERMAN TR INTRSCCT IMPRV	8888	RW/IC						\$ 156,720							\$ 156,720
ADA COMPLIANCE		ALL			\$ 500,000										\$ 500,000
TRAFFIC MITIGATION		ALL			\$ 250,000										\$ 250,000
MDT-PREVENTATIVE MAINTENANCE - IM		ALL						\$ 1,500,000							\$ 1,500,000
PINEHILLS INTCH-PRYOR CR INTCH (only portion in MPO)	8986	CN						\$ 857,250							\$ 857,250
MDT-PREVENTATIVE MAINTENANCE - NH		ALL						\$ 1,000,000							\$ 1,000,000
BILLINGS - NW	8721	CN						\$ 4,946,400							\$ 4,946,400
MAIN ST - BILLINGS	8717	CN						\$ 7,441,200							\$ 7,441,200
27th St-1st Ave S to Airport	7910	CN			\$ 4,503,600			\$ 7,661,595							\$ 12,165,195
EXPOSITION DR & 1st AVE	7908	CN						\$ 1,257,185							\$ 1,257,185
AIRPORT RD - ZIMMERMAN TRAIL	8987	CN						\$ 2,227,383							\$ 2,227,383
MDT-URBAN PVMT PRES (UPP)		ALL							\$ 500,000						\$ 500,000
6TH AVE N- 27TH TO 32ND (BLGS)	9003	CN							\$ 347,783						\$ 347,783
DIVISION STREET - BILLINGS	9004	CN							\$ 526,951						\$ 526,951
TRANSPORTATION ALTERNATIVES-VARIOUS LOCATIONS		ALL					\$ 700,000								\$ 700,000
SAFETY PROJECTS VARIOUS		PE/RW/IC/CN							\$ 500,000						\$ 500,000
SF 129 BILLINGS HORIZONTAL CURVE SIGNAGE(only portion)	7990	CN							\$ 1,126,700						\$ 1,126,700
SF 139 13TH/PARKHILL SIGNAL	8610	CN							\$ 445,600						\$ 445,600
SF-149 HILLCREST RIGHT TURN LN.	8904	CN							\$ 300,975						\$ 300,975
SF 149 - KING INTCH SFTY IMPRV	8941	CN							\$ 10,400						\$ 10,400
TRANSIT OPERATING (7/16-6/17)		Operating								\$ 1,718,629		\$ 70,000		\$ 2,421,696	\$ 4,210,325
VEHICLE REPLACEMENTS**		Purchase									\$ 160,000			\$ 40,000	\$ 200,000
TRANSIT CAPITAL (7/16-6/17)		Capital											\$ 420,000	\$ 105,000	\$ 525,000
TOTAL			\$ -	\$ -	\$ 5,253,600	\$ 3,237,300	\$ 700,000	\$ 30,235,737	\$ 3,758,409	\$ 1,718,629	\$ 160,000	\$ 70,000	\$ 420,000	\$ 3,447,069	\$ 49,000,744

*Local Match for Transit and Zimmerman Trail **Dependent on Funding & Application Approvals by MDT

(Table 10) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FISCAL YEAR 2018

BILLINGS, MONTANA

PROJECT DESCRIPTION	UPN	PHASING	STP URBAN (STPU)	CMAQ LOCAL	MT. AIR CONGESTION INITIATIVE (MACI)	EARMARKS (MT, NCPD, DEMO)	TRANSPORTATION ALTERNATIVES PROGRAM (TA)**	NATIONAL HWY SYSTEM (NHS) INTERSTATE MAINTENANCE (IM)	HSIP UPP RRP BRIDGE	TRANSIT SEC 5307	TRANSIT SEC 5310**	TRANSADADE	TRANSIT SEC 5339**	OTHER FUNDS*	TOTAL
Estimated carryover balance			\$ 14,840,448	\$ 3,378,538		\$ 974,025									
Estimated allocation			\$ 2,489,770	\$ 1,432,171	\$ -	\$ -	\$ 700,000	\$ 13,245,299	\$ 44,508,821	\$ 1,718,629	\$ 160,000	\$ 70,000	\$ 420,000	\$ 2,566,696	
Estimated beginning balance			\$ 17,330,218	\$ 4,810,710	\$ -	\$ 974,025	\$ 700,000				\$ 160,000				
BILLINGS BYPASS(Five Mile Road)	4199	CN	\$ 3,357,041												\$ 3,357,041
MT3-ZIMMERMAN TR INTRSTC IMPRV	8888	CN						\$ 2,199,400	\$ 2,131,422						\$ 4,330,822
ADA COMPLIANCE		ALL			\$ 500,000										\$ 500,000
TRAFFIC MITIGATION		ALL			\$ 250,000										\$ 250,000
MDT-PREVENTATIVE MAINTENANCE - IM		ALL						\$ 1,500,000							\$ 1,500,000
MDT-PREVENTATIVE MAINTENANCE - NH		ALL						\$ 1,000,000							\$ 1,000,000
AIRPORT RD - ZIMMERMAN TRAIL	8987	CN						\$ 2,227,383							\$ 2,227,383
MDT-URBAN PVMT PRES (UPP)		ALL							\$ 500,000						\$ 500,000
TRANSPORTATION ALTERNATIVES-VARIOUS LOCATIONS		ALL					\$ 700,000								\$ 700,000
I-90 YELLOWSTONE R-BILLINGS	7972	CN						\$ 6,190,400	\$ 38,599,300						\$ 44,789,700
1ST AVENUE NORTH - BILLINGS	9022	RW/IC						\$ 128,116							\$ 128,116
SAFETY PROJECTS VARIOUS		PE/RW/IC/CN							\$ 500,000						\$ 500,000
SF 139-CENTRAL & 56TH RNDABOUT	8611	CN							\$ 2,778,099						\$ 2,778,099
TRANSIT OPERATING (7/16-6/17)		Operating								\$ 1,718,629		\$ 70,000		\$ 2,421,696	\$ 4,210,325
VEHICLE REPLACEMENTS**		Purchase									\$ 160,000			\$ 40,000	\$ 200,000
TRANSIT CAPITAL (7/16-6/17)		Capital											\$ 420,000	\$ 105,000	\$ 525,000
TOTAL			\$ 3,357,041	\$ -	\$ 750,000	\$ -	\$ 700,000	\$ 13,245,299	\$ 44,508,821	\$ 1,718,629	\$ 160,000	\$ 70,000	\$ 420,000	\$ 2,566,696	\$ 67,496,486

*Local Match for Transit **Dependent on Funding & Application Approvals by MDT

(Table 11) - HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FISCAL YEAR 2019

BILLINGS, MONTANA															
PROJECT DESCRIPTION	UPN	PHASING	STP URBAN (STPU)	CMAQ LOCAL	MT. AIR CONGESTION INITIATIVE (MACI)	EARMARKS (MT, NCPD, DEMO)	TRANSPORTATION ALTERNATIVES PROGRAM (TA)**	NATIONAL HWY SYSTEM (NHS) INTERSTATE MAINTENANCE (IM)	HSIP UPP RRP BRIDGE	TRANSIT SEC 5307	TRANSIT SEC 5310**	TRANSADA	TRANSIT SEC 5339**	OTHER FUNDS*	TOTAL
Estimated carryover balance			\$ 13,973,177	\$ 4,810,710		\$ 974,025									
Estimated allocation			\$ 2,489,770	\$ 1,432,171	\$ -	\$ -	\$ 700,000	\$ 10,955,807	\$ 1,520,000	\$ 1,718,629	\$ 160,000	\$ 70,000	\$ 420,000	\$ 2,566,696	
Estimated beginning balance			\$ 16,462,947	\$ 6,242,881	\$ -	\$ 974,025	\$ 700,000				\$ 160,000				
BILLINGS BYPASS(South RR Connection)	4199	CN	\$ 4,943,534												\$ 4,943,534
ADA COMPLIANCE		ALL			\$ 500,000										\$ 500,000
TRAFFIC MITIGATION		ALL			\$ 250,000										\$ 250,000
MDT-PREVENTATIVE MAINTENANCE - IM		ALL						\$ 1,500,000							\$ 1,500,000
MDT-PREVENTATIVE MAINTENANCE - NH		ALL						\$ 1,000,000							\$ 1,000,000
MDT-URBAN PVMT PRES (UPP)		ALL							\$ 500,000						\$ 500,000
1ST AVENUE NORTH - BILLINGS	9022	CN						\$ 8,455,807							\$ 8,455,807
TRANSPORTATION ALTERNATIVES-VARIOUS LOCATIONS		ALL					\$ 700,000								\$ 700,000
SAFETY PROJECTS VARIOUS		PE/RW/IC/CN							\$ 500,000						\$ 500,000
2012 SCOUR MITIGATION	7960	CN							\$ 520,000						\$ 520,000
TRANSIT OPERATING (7/16-6/17)		Operating								\$ 1,718,629		\$ 70,000		\$ 2,421,696	\$ 4,210,325
VEHICLE REPLACEMENTS**		Purchase									\$ 160,000			\$ 40,000	\$ 200,000
TRANSIT CAPITAL (7/16-6/17)		Capital											\$ 420,000	\$ 105,000	\$ 525,000
TOTAL			\$ 4,943,534	\$ -	\$ 750,000	\$ -	\$ 700,000	\$ 10,955,807	\$ 1,520,000	\$ 1,718,629	\$ 160,000	\$ 70,000	\$ 420,000	\$ 2,566,696	\$ 23,804,666

*Local Match for Transit **Dependent on Funding & Application Approvals by MDT

(Table 12) - BIENNIAL ELEMENT OCTOBER 1, 2014 - SEPTEMBER 30, 2016 (HIGHWAY)							
BILLINGS, MONTANA							
PROJECT/PHASE	PROJECT NUMBER	PROJECT DESCRIPTION	TOTAL ESTIMATED COST	FEDERAL FUNDS AND SOURCES	NON-FEDERAL FUNDS AND SOURCES	RECIPIENT OF FUNDS	RESPONSIBLE IMPLEMENTING AGENCY
MT3-ZIMMERMAN TR INTRST IMPRV PE/RW/IC	HSIP/NH UPN8888	INTERSECTION IMPROVEMENT	532,852	479,567 FHWA	53,285 STATE MATCH	MDT	MDT
BENCH BLVD-US 87 INTERSECTION IC/CN	STPU/MT 1036() UPN6041002	RECONSTRUCTION	2,574,359	2,228,880 FHWA	345,479 STATE MATCH	MDT	MDT
BENCH BLVD-HILLTOP/PEMBERTON CN	CM/STPU/MT 1036() UPN6041003	RECONSTRUCTION	10,811,400	9,360,510 FHWA	1,450,890 STATE MATCH	MDT	MDT
BILLINGS BYPASS RW	NCPD-MT56(45) UPN4199	RECONSTRUCTION	7,847,000	6,793,933 FHWA	1,053,067 STATE MATCH	MDT	MDT
TRAFFIC MITIGATION ALL	CM()	SIGNAL OPTIMIZATION	500,000	432,900 FHWA	67,100 STATE MATCH	MDT	MDT
BILLINGS SIGNALS UPDGRADE OT	CM UPN9007	SIGNAL OPTIMIZATION	320,869	277,808 FHWA	43,061 STATE MATCH	MDT	MDT
LOCKWOOD SIGNALS - BILLINGS OT	CM UPN9012	SIGNAL OPTIMIZATION	18,948	16,405 FHWA	2,543 STATE MATCH	MDT	MDT
MDT-PREVENTIVE MAINTENANCE (IM) PE/CN	IM	PREVENTIVE MAINTENANCE	3,000,000	2,597,400 FHWA	402,600 STATE MATCH	MDT	MDT
D-5 IM FENCING - CHAINLINK(only portion in MPO) CN	IM STWD UPN 8131	INTERSTATE FENCING	700,000	606,060 FHWA	93,940 STATE MATCH	MDT	MDT
PINEHILLS INTCH-PRYOR CR INTCH PE	IM UPN 8986	PAVEMENT PRESERVATION	30,307	26,240 FHWA	4,067 STATE MATCH	MDT	MDT
MDT-PREVENTIVE MAINTENANCE (NH) PE/CN	NH	PREVENTIVE MAINTENANCE	1,350,000	1,168,830 FHWA	181,170 STATE MATCH	MDT	MDT
27th St-1st Ave S to AIRPORT IC/RW	NH53-1(29) UPN7910	OVERLAY	253,424	219,414 FHWA	34,010 STATE MATCH	MDT	MDT
MDT-URBAN PVMT PRESERVATION(UPP) ALL	UPP	PAVEMENT PRESERVATION	1,000,000	865,800 FHWA	134,200 STATE MATCH	MDT	MDT
6TH AVE N - 27TH TO 32ND (BLGS) PE	UPP UPN9003	PAVEMENT PRESERVATION	63,076	54,611 FHWA	8,465 STATE MATCH	MDT	MDT
DIVISION STREET - BILLINGS PE	UPP UPN9004	PAVEMENT PRESERVATION	63,076	54,611 FHWA	8,465 STATE MATCH	MDT	MDT
AIRPORT RD - ZIMMERMAN TRAIL PE	NH UPN8987	PAVEMENT PRESERVATION	75,690	65,532 FHWA	10,158 STATE MATCH	MDT	MDT
1ST AVE S-MINN AVE-13 ST-BLGS CN	UPP UPN8592	PAVEMENT PRESERVATION	964,700	835,237 FHWA	129,463 STATE MATCH	MDT	MDT
4TH AVE N-13TH ST TO MAIN-BLG CN	UPP UPN8593	PAVEMENT PRESERVATION	452,300	391,601 FHWA	60,699 STATE MATCH	MDT	MDT
STPE PONDEROSA SCHOOL PATH - BILLINGS CN	STPE UPN8183	BIKE/PED	176,800	153,073 FHWA	23,727 LOCAL MATCH	MDT	LOCAL
STPE ARROWHEAD SCHOOL PATH - BILLINGS CN	STPE UPN8184	BIKE/PED	82,500	71,429 FHWA	11,072 LOCAL MATCH	MDT	LOCAL
STPE SWORDS PARK OUTLET TRAIL - BLGS CN	STPE UPN8185	BIKE/PED	117,900	102,078 FHWA	15,822 LOCAL MATCH	MDT	LOCAL
STPE POLY DRIVE SCHOOL WALKS - BLGS CN	STPE UPN8186	BIKE/PED	95,500	82,684 FHWA	12,816 LOCAL MATCH	MDT	LOCAL
SAFETY PROJECTS VARIOUS ALL	HSIP	SAFETY	500,000	450,000 FHWA	50,000 STATE MATCH	MDT	MDT
SF 129 RNDABOUT KING 56TH RW/IC/CN	HSIP UPN8052	SAFETY	3,182,800	2,864,520 FHWA	318,280 STATE MATCH	MDT	MDT
2012-SCOUR MITIGATION CN	HSIP UPN7960	SCOUR MITIGATION	520,000	468,000 FHWA	52,000 STATE MATCH	MDT	MDT
ZIMMERMAN TRAIL RW	MT1001() UPN6040	ROADWAY IMPROVEMENTS	100,000	86,580 FHWA	13,420 STATE MATCH	MDT	MDT
DOWNTOWN STATE SIGNALS BLGS CN	CMSTWD(100) UPN8036	SIGNAL OPTIMIZATION	6,872,600	5,950,297 FHWA	922,303 STATE MATCH	MDT	MDT
ENHANCEMENT PROJECTS-VARIOUS LOCATIONS ALL	TA()	BIKE/PED TRAILS	700,000	606,060 FHWA	93,940 STATE MATCH	MDT	MDT
SF 139 13TH/PARKHILL SIGNAL CN	HSIP1099() UPN8610	NEW SIGNAL	432,119	388,907 FHWA	43,212 STATE MATCH	MDT	MDT
SF 129 BILLINGS HORIZONTAL CURVE SIGNAGE CN	HSIPSTWD UPN7990	SIGNAGE UPGRADE	1,126,700	1,014,030 FHWA	112,670 STATE MATCH	MDT	MDT
SF 139-CENTRAL & 56TH RNDABOUT RW/IC	HSIP56() UPN8611	INSTALL ROUNDABOUT	380,964	342,868 FHWA	38,096 STATE MATCH	MDT	MDT
SF-149 HILLCREST RIGHT TURN LN. PE/CN	HSIP UPN8904	SIGNAGE UPGRADE	331,073	297,966 FHWA	33,107 STATE MATCH	MDT	MDT
SF-149 CLRS BILLINGS NORTH(only portion in MPO) PE/CN	HSIPSTWD UPN8906	CENTERLINE RUMBLE STRIPS	312,851	281,566 FHWA	31,285 STATE MATCH	MDT	MDT
SF-149 KING INTCH SFTY IMPRV PE	HSIP UPN8941	REFLECTIVE BACKING	4,114	3,703 FHWA	411 STATE MATCH	MDT	MDT
Not all Earmarks require 13.42% match			21				

(Table 12) - BIENNIAL ELEMENT JULY 1, 2014-JUNE 30, 2016 (TRANSIT)					
BILLINGS MONTANA					
PROJECT/FUNDING SOURCE	TOTAL EST COST	FEDERAL FUNDS AND SOURCES	NON-FEDERAL FUNDS AND SOURCES	RECIPIENT OF FUNDS	RESPONSIBLE IMPLEMENTING AGENCY
FTA SECTION 5307					
OPERATING PROJECT (7-1-14 TO 6-30-15)	4,140,325	1,718,629	2,421,696	CITY	CITY
OPERATING PROJECT (7-1-15 TO 6-30-16)	4,140,325	1,718,629	2,421,696	CITY	CITY
FTA SECTION 5310*					
REPLACEMENT VEHICLES(2015)	160,000	128,000	32,000	STATE	VARIOUS LOCAL
REPLACEMENT VEHICLES (2016)	160,000	128,000	32,000	STATE	VARIOUS LOCAL
FTA SECTION 5311* #Funds transferred to 5307					
OPERATING PROJECT (2015)	-	-	-	CITY	CITY
OPERATING PROJECT (2016)	-	-	-	CITY	CITY
FTA SECTION 5339					
CAPITAL/VEHICLES (2015)	525,000	420,000	105,000	CITY	CITY
CAPITAL/VEHICLES (2016)	525,000	420,000	105,000	CITY	CITY
TransADE State Funded					
OPERATING PROJECT (2015)	70,000			CITY	CITY
OPERATING PROJECT (2016)	70,000				
*Dependent on Funding & Application Approvals by MDT					



YELLOWSTONE COUNTY BOARD OF PLANNING
CITY OF BILLINGS AND
YELLOWSTONE COUNTY, MONTANA



Planning Board Meeting I (2nd Tuesday)

7. d. 2.

Meeting Date: 11/10/2015

Information

INTRODUCTION

On October 1, 2015, the Planning Division received an application for review and preliminary approval of a 26-unit condominium subdivision on Lots 2 and 3, Block 3, West King Commercial Park Subdivision. The property is located on the east side of Black Hawk Street north of King Avenue West, between South 64th Street West and South 72nd Street West. The property is not within the County zoning jurisdiction and therefore, in accordance with Chapter 8 of the County Subdivision Regulations, this condominium development must be reviewed as a major subdivision for condominium development. The Planning Board will conduct a plat review at this meeting and a public hearing on November 24, 2015.

RECOMMENDATION

Staff recommends that the Planning Board recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of the Westfield Warehouses and adopt the Findings of Fact as presented in the staff report.

PROPOSED CONDITIONS OF APPROVAL

Pursuant to Section 76-3-608(4), MCA, the following conditions are recommended to reasonably minimize potential adverse impacts identified within the Findings of Fact.

1. To minimize the effects on public health and safety, prior to final plat approval the subdivider shall receive approval from the MDEQ/RiverStone Health for the proposed cistern and septic system.
2. Minor changes may be made in the SIA and final documents, as requested by the Planning and/or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
3. The final plat shall comply with all requirements of the County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County, and the laws and Administrative Rules of the State of Montana.

VARIANCES REQUESTED

No variances were requested.

PROCEDURAL HISTORY

- A pre-application meeting was held on August 27, 2015 for this proposal. It was determined that this is must be reviewed as a major subdivision application as per Chapter 8 of the County Subdivision Regulations.
- The preliminary plat application was submitted to the Planning Division on October 1, 2015.
- A Department Review Meeting was held on October 15, 2015 on this plat application.
- The Yellowstone County Board of Planning will hold a plat review for this application at its November 10, 2015, meeting.
- The Yellowstone County Board of Planning will conduct a public hearing on this application at its meeting on November 24, 2015.
- The Yellowstone County Board of County Commissioners will be considering the application at its regular meeting on December 8, 2015.

PLAT INFORMATION

General location:	East side of Black Hawk Street and North of the 6400 block of King Avenue West
Legal Description: Subdivision	Lots 2 and 3, Block 3, West King Commercial Park
Subdivider and Owner:	EEC Inc.
Engineer and Surveyor:	Eggart Engineering Company
Existing Zoning:	None
Existing land use:	Vacant
Proposed land use:	Commercial uses
Gross area:	2.14 acres
Net area:	2.14 acres
Proposed number of lots:	26 condominium units on two lots
Lot size:	2.14 acres
Parkland requirements:	Not required for commercial subdivisions

Attachments

Findings of Fact
Attachments

PROPOSED YELLOWSTONE COUNTY BOARD OF PLANNING
FINDINGS OF FACT

The Findings of Fact for the preliminary plat of Westfield Warehouses have been prepared by the Planning and Community Services Division staff. These findings are based on the preliminary plat application and address the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Yellowstone County Subdivision Regulations (YCSR).

A. What are the effects on agriculture and agricultural water user facilities, local services, the natural environment, wildlife, wildlife habitat, and public health and safety? (76-3-608(3)(a), MCA) (Section 3.2.H.2., YCSR)

1. Effect on agriculture and agricultural water user facilities

The Big Ditch and Birely Drain are located north of the subject property and are outside the West King Commercial Park Subdivision. There are no water rights with the subject property.

2. Effect on local services

a. Utilities – Cisterns are proposed for this subdivision along with septic facilities. Any proposed onsite water and septic systems must comply with the State of Montana Department of Environmental Quality (MDEQ). Preliminary water and sanitation information has been submitted for review by RiverStone Health and MDEQ.

MDU and Yellowstone Valley Electric Cooperative will provide gas and electrical utilities as necessary. There is an existing 10 foot wide utility easement where the utility companies can run services to provide utilities to the subject property.

b. Stormwater – Stormwater will be retained onsite and will be in compliance with Section 4.7, YCSR. A stormwater management plan will be submitted and approved by MDEQ prior to final plat approval.

c. Solid Waste – Solid waste disposal will be provided through a private hauler. The Billings landfill has the capacity to accommodate waste from this subdivision.

d. Streets – Access to the subdivision is from Black Hawk Street which is off of King Avenue West, no additional street right-of-way is necessary. Black Hawk Street is built to County Road Standards with a 24 foot asphalt top and 2 foot gravel shoulders on each side. It is in a 70 foot right of way with drainage ditches on both sides. There is an existing RSID-M for this road and it will be expanded to include the proposed condominiums with this application. Any culvert installed in the drainage swale will be 15 inches in diameter. Future

phasing of the West King Commercial Park Subdivision will complete the internal streets and provide another exit point on South 64th Street West.

- e. **Emergency Services** – The subject property is within the jurisdiction of the Billings Urban Fire Service Area (BUFSA) and the Yellowstone County Sheriff's Department. The two main concerns of the fire department are having adequate access to any structures and an adequate water supply for fighting fires. The proposed condos will be serviced by an internal drive access that will be a minimum of 30 feet in width and constructed to meet the fire department needs. Also, in accordance with Section 4.14.C. of the County Subdivision Regulations, which describes requirements for fire suppression facilities for commercial subdivisions, the existing subdivision, West King Commercial Park, has an existing 30,000 gallon underground storage tank and dry hydrant system in the subdivision within 1,400 driving feet of Lot 3. There is also another 30,000 gallon dry hydrant system within ½ driving mile to the west on Lohwest Lane. West King Commercial Park has an existing RSID-M in place for the dry hydrant in the subdivision and it will be expanded to include the condominiums proposed with this application.

The Sheriff's Department will provide law enforcement services for the subdivision and does not have any concerns.

- f. **Mail Delivery** - The United States Postal Service will service the new lots. A centralized mail delivery area is proposed and will be approved by the USPS before installation.

3. Effects on the natural environment

No alteration of any stream will occur with this subdivision.

The development will use noxious weed control measures to prevent the spread of noxious weeds to adjacent developed or agricultural land. In accordance with state law, the developer has a weed control plan in place and will revise recommendations based on required site visits. The applicant has a weed management plan in place, it was approved September 28, 2015.

There are no apparent or known natural hazards on the property.

4. Effects on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. Montana Fish, Wildlife and Parks (FWP) was provided information about the proposed subdivision and indicated that they had no concerns with the proposed development.

5. Effects on public health and safety

There are no known manmade public safety hazards that would affect this subdivision. Plans and designs for wells and septic systems will be reviewed and

approved by MDEQ prior to final plat approval (**Condition #1**). Fire and emergency services are provided for this proposed subdivision, including a water supply for firefighting purposes there are two existing 30,000 gallon dry hydrant systems in place within ½ road mile.

B. Was an Environmental Assessment required? (76-3-603, MCA)(Section 9.2.C.1, YCSR)

An environmental assessment was not required for this subdivision as per Section 9.2.C.1., YCSR. A Summary of Probable Impacts was provided. No major issues were identified.

C. Conformance with the Yellowstone County – City of Billings 2008 Growth Policy Update, the 2011 Billings Area Bikeway and Trail Master Plan, and the Billings Urban Area Transportation Plan 2009 Update (Section 3.2.H.4., YCSR)

1. Yellowstone County – City of Billings 2008 Growth Policy Update

The proposed subdivision is consistent with the following goals of the growth policy:

- Goal: Controlled weed populations. (p. 9)
The developer has an existing weed control plan and will modify it as needed based on required site visits by the County Weed Department.
- Goal: Predictable land use decisions that are consistent with neighborhood character and land use patterns. (p. 6)
The proposed subdivision is not within the County zoning jurisdiction. It is located in an area of the county that has developed into a commercial hub. Therefore, it is consistent with the neighborhood character in this area.
- Goal: More housing and business choices within each neighborhood (p.6).
The proposed subdivision would allow for additional business development at this location.

2. Billings Urban Area Transportation Plan 2014

King Avenue West is classified as a major arterial street and is expected to handle the additional traffic generated by this commercial subdivision. No additional right-of-way is required from this subdivision. The proposed subdivision maintains the street hierarchy defined in the Transportation Plan.

3. Billings Area Bikeway and Trail Master Plan

The subdivision does not have any bike trails identified internally and the Plan does not identify a future bike lane along King Avenue West in this location. The nearest on-street bikeway is identified on South 64th Street West and it runs north and south along the street. Currently there are no bike lanes, or even

shoulders, on S. 64th St. West, but these facilities may be constructed when future upgrades to the road are made. A waiver of right to protest future RSID's for street improvements is being signed and recorded with this subdivision.

D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? (76-3-608(3)(b), MCA) (Section 3.2.H.3.a., YCSR)

The subdivision, with the proposed conditions, satisfies the requirements of the Montana Subdivision and Platting Act and conforms to the design standards specified in the Yellowstone County Subdivision Regulations. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local and state subdivision regulations.

E. Does the proposed subdivision conform to all requirements of the zoning in effect? (Section 3.2.H.3.e., YCSR)

The subject property is outside of the County zoning jurisdiction.

F. Does the proposed plat provide easements for the location and installation of any utilities? (76-3-608(3)(c), MCA) (Section 3.2.H.3.b., YCSR)

Utility easements have been provided on the face of the plat for both electric and natural gas, as requested by MDU and YVEC.

G. Does the proposed plat provide legal and physical access to each parcel within the subdivision and notation of that access on the plat? (76-3-608(3)(d), MCA) Section 3.2.H.3.c., YCSR)

Access to the subdivision lots will be from internal circulation roads that connect to King Avenue West.

CONCLUSIONS OF FINDINGS OF FACT

- The preliminary plat of Westfield Warehouses does not create any adverse impacts that warrant denial of the subdivision.
- With the proposed conditions, Westfield Warehouses is in compliance with the Montana Subdivision and Platting Act and the Yellowstone County Subdivision Regulations.
- New water and wastewater facilities will be approved through the Montana Department of Environmental Quality.


ATTACHMENTS

A: Aerial Images

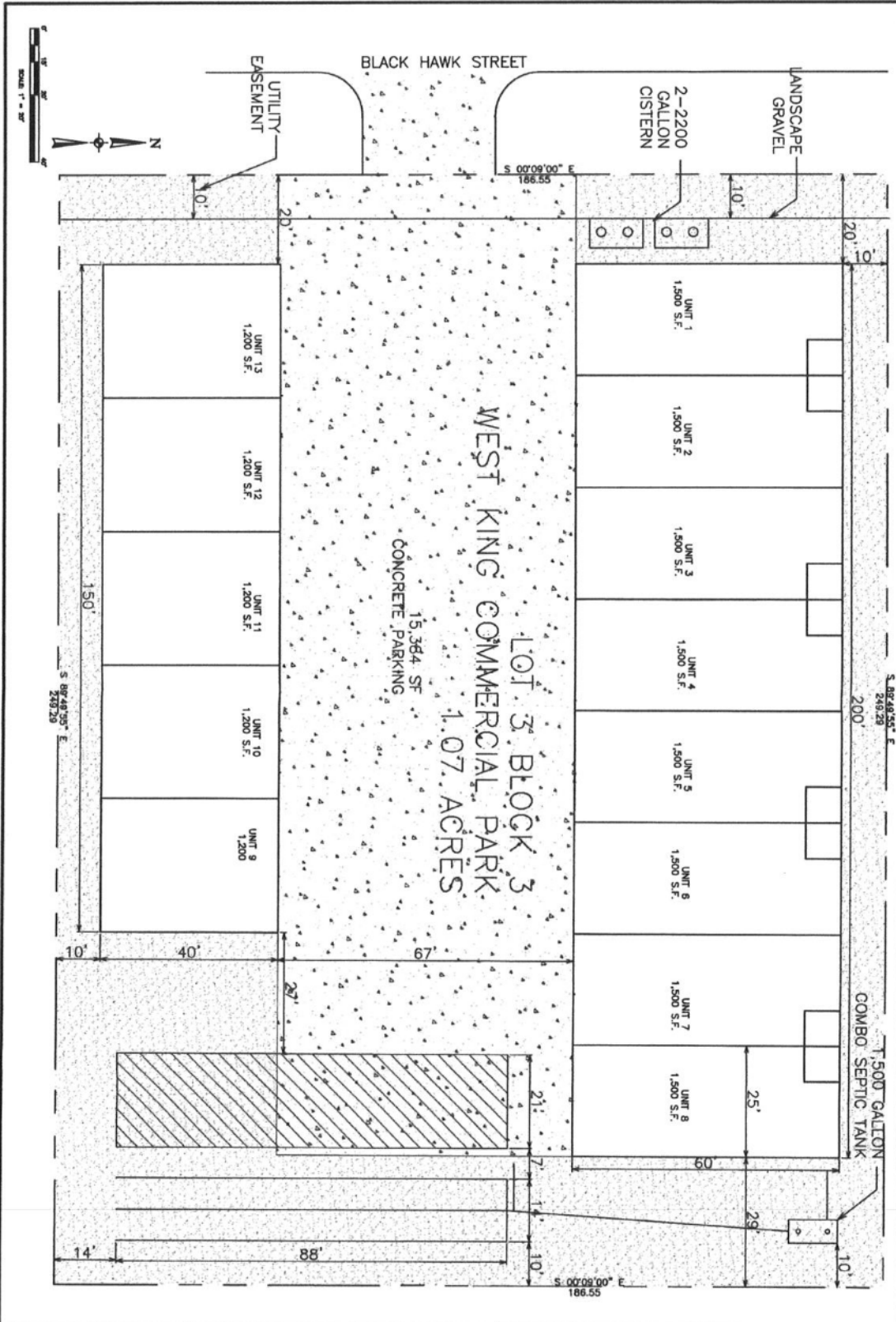
B: Plat and associated documents

ATTACHMENT A
Aerial Images



Subject Properties 





Drawn By: CH
 Checked By: QWE
 Date: 8-17-2015
 Project #:
 Cadd file:



EGGART ENGINEERING COMPANY
 720 LOHWEST LANE
 BILLINGS, MT 59106
 OFFICE: 406-839-9151 FAX: 406-839-9150

LOT 3 BLOCK 3
 WEST KING
 COMMERCIAL PARK
 BILLINGS MT 59106

PERMIT SET
 SHEET#:
C1



YELLOWSTONE COUNTY BOARD OF PLANNING
CITY OF BILLINGS AND
YELLOWSTONE COUNTY, MONTANA



Planning Board Meeting I (2nd Tuesday)

7. d. 3.

Meeting Date: 11/10/2015

Information

INTRODUCTION

On October 1, 2015, the Planning Division received an application for review and preliminary plat approval of a 12-unit condominium subdivision on one lot of Bowman Subdivision. The property is located on the west side of Duck Creek Road, north of Kautzman Road, generally located at 3620 Duck Creek Road. The property is not within the County zoning jurisdiction and therefore, in accordance with Chapter 8 of the County Subdivision Regulations, this condominium development must be reviewed as a major subdivision. The Planning Board will conduct a plat review at this meeting and a public hearing on November 24, 2015.

RECOMMENDATION

Staff recommends the Planning Board recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of the Duck Creek Condominiums Subdivision and adopt the Findings of Fact as presented in the staff report.

PROPOSED CONDITIONS OF APPROVAL

Pursuant to Section 76-3-608(4), MCA, the following conditions are recommended to reasonably minimize potential adverse impacts identified within the Findings of Fact.

1. To minimize effects on local services and to provide correct easements for the needed private utilities, prior to final plat approval the applicant will contact the private utility companies and identify where they will need easements on the site and show them on the final plat.
2. To minimize effects on local services and provide for public health and safety, prior to final plat approval the applicant will install the dry hydrant system as approved by the BUFSA and a Rural Special Improvement District for Maintenance will be established for the dry hydrant system on Lot 2.
3. To minimize the effect on local services the applicant before final plat will provide documentation that they have contacted the USPS and have approval for the proposed type of postal receptacle system.
4. To minimize the effects on the natural environment, prior to final plat approval a weed management plan and property inspection shall be approved by the County Weed Department.
5. Minor changes may be made in the SIA and final documents, as requested by the Planning and/or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
6. The final plat shall comply with all requirements of the County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County, and the laws and Administrative Rules of the State of Montana.

VARIANCES REQUESTED

No variances were requested.

PROCEDURAL HISTORY

- A pre-application meeting was held on April 30, 2015 for this proposal. It was determined that this is a condominium development on an existing subdivision lot and as per Chapter 8 of the Yellowstone County Subdivision Regulations it must follow the major subdivision review process.
- The preliminary plat application was submitted to the Planning Division on October 1, 2015.
- A Department Review Meeting was held on October 15, 2015, on this plat application.
- The Yellowstone County Board of Planning will hold a plat review for this application at its November 10, 2015, meeting.
- The Yellowstone County Board of Planning will conduct a public hearing on this application at its meeting on November 24, 2015.
- The Yellowstone County Board of County Commissioners will be considering the application at its regular meeting on December 8, 2015.

PLAT INFORMATION

General location:	West side of Duck Creek Road, north of Kautzman Road and generally located at 3620 Duck Creek Road
Legal Description:	Lot 2, Block 1, Bowman Subdivision
Subdivider and Owner:	MD Yellowstone Properties, LLC (Dan Bowman)
Engineer and Surveyor:	Sanderson Stewart, Bryan Alexander
Existing Zoning:	None
Existing land use:	Shop / Commercial Use
Proposed land use:	Shop / Commercial Use
Gross area:	3.882 acres
Net area:	3.882 acres
Proposed number of lots:	12 condominium units on one lot
Lot sizes:	3.882 acres
Parkland requirements:	Not required for commercial subdivisions

Attachments

Findings of Fact
Attachments

PROPOSED YELLOWSTONE COUNTY BOARD OF PLANNING
FINDINGS OF FACT

The Findings of Fact for the preliminary plat of Duck Creek Condominium Subdivision have been prepared by the Planning and Community Services Department staff. These findings are based on the preliminary plat application and address the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Yellowstone County Subdivision Regulations (YCSR).

A. What are the effects on agriculture and agricultural water user facilities, local services, the natural environment, wildlife, wildlife habitat, and public health and safety? (76-3-608(3)(a), MCA) (Section 3.2.H.2., YCSR)

1. Effect on agriculture and agricultural water user facilities

Any existing irrigation or surface water shares will be retained by Subdivider. There is an unnamed irrigation ditch near the northern property boundary and along the east property boundary. Those ditches will be left in place and any construction activity will take necessary precautions to not disturb the existing ditches and drains. The north drain ditch is within a 50-foot wide drain ditch easement on file in the office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. 3581177. The drainage ditch on the east is outside the property line and within the Duck Creek Road right-of-way and does not have an easement on it.

2. Effect on local services

Utilities – There is an existing well on the site but it will be removed and replaced with a new well that will serve the condominium development. The proposed well must be approved by MDEQ before final plat. The owners of the condos will have a permanent, non-exclusive right to use the well, and maintenance will be shared as outlined in the Declaration of Unit Ownership documents to be recorded with the establishment of the condominiums with final plat.

Septic System - All of the units on the lot will make use of an existing shared multi-user public drain field system. Shared maintenance provisions will also be established for this existing septic system in the Declaration of Unit Ownership documents. The proposed new buildings will be connecting to the existing, shared multi-user public drain field system and must comply with the State of Montana Department of Environmental Quality (MDEQ) requirements as pointed out in the SIA.

MDU and NorthWestern Energy will provide gas and electrical utilities as necessary. The applicant is providing an access and utility easement for the benefit of both lots for utility installation. The applicant will be discussing the best location for utility installation and the needed easements with the

respective private utility providers and will show all utility easements on the final plat (**Condition#1**).

- a. **Stormwater** – Stormwater will be retained onsite and will be in compliance with Section 4.7, YCSR. A stormwater management plan will be submitted and approved by MDEQ prior to final plat approval. Stormwater retention ponds are shown on the plan.
- b. **Flood Plain / Flood Fringe** - This proposed condominium development is entirely in the Flood Fringe of the 100 year Flood Plain. Since the property is in the Flood Fringe, the developer may build in that area as long as he meets the requirements for construction. In order to develop the site, proposed buildings will require finish floor elevations above the base flood elevation. Floodplain permits are required to be completed and approved prior to any construction on the site as outlined in the SIA.
- c. **Solid Waste** – Solid waste disposal will be provided through a private hauler. The Billings landfill has the capacity to accommodate waste from this subdivision.
- d. **Streets** – Access to the subdivision is from Duck Creek Road, a paved petitioned County road. Duck Creek Road is on the east side of the proposed subdivision lot. No additional street right-of-way is necessary. There currently is not an RSID to maintain Duck Creek and it is currently maintained by the County. No additional RSID is being created at this time for its maintenance.

Access approaches for the lot were also determined with the original plat. Lots 1 and 2 will use a shared 40-foot wide approach. This internal access will be built with a 24 foot wide asphalt driving surface with 2 foot shoulders according to County Road Standards with a turnaround area for the fire department. Maintenance of the internal driving surface will be shared proportionately, as outlined in the Declaration of Unit Ownership documents to be recorded to establish the condominium ownership.

- e. **Emergency Services** – The subject property is within the jurisdiction of the Billings Urban Fire Service Area (BUFSA). The proposed condos will be serviced by looping driveways constructed to meet the fire department needs. The applicant for this subdivision is installing a 30,000 gallon underground storage tank dry hydrant system. The applicant will install the tank as approved by BUFSA and receive final sign off that it functions properly before final plat. An RSID-M will be created that include the proposed condominium units prior to final plat approval to maintain the dry hydrant system (**Condition #2**).

The Sheriff's Department will provide law enforcement services for the subdivision and does not have any concerns.

f. **Mail Delivery** - The United States Postal Service will service the new lot. The applicant will install either a Centralized Mailbox Unit or individual delivery boxes dependent on what the USPS requests. The applicant will provide documentation that they have contacted the USPS and have approval for the proposed type of postal receptacle system. **(Condition #3)**

3. Effects on the natural environment

No alteration of any stream will occur with this subdivision.

The development will use noxious weed control measures to prevent the spread of noxious weeds to adjacent developed or agricultural land. A weed management plan will be completed and a property inspection done prior to final plat approval **(Condition #4)**.

There are no apparent or known natural hazards on the property.

4. Effects on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. Montana Fish, Wildlife and Parks (FWP) were provided information about the proposed subdivision and did not have any comments regarding this area. The applicant has included in the SIA a paragraph under Conditions That Run With The Land that deer may damage landscaping and unless there is commercial agricultural damage, or a threat to public safety, FWP does not assist with wildlife problems. A note to this affect is found in the 'Conditions that Run with the Land' section of the SIA.

5. Effects on public health and safety

There are no known manmade public safety hazards that would affect this subdivision. Plans and designs for wells and septic systems will be reviewed and approved by MDEQ prior to final plat approval. Fire and emergency services are provided for this proposed subdivision, including a water supply for firefighting purposes.

B. Was an Environmental Assessment required? (76-3-603, MCA)(Section 9.2.C.1, YCSR)

An environmental assessment was not required for this subdivision as per Section 9.2.C.1., YCSR. A Summary of Probable Impacts was provided. No major issues were identified.

C. Conformance with the Yellowstone County – City of Billings 2008 Growth Policy Update, the 2011 Billings Area Bikeway and Trail Master Plan, and the Billings Urban Area Transportation Plan 2009 Update (Section 3.2.H.4., YCSR)

1. Yellowstone County – City of Billings 2008 Growth Policy Update

The proposed subdivision is consistent with the following goals of the growth policy:

- Goal: Controlled weed populations. (p. 9)
The developer will complete a weed management plan following an inspection performed by the County Weed Department.
- Goal: Predictable land use decisions that are consistent with neighborhood character and land use patterns. (p. 6)
The proposed subdivision is not within the County zoning jurisdiction. It is located south of Interstate-90 in an area that has been developed in recent years for commercial uses. Therefore, it seems to be consistent with the neighborhood character in this area.
- Goal: More housing and business choices within each neighborhood (p.6).
The proposed subdivision would allow for additional business development in this area of Yellowstone County.

2. Billings Urban Area Transportation Plan 2014 Update

Duck Creek Road is classified as a collector street and is expected to handle the additional traffic generated by this commercial subdivision. The required right-of-way was dedicated with the original Bowman Subdivision to meet the required half width for a collector street. The proposed subdivision maintains the street hierarchy defined in the Transportation Plan.

3. Billings Area Bikeway and Trail Master Plan

The subdivision is within the Billings Area Bikeway and Trail Master Plan jurisdictional area. Duck Creek Road is considered a planned ‘primary on-street bikeway’. There are no bike lanes, or even shoulders on Duck Creek Road, but these facilities may be considered when future upgrades to the road are made. A waiver of right to protest future RSID’s for street improvements is being signed and recorded with this subdivision.

D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? (76-3-608(3)(b), MCA) (Section 3.2.H.3.a., YCSR)

The subdivision, with the proposed conditions, satisfies the requirements of the Montana Subdivision and Platting Act and conforms to the design standards specified in the Yellowstone County Subdivision Regulations. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local and state subdivision regulations.

E. Does the proposed subdivision conform to all requirements of the zoning in effect? (Section 3.2.H.3.e., YCSR)

The subject property is outside of the County zoning jurisdiction.

F. Does the proposed plat provide easements for the location and installation of any utilities? (76-3-608(3)(c), MCA) (Section 3.2.H.3.b., YCSR)

Utility easements will be provided on the face of the final plat for both electric and natural gas, as requested by MDU and NWE as noted above.

G. Does the proposed plat provide legal and physical access to each parcel within the subdivision and notation of that access on the plat? (76-3-608(3)(d), MCA) Section 3.2.H.3.c., YCSR)

Access to the subdivision lots will be from Duck Creek Road, a petitioned County road.

CONCLUSIONS OF FINDINGS OF FACT

- The preliminary plat of Duck Creek Condos Subdivision does not create any adverse impacts that warrant denial of the subdivision.
- With the proposed conditions, Duck Creek Condos Subdivision is in compliance with the Montana Subdivision and Platting Act and the Yellowstone County Subdivision Regulations.
- New water and wastewater facilities will be approved through the Montana Department of Environmental Quality.

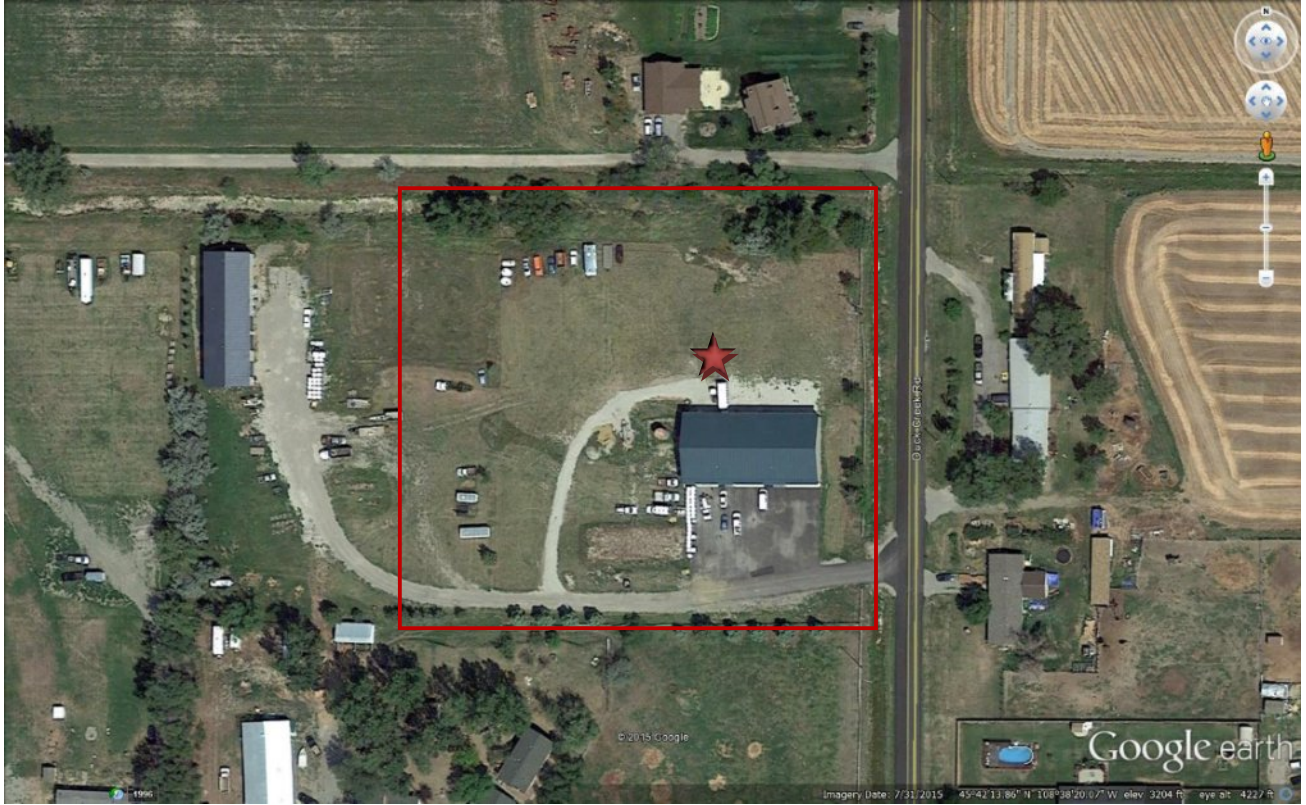
ATTACHMENTS

A: Aerial Image

B: Plat and associated documents

Attachment A
Aerial Image

Subject property





YELLOWSTONE COUNTY BOARD OF PLANNING
CITY OF BILLINGS AND
YELLOWSTONE COUNTY, MONTANA



Planning Board Meeting I (2nd Tuesday)

7. d. 4.

Meeting Date: 11/10/2015

Information

INTRODUCTION

On October 1, 2015, Performance Engineering and Consulting for Diamond B Companies applied for preliminary subsequent minor plat approval for Amended Lots 1 and 4, Block 1, Bottrell Subdivision.

The proposed plat creates 5 lots from a 14.68-acre parcel of land. The subject property is generally located on the north side of Trade Center Avenue and east of Shackelford Lane. The property is zoned Controlled Industrial (CI) and there are existing commercial/industrial uses on the land and in the immediate vicinity. The Yellowstone County Board of Planning will review the plat at this meeting and conduct a public hearing on Tuesday, November 24, 2015. The Board of County Commissioners will act on the proposal on December 8, 2015.

RECOMMENDATION

Staff recommends that the Planning Board recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Amended Lots 1 and 4, Block 1, Bottrell Subdivision, and adopt the Findings of Fact as presented in the staff report.

PROPOSED CONDITIONS OF APPROVAL

Planning staff recommends the following conditions of approval:

1. To ensure that public health and safety measures for fire suppression are met, prior to final plat approval the applicant will receive approval from the Billings Fire Department for the location and installation of the proposed dry hydrant and that it will meet the requirements for access for fire apparatus.
2. To ensure that public health and safety measures for fire suppression are met, prior to final plat approval the applicant will submit public easement documents to be recorded with the final plat for the dry-hydrant system.
3. To ensure future maintenance of the dry-hydrant system before final plat approval the applicant will create an RSID-M to maintain the dry-hydrant fire suppression system.
4. To minimize the effects on the natural environment prior to final plat approval, a weed management plan and property inspection shall be approved by the County Weed Department.
5. Minor changes may be made in the SIA and final documents, as requested by the Planning and/or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
6. The final plat shall comply with all requirements of the County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County, and the laws and Administrative Rules of the State of Montana.

VARIANCES REQUESTED

No variance have been requested.

PROCEDURAL HISTORY

- A pre-application meeting was held on August 27, 2015, to discuss the proposal.
- The preliminary plat application was submitted to the Planning Division on October 1, 2015.
- A departmental review meeting was conducted on October 15, 2015.
- The preliminary plat was resubmitted with revisions based on department reviews on October 22, 2015.
- The Planning Board will review the plat on November 10, 2015.
- The Planning Board will conduct a public hearing on November 24, 2015, and forward a recommendation to the Board of County Commissioners.
- The Board of County Commission will consider the preliminary plat on December 8, 2015.
- The 60 working-day preliminary plat review period ends December 28, 2015.

PLAT INFORMATION

General location:	North side of Trade Center Avenue and east of Shackelford Lane
Legal Description:	Lots 1 and 4, Block 1, Bottrell Sudivision
Subdivider/Owner:	Bottrell Family Investments LP
Engineer and Surveyor:	Performance Engineering and Consulting
Existing Zoning:	CI
Existing land use:	Vacant / Commercial / Industrial previously platted property
Proposed land use:	Commercial /Industrial
Gross/Net area:	14.68 acres
Proposed number of lots:	5
Lot size:	Max: 3.12 acres Min.: 2.43 acre
Parkland requirements: subsequent minor subdivision	No parkland dedication is required for this commercial

Attachments

Findings of Fact
Attachments

FINDINGS OF FACT

The City/County Planning staff has prepared the Findings of Fact for Amended Lots 1 and 4, Block 1, Bottrell Subdivision. These findings are based on the preliminary plat application and address the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Yellowstone County Subdivision Regulations (YCSR).

A. What are the effects on agriculture, local services, the natural environment, wildlife, wildlife habitat, and public health and safety (76-3-608(3)(a), MCA) (Section 3.2(H)(2), YCSR)

1. Effect on agriculture and agricultural water users' facilities

The subject property is not currently used for agricultural purposes and does not have water rights. The subdivision is in an area that is developed with a mix of other uses and should not affect agriculture or agricultural water users' facilities.

2. Effect on local services

- a. **Water and Sewer** – These properties do not have water service to them. They will be required to have individual on-site wells. The location of the individual wells must be reviewed and approved by Montana Department of Environmental Quality (MDEQ) before installation. There is also no public sewer to the properties. Individual septic systems will be used for each of the lots. The location of septic systems will be reviewed and approved by the MDEQ. These systems will be constructed as approved by the MDEQ and as shown on the approved plans.
- b. **Streets and roads** – The proposed subdivision is located on the north side of Trade Center Avenue and east of Shackelford Lane. Trade Center Avenue is a local County paved road within a 80-foot public right-of-way. No additional right-of-way, changes or improvements to the street are anticipated with this subdivision.

Lots 1A and 1B will share an access on to Trade Center Avenue. Lots 4A, 4B, and 4C will have individual accesses on to Trade Center Avenue. The new accesses will be required to obtain approach permits from County Public Works.

- c. **Fire and Police Services** – The property is within the Billings Urban Fire Service Area's jurisdiction and the Billings Fire Department will provide fire service. It is the subdivider's responsibility to ensure provisions of a water source and adequate access to the proposed lots for emergency service's needs. This subdivision will be required to provide a dry hydrant system. The applicant will be installing a 30,000 gallon dry hydrant system in the south west corner of Lot 4A in a public easement and will provide easement documents with the final plat (**Condition #2**). The applicant will submit drawings to the City of Billings Fire Department for approval before installing the dry hydrant system and have the

system checked and approved by the City of Billings Fire Department before final plat approval (**Condition #1**). The applicant will be required to create a RSID-M for the maintenance of the dry hydrant system (**Condition #3**).

The Yellowstone County Sheriff's Department will provide law enforcement services.

- d. **Solid Waste disposal** – The Billings Landfill has capacity for solid waste disposal. Solid waste will be collected and disposed of by a private garbage collection company. Each lot owner will be responsible for arranging for collection.
- e. **Storm water drainage** – All storm water drainage shall satisfy storm water management requirements and specifications of MDEQ. The water is proposed to be absorbed on-site in the ditches along the paved road within the public right-of-way.
- f. **School facilities** – This is a commercial development with no proposal to have residential uses on them. They will have minimal impact on local schools.
- g. **Parks and recreation** – This proposed five-lot subsequent minor subdivision is not required to provide parkland dedication, as it is a commercial subdivision (76-3-621, MCA).
- h. **Historic features** – No known historical or cultural assets exist on the site.

3. Effects on the natural environment

The development will use noxious weed control measures to prevent the spread of noxious weeds to adjacent developed or agricultural land. A weed management plan will be completed and a property inspection done prior to final plat approval (**Condition #3**).

There are no apparent or known natural hazards on the property.

4. Effects on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. Montana Fish, Wildlife, and Parks (FWP) responded to a request for review and comment on the proposed subdivision. It is suggested that future property owners should be made aware that unless they take steps to deter animals such as fencing their yards they may experience damage problems. A note to this effect is found within the SIA to help inform future landowners.

5. Effects on public health and safety

Plans and designs for use of the proposed individual septic systems will be reviewed and approved by MDEQ. Fire and emergency services are provided for this proposed subdivision. There should be minimal effects on public health and safety as a result of this subdivision.

B. Was an environmental assessment required? If yes, what, if any, significant adverse impacts were identified? (76-3-616, MCA) (Chapter 9, YCSR)

An environmental assessment was not required for this subdivision because it is in a zoned part of Yellowstone County.

C. Does the subdivision conform to the Yellowstone County-City of Billings 2008 Growth Policy Update, the 2014 Billings Urban Area Long Range Transportation Plan, and the Billings Area Bikeway and Trail Master Plan? (Section 3.2 (H)(4), YCSR)

1. Yellowstone County – City of Billings 2008 Growth Policy Update

- **Goal: Predictable land use decisions that are consistent with neighborhood character and land use patterns. (p. 6)**

This subdivision will create 5 lots for commercial development, consistent with the immediately surrounding neighborhood.

- **Goal: New developments that are sensitive and compatible with the character of adjacent County townsites. (p. 6)**

There are similarly sized lots directly adjacent to the subject property.

- **Goal: Contiguous development focused in and around existing population centers separated by open space. (p. 6)**

The proposed subdivision will increase the development density on the subject property therefore concentrating development and potentially preserving the agricultural land and open space in the surrounding area.

- **Goal: More housing and business choices within each neighborhood. (p. 6)**

The proposed subdivision will create 5 developable lots in this area for commercial development.

2. 2014 Billings Urban Area Long Range Transportation Plan

The subject property is on the south west boundary of the study area of the Transportation Plan. The subject property has frontage on Trade Center Avenue which is not identified on the Functional Class Map. It is a local road associated with the subdivision. No additional right-of-way is needed this plat.

3. Billings Area Bikeway and Trail Master Plan (BABTMP)

The subject property is on the south west boundary of the study area of the BABTMP. The Plan does not identify any bikeway in the area of this proposed subdivision. However, the **Zoo Montana to Riverfront Park Trail Feasibility Study** completed in 2014 identifies Trade Center Avenue as having a high potential for a 10 foot wide trail within its 80-foot-wide public right-of-way. A trail in this area is vital to providing access east/west between the Zoo and Riverfront Park and

existing public right-of-way that is more than adequate in width means that construction of a trail would result in little or no impact to private property. Since this is a commercial subdivision, park land dedication or cash in lieu is not required. Further, Trade Center Avenue is already constructed in this area and no additional construction is anticipated with this development. Given these factors, no trail improvements may be required and no improvements are proposed by the developer with this plat.

D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? [76-3-608(3)(b), MCA and Section 3.2(3)(a), YCSR]

The proposed subdivision meets the requirements of the MSPA and the YCSR. The subdivider and the local government have complied with the subdivision review and approval procedures that are set forth by local and state subdivision regulations.

E. Does the subdivision conform to sanitary requirements? [Section 4.8(C) and 4.9 (C), YCSR]

The subdivider will need to receive approval from MDEQ for the use of septic systems and water systems on this subdivision as stated in the SIA and required by YCSR.

F. Does the proposed subdivision meet any applicable Zoning Requirements? [Section 3.2(H)(3)(e), YCSR]

The subdivision is in the County's zoning jurisdiction and is zoned Controlled Industrial (CI). The proposed lots sizes are in compliance with zoning, County Subdivision Regulations, and MDEQ. There is a paragraph within Section II. of the SIA notifying future property owners that a Zoning Compliance Permit is required prior to any construction on the lots.

G. Does the subdivision provide for necessary planned utilities? [76-3-608(3)(c), MCA and Section 3.2 (H)(3)(b), YCSR]

Utility easements shall appear on the face of the final plat as requested by Northwestern Energy and MDU. There are existing utilities along the Trade Center Avenue frontage, no other easements for private utilities are anticipated with this subdivision.

H. Does the proposed subdivision provide for legal and physical access to all lots? [76-3-608 (3)(d), MCA and Section 3.2 (H)(3)(c)(d), YCSR]

Legal and physical access will be provided for the proposed lots from Trade Center Avenue.

CONCLUSIONS OF FINDINGS OF FACT

- Amended Lots 1 and 4, Block 1, Bottrell Subdivision does not create adverse impacts that warrant denial of the subdivision.
- Impacts to agriculture, agriculture water user facilities, local services, public health and safety, the natural environment, and wildlife should be minimal. Impacts identified can be mitigated by reasonable conditions of final plat approval.
- The subdivision conforms to some of the goals of the 2008 Growth Policy.
- The applicant has complied with the MSPA and YCSR processes and the subdivision conforms to the law requirements.

RECOMMENDATION

Staff recommends that the Planning Board recommend to the Board of County Commissioners conditional approval of the preliminary plat of Amended Lots 1 and 4, Block 1, Bottrell Subdivision and adoption of the Findings of Fact as presented in the staff report.

ATTACHMENTS

A: Aerial and Zoning Map

B: Preliminary Plat and Associated Documents

ATTACHMENT A
Aerial and Zoning Map

